

This is a minority report, with a recommendation to “note”, from Justine Mercer (UCU President Elect), writing in a personal capacity. She was UCU’s elected lay negotiator in the month-long Acas talks. HEC recommends voting reject, as do six of the negotiators.

Analysis of the Terms of Reference provisionally agreed between the campus trade unions and UCEA.

Preamble on pay

The 8% pay award over two years (2021-2022 and 2022-2023) is well below inflation. No HE worker deserves a real-terms pay cut. However, UCEA is a membership organization, not a single employer. It comprises around 150 individual, autonomous institutions, who sign up to collective bargaining (or not) on a year-by-year basis. This is relevant when considering how likely it is that UCEA will secure a mandate from their members to increase the pay offer and by how much.

Terms of Reference

The Terms of Reference (ToR) negotiated by the five campus trade unions need to be compared to last year’s joint claim [<https://www.ucu.org.uk/media/12528/HE-unions-claim-2022-23/pdf/TUJNCHESSclaim202223FINAL.pdf>]. They go further than the “working groups” that UCEA has previously offered. But, equally, there is no guarantee they will produce outcomes that are acceptable to members.

Potential outcomes if members vote to note

We will start time-limited negotiations on a new pay spine. The union-side will ensure all job families and all spinal points are included. The union-side has already negotiated clauses within the ToR that ensure a) our preferred model is implemented or the status quo prevails (“the existing position regarding the pay spine will remain...”) and b) no-one suffers a detriment (“no detriment basis”). An Equalities Impact Assessment will be carried out and any discrimination rectified.

Thereafter, we will begin time-limited negotiations to address equality pay gaps, workload and casualization. The union-side inserted the phrase “within the university workforce” into the ToR to ensure all workers are covered, not just directly employed staff. Should the negotiations break down, we will be able to serve notice of industrial action within days.

Potential outcomes if members vote to reject

The Marking and Assessment boycott will go ahead. UCEA may withdraw from the Acas process. If they don’t, the other unions will decide, via their own democratic structures, whether or not to continue without us. Based on last summer’s MAB, some institutions will offer local pay deals in an attempt to undermine the action.