**Wales Negotiating Committee Further Education**

**Joint Agreement for the Employment of Part Time Hourly Paid Lecturers**

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**1. Context**

1.1 Colleges recognise the responsibilities placed on them by the Part Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and other legislation.

1.2 Where Part time fixed term contracts are used, colleges will ensure that their use complies with the Join Agreement for the Employment of Fixed Term Employees (March 2021).

1.3 Where Part time permanent contracts are used, colleges will ensure that the job role of a part time is not limited by the part time status of the contract.

1.4 This agreement replaces the Nation Agreement on the Employment of Part Time Lecturing Staff in FE Colleges and Institutions in Wales (May 2018).

**2. Status**

2.1 This agreement has been jointly agreed between the trade unions and employers in Wales Negotiating Committee Further Education (WNCFE).

2.2 This agreement is for use by individual colleges in order to develop policy and procedure for the use of the Part Time Contracts for lecturing staff. In determining local policy, normal consultation and negotiation arrangements should apply with recognised trade unions in accordance with the terms set out in this agreement.

2.3 It is for each college to undertake their own equality impact assessment.

**3. Scope**

3.1 This agreement applies to all part time hourly paid lecturers, permanent and fixed term.

3.2 Colleges are committed to maximising opportunities to provide continuity of employment for all staff and to use part time hourly contracts responsibly and justifiably.

3.3 The provisions of the Fixed Term Agreement will apply if the part time hourly contract is fixed term.

**4. Policy requirements**

4.1 The aim of this agreement is to enable Colleges to develop policy in order to ensure equality of treatment for part time hourly paid staff, whether fixed term or on permanent contracts.

4.2 The use of permanent part time hourly contracts after two years of continuous service should only be used by colleges if requested by the member of staff.

4.3 After two years continuous service, the member of staff should be moved to a fractional contract, the size of which should be comparable to the average hours taught over the past two years, unless the concept of objective justification is to be applied. The objective justification must refer to precise and concrete circumstances characterising a given activity which are capable, in that particular context, of justifying the use of a part time hourly permanent contract.

4.4 Set out the use of part time lecturing staff contracts, ensuring that the roles undertaken by part time lecturers reflects the duties laid out in the National Workload agreement for lecturers.

4.5 Specify how these staff will be paid following the formula in 5.2.

4.6 Review hourly paid staff as part of the annual workforce planning process, budget planning cycle and the curriculum planning cycle. Staff employed under these contracts should be reviewed in each learning area taking into consideration the sustainability of the curriculum whilst ensuring it is responsive to the learner and employer needs in the local community.

**5. Procedural requirements**

5.1 All Part time hourly paid lecturing staff must be paid on the relevant pay scale, dependent on their qualifications, i.e. Unqualified Scale, Main Grade or Upper pay spine.

5.2 The formula for calculating the hourly rate of pay based on the National Contractual terms is as follows:

Basic Hourly Rate = Annual Salary divided by Annual Hours. Annual hours = 37 hr Working week x 52 weeks/year = 1924

Additional Time = 20 minutes per teaching hour to cover preparation and marking

 Total hourly rate = Basic Hourly Rate + Additional Time

When part time hourly paid staff are asked to attend for departmental duties or training payment will be made at the basic hourly rate.

Holiday Pay calculation: Annual Leave + Statutory Days x 7.4 hrs/day equals total holiday hours per year e.g. 46 + 8 x 7.4. Holiday pay element is either Basic Hourly Rate or Total Hourly Rate multiplied by 0.198 depending on whether the hours worked are teaching hours or departmental duty hours. Non- teaching duties do not attract preparation and marking time.

Actual rate of pay will be either ‘Total Hourly Rate’ or ‘Basic Hourly Rate,’ as appropriate, + Holiday Pay Element.

5.3 Individual Colleges will take into consideration when calculating the hourly rate the local practice agreed in respect of efficiency days.

5.4 Annual increments shall be awarded to the hourly paid staff from 1st August each year on the same basis as full time staff and every two years on the upper pay scale.

5.6 The days and times staff are required to work will be in accordance with the teaching timetable for the relevant term, a copy of which will be supplied to the member of staff. Such timetables will be determined at the discretion of the college and may be subject to change. Where there is a change in demand, the College reserves the right to amend the schedule as required, giving two weeks’ notice.

5.7 All hourly paid lecturing staff are entitled to an appraisal/staff development and review.

5.8 The requirements of the National Workload Agreement will apply to this group of staff.