

ARE YOU ON A FIXED-TERM CONTRACT?

THEN THIS APPLIES TO YOU!

Know your rights:

You have the right to equal treatment!

The law has changed recently. You now have the right to be treated ‘no less favourably’ than someone on a permanent contract, unless your employer can ‘objectively justify’ doing so.

What does that mean to me?

- ▶ The end of your contract is a redundancy. This means that your employer must inform you if there is any prospect of making you redundant and must agree, where possible, to redeploy you. You cannot simply be told that your contract has ended and you are no longer an employee
- ▶ You have the right to redundancy payments, if you have been employed for more than 2 years
- ▶ If there are more than 20 potential redundancies (including the ending of fixed-term contracts) in a 3-month period then the employer **MUST** consult with the trade unions
- ▶ In other cases, your employer must consult with you – setting out in writing the reasons why you are being considered for dismissal (you cannot be selected on the grounds of your contract), inviting you to a meeting to discuss alternatives and allowing you to appeal against any decision. If they fail to do so, your dismissal would automatically be unfair
- ▶ Your employer must ensure that you are considered for and offered suitable alternative work and provide you with any necessary training

The law also means you might now be on a permanent contract:

- ▶ You are now permanent if you have more than 4 years continuous service on 2 or more fixed-term contracts with the same employer or your contract has been renewed at least once and there are no objective reasons for the use of a fixed-term contract
- ▶ If you are within this category, write to your employer, they must provide ‘objective justification’ in writing for keeping you on a fixed-term contract. If the employer’s justification is unsatisfactory, you can challenge it

What is UCU doing?

UCU is opposed to the use of fixed-term contracts and we campaign for the transfer of all fixed-term staff to permanent contracts. Where they are still used, UCU campaigns to ensure that staff on fixed-term contracts are fairly treated

Because ‘objective justification’ is vague in the new law, some local union branches and Local associations are negotiating to get a new policy that defines it more firmly. Many have local groups of fixed-term contract members who campaign on issues for fixed-term staff

What can you do?

- ▶ Join UCU – UCU can support you. If you think you should be permanent or you think you are being less favourably treated than your permanent colleagues, contact your local rep. But we cannot help you unless you join UCU
- ▶ Get involved – the best way to ensure that you are fairly treated is to get involved in your union. If you and other members like you get together and raise your issues with your local union, you will be more powerful than you could ever be on your own
- ▶ Know the law – The new law offers some help but it is not as good as we would like and like all laws, it will only be effective if people make sure it works. That means that you must know your rights and ensure that your employer and your managers know them too. If you think you should be permanent or you are being less favourably treated, write to your employer asking them to set out the reasons why. They have 21 days in which they must reply and if they are not adequate, you can challenge them

You can get involved in UCU:

- ▶ Encourage others to join – The more fixed-term members who join and become active, the better your interests will be represented. The best person to encourage others to join is someone who understands the issues, so fixed-term staff are the best people to recruit their fixed-term colleagues
- ▶ Contact your local association or branch committee. There are lots of ways of getting involved to help raise fixed-term staff issues and your committee will be the best place to start
- ▶ If your local association is negotiating a local policy on fixed-term contracts, contact your committee to ensure that your views are reflected

**JOIN THE UNION, JOIN THE CAMPAIGN
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