

Strikes, ASOS and members on casualised contracts

November 2022

This guidance looks at how our members who are precariously employed can support the current industrial action in HE, but it is aimed at all members and branch activists.

UCU is currently engaged in two disputes, one which is known as the Four Fights dispute and the other on pensions.

The Four Fights dispute is in support of our claim for a fair pay rise and action to tackle casualisation, excessive workloads and inequality in the workplace.

The pension's dispute involves those employers who offer USS as the pension for academic and academic related staff (broadly speaking the old or pre-92 universities).

Our industrial action is made up of both actin short of a strike (ASOS) and strike action.

Up to date details about how and when these actions are being applied can be found on our website at: <https://www.ucu.org.uk/rising>

Taking strike action

Striking means not doing any work on the strike days that we have specified as a union. This includes not engaging in any activity which is part of your work such as teaching, administration, meetings, emails related to work, marking, research or conferences.

While there are many challenges in taking strike action, it is a clear show of solidarity with colleagues that puts pressure on the employers to try and seek a solution to the disputes.

Research staff often feel that taking strike action is ineffective as they are funded by fixed-term external funding for specific projects, which they will still feel the pressure to complete within the fixed period of the grant.

Casually employed staff on low and erratic wages may also find it difficult to take action, not only because of the lost pay (which may amount to a substantial part of their weekly / monthly income, depending on how strike days fall) but also for fear that they will not be offered work in the future.

However, a core part of our dispute is fighting the casualisation that leaves our members in these insidious and precarious positions. Taking no action will allow the situation to deteriorate even further.

Every member of the union who decides not to participate in strike action weakens our position and undermines the action being taking by their colleagues.

Strike pay

The criteria for accessing UCU's national fighting fund and the level of payment are determined and authorised by the elected UK officers. We will announce the arrangements once those decisions have been made by the elected UK officers.

If strike pay is agreed, while most members will be asked to show evidence of deductions arising from strike action on their pay slips as evidence of loss, other forms of evidence will be able to be submitted by those who are employed on a casual contract and have had work cancelled as a result of their strike action.

In the past, many branches also operated hardship funds for members losing pay as a result of the strike action. Please contact your local branch to ask if they have such a fund available and the criteria for accessing the funds.

Action Short of a Strike (ASOS)

While a strike is a concerted stoppage of work, 'action short of a strike' (ASOS) is normally action which affects only certain aspects of your work.

Members in these disputes were balloted on their willingness to engage in a range of ASOS:

- working to contract
- not covering for absent colleagues
- removing uploaded materials related to, and/or not sharing materials related to, lectures or classes that will be or have been cancelled as a result of strike action
- not rescheduling lectures or classes cancelled due to strike action
- not undertaking any voluntary activities; and
- a marking and assessment boycott.

From 23 November we have activated all forms of ASOS except a marking and assessment boycott. In NI ASOS (except a marking and assessment boycott) commenced on 18 November. Therefore, from 23 November (18 November in NI) every member in every branch involved in either dispute, should be observing the ASOS we have called.

Our ASOS also includes

- not rescheduling lectures or classes cancelled due to strike action
- not volunteering for additional work
- not covering for other people's work.

This is particularly powerful in showing the huge amount of unpaid work that is routinely carried out by staff on casualised contracts.

Hourly paid staff especially need to make clear to students what they are paid for and the rates at which they are expected to work. For example, staff could tell students they are paid to mark e.g. 4-5 assignments in an hour, and that they normally spend more time on it, but because they are in dispute and taking ASOS they are providing only the amount of feedback/marking possible within the allocated time.

Research staff face some unique challenges. Many research-only staff are concerned that ASOS does not directly impact the employer, particularly for externally-funded projects. Additionally, research deliverables are often fixed, and seen as or made to be the responsibility of individual researchers. However, many grants have allocated hours which can serve as a basis for ASOS.

Research-only staff can increase pressure on employers by publicising their participation in ASOS to colleagues and partners (including external funders/stakeholders) and campaigning publicly.

Collectivising your ASOS actions is important and ideas on how that can be done are set out in the section for branches / activists below. However, if you have other ideas, talk to colleagues and your branch – the more input staff on casualised contracts have, the more effective the action will be.

PGR guide to industrial action

PGRs play an important part in this industrial action and your involvement is crucial in order to cause the greatest disruption possible to employers. You can take legal part in industrial action (striking or ASOS) for research, teaching, and other work that you do outside of being PGRs (i.e. as graduate teaching assistants, research assistants, or professional services at or above grade 6) which you are contracted to do as a worker / employee. In order to maximise the role that you can play in our industrial action, you should therefore ensure that you are on the correct membership, and if you have any questions about your employment status you should ask UCU members in your branch.

A full guide to the role PGRs can play in the industrial action can be found at:

https://www.ucu.org.uk/media/12260/Postgraduate-researcher-guide-to-strikes/pdf/ucu_PGRs_strikes_guide_Dec21.pdf

Supporting colleagues on casualised contracts

Those members whose positions are relatively privileged should be encouraged and supported to provide active solidarity and support to colleagues who experience barriers to progression and face greater levels of precarity.

When talking about the action and how to implement ASOS locally, make sure you include colleagues on casualised contracts.

Talk openly about the purpose of ASOS and strike activity - to challenge excess workload and poor working conditions, and to underline that universities should be hiring and properly paying staff for their work. Securely employed colleagues in particular should be highlighting and challenging casualisation and issues with work conditions in meetings with students, managers, and other colleagues, making excessive workloads, endemic casualisation and poor conditions visible. The burden of speaking up about casualisation should not be on casualised colleagues. Colleagues could also talk openly about union membership and help organise within departments.

Use your position to oppose research funding proposals to external funders that cannot be achieved through contracted hours.

Use your contacts and influence with external stakeholders and funders to provide more visible support for industrial action, the benefits of research, or public funding.

ARPS staff with responsibility for research administration are perhaps usefully placed to help communicate the aims of ASOS with funders.

How can branches support members on casualised contracts taking action?

General

- Tailored organising and support to groups such as hourly paid staff, PGR students who teach, and researchers on fixed term contracts has the potential to build branch organising power during, and beyond the duration of the dispute(s).
- (Help) develop networks and hold regular meetings of staff on casualised contracts to discuss any calls for strike action and the on-going ASOS. Take action on any concerns / suggestions. Regular meetings can help overcome isolation / vulnerability.
- Ensure that students, stakeholders and funders are aware of what is happening - casualised staff are often the front line with direct links. Make sure they have a robust response to any criticism of action that makes it clear that the action is the fault of management, not of UCU members.
- Make sure that staff on casualised contracts are contacted by the branch to explain the action that is being taken and how they can participate. Many members on casualised contracts feel isolated so it is important that branch communications are inclusive and

reach hourly paid staff, sessional tutors, researchers, postgraduate researchers, language tutors and other groups that are commonly on casualised contracts.

- Include the voices of members on casualised contracts in communications / publicity about the dispute(s).
- Use the dispute(s) to recruit staff on casualised contracts and encourage their activism.
- Be very vocal that any attempts to victimise members on casualised contracts taking action by e.g. not offering them work in the future, will be challenged and resisted by the branch collectively.

Strike days

- On strike days, reach out to members on casualised contracts and include them in picket rotas etc. to ensure they feel as included as possible.
- Make sure that members on casualised contracts understand how to access national strike pay and any local hardship or strike funds you may have.
- In collaboration with research staff members, consider collectively writing to funders to lobby them to publicly support the union in the dispute. There could also be public narratives around the benefits of the research that staff do and why they have been driven to withhold additional labour.

ASOS

- Branches and union reps need to defend ASOS as a legal right to managers and students and explain that contracted hours are inadequate if staff are unable to undertake all their duties in the time they are paid for (including hourly paid staff).
- Hold local meetings of staff on similar contract to discuss and decide how they can support the ASOS and what 'working to contract' looks like. For example, let members decide what level of non-contact work is reasonable in any comprehensive hourly rate of pay – and encourage all members paid in this way not to spend more non-contact time than they are being paid for. Agree and advertise this to all staff and students and develop a standard statement for members to use in their email signatures.
- Provide agreed standard advice for students on the impact on ASOS in terms of feedback and marking.
- Ask researchers how best research staff can support the ASOS that maximises disruption to the employer whilst minimising the impact of their own career progression.
- Support research members to better leverage their networks, for example, through guidance/instruction and encouragement to solicit supportive statements and social media amplification.
- Ask departmental reps to collate and e mail the 'Reclaim Our Time' spreadsheet information to help provide cover for our most precariously employed members.

- Provide template emails to students/other staff, autoreplies, and email signatures. It should be made clear that this is action being asked of members by the union, to try to avoid individualisation.

How can line managers of casualised staff support them?

General

- Managers can send an email in advance of strike activity/ASOS reassuring casualised staff that they are aware of their right to strike/take ASOS, and communicate their support for the action to casualised staff as well as to more senior management.
- For PGRs, early career researchers (ECRs) or others concerned about teaching / research quality, managers can suggest methods of ASOS to demonstrate this (for example, making it clear that the same volume of work cannot be carried out if industrial action is being taken).
- Managers should discuss the workloads of their staff on casualised contracts, and make it clear what are contractual duties, what are not, and how much time it is expected they will be working. They should acknowledge that ASOS necessarily means that less work will be done, and discuss with workers how to manage that. They should not request meetings or responses to emails. They should not ask casualised workers to cover or make up for work missed during the strike. There should be no retaliation for taking part in ASOS and this should be made explicit, particularly where casualised staff are subject to re-hiring.
- Managers should encourage adherence to ASOS, model ASOS themselves, reassure workers of positive recommendations/evaluations, offer to proactively step in and deal with complaints from students, admin, visa compliance, etc. on behalf of staff they manage.

Line managers of teaching staff

- Line managers can help by clearly communicating to staff and students that workers will be taking ASOS and what that means. Module convenors of courses delivered by casualised staff can make blanket announcements about strike action/ASOS and UCU policy to students on the course, and the reasons why these actions are being taken. This should empower individual staff on casualised to raise these issues with students if they choose.
- Line managers can help facilitate meetings of multiple workers on a course who might be taking ASOS, to discuss how they plan to do this and how they can support each other. Consider creating regular staff meetings either for or including staff on casualised contracts to regularly check in (during contracted hours of course).

Line managers of research-only staff

- Principal investigators should not be asking postdocs/other researchers on their grants to undertake work on strike days.

- Managers should check in with those they line-manage to help work out priorities for what needs to be done on ASOS.
- Use influence you have with funders to lobby funders to publicly support industrial action.

For full details of industrial action, which branches are involved and general questions, please please see our FAQs at: <https://www.ucu.org.uk/article/12469/FAQs>

These ideas have been developed and provided with input from and thanks to: HEC ASOS sub-committee, anti-casualisation committee (ACC), Alex Reynolds-Kirby; PGRS as Staff campaign lead, FAQs on UCU website.