

New JNCHES Contract Types negotiations: terms of reference

Background

The New JNCHES offer for the 2023-24 negotiating round includes a commitment to negotiate with the purpose of seeking to reach agreement in respect of contract types, workload and equality pay gaps.

The trade unions welcome UCEA's commitment to use its leadership and convening power to identify concrete steps which employers are able to implement locally with involvement of recognised trade unions using local consultation and/or negotiation machinery.

Contract types - purpose of negotiations

As a positive first step, UCEA has agreed to consult its members, with a positive recommendation to take action on zero hours contracts, whether fixed-term or permanent/open-ended. While the contractual arrangements offered to employees will be for individual institutions to determine, we would expect indefinite contracts with a fixed or minimal hours to be the general form of employment relationship between employers and employees in HEIs. We accept that there will be specifically defined reasons in any organisation for offering indefinite or fixed term employment arrangements without fixed or minimum hours where it is appropriate. We would expect these reasons to be discussed between HEIs and their local trade unions.

The purpose of these negotiations is to seek agreement, in pursuit of which the parties will:

- Understand the extent of the relationship between funding arrangements and contract types.
- Consider and analyse the relevant data available and where possible, collect and analyse relevant data that is unavailable through HESA.
- Develop, agree and promote principles at a UK- level which employers are able to apply through the appropriate local consultation and/or negotiating machinery on the following contract types:
 - Graduate Teaching Assistants (GTAs)
 - Fixed-term contracts
 - Post Graduate Researchers (PGRs)
 - Hourly-paid contracts
- Review progress on contract types on an annual basis and report to UCEA members with further guidance and examples of success.
- Recommend to UCEA's members to carry out an Equality Impact Assessment when undertaking work relating to contract types so that mitigating action can be taken with regard to any adverse impact/s identified.

Negotiating group membership

- 10 representatives from unions, one FTO and one lay rep from each union.
- up to 10 Employer representatives (including UCEA officers and representatives from HEIs).

For this work, support will be provided from ACAS with ACAS conciliators joining meetings as appropriate/needed to ensure that progress is being made.

Additional specialists may be invited with the agreement of both sides to provide input and research findings where relevant.

Negotiations: chair and secretariat

The negotiations will be chaired on an alternating basis.

The joint secretaries will act as co-ordinator between meetings.

UCEA will provide secretariat support to the negotiations.

Meetings

Will be held regularly and as required to progress work effectively within the agreed timescale.

The meetings can take place in person or virtually, so that the joint work can be completed within the agreed timescales and provide reasonable opportunity for both sides to participate.

Responsibility for hosting meetings will be shared between the employers the trade unions and ACAS as appropriate.

Timescales

The first negotiating meeting will be held as soon as possible with the aim to complete the negotiations by end of February 2024.