

Dear Colleague

Important ballot material - please use your vote

The Higher Education Committee (HEC) has decided to ballot you on the position reached by your negotiators following proposals made by UCEA, the university employers' association, to change the national structures within which we negotiate pay increases and agree guidance on your working conditions.

Overleaf you will find contributions from HEC members both for and against accepting the employers proposals. Please take the time to read both carefully.

The changes may seem arcane and far removed from your daily working life but how we negotiate is important both to what we discuss and to the outcomes for staff and I urge you to participate in this very important ballot.

The proposals will mean the end of distinct bargaining arrangements for academic and academic related staff, and their replacement with 'single table bargaining' where all staff unions sit down together. They will also mean a restriction on the ability of UCU to take industrial action until all negotiations are exhausted making it more difficult for the union to take effective action, for example, as part of an assessment boycott.

As you will see from the accompanying literature, some believe that without the safeguard of separate negotiations on matters only affecting academic and related staff and the ability to take action when we choose, the union's ability to bargain will be fundamentally weakened.

Others believe equally strongly that if the union does not accept the proposals, the current structures of national bargaining will collapse to be replaced by local pay determination with far more serious long term consequences for many UCU members.

During this balloting process I have little doubt that your employers will as usual seek to influence how you vote. I would urge you to ignore them and focus simply on what is in the best interests of our union.

It is vital that the union emerges with a united position and a clear mandate for the negotiators. So whatever you decide, please make sure that you use your vote.



Sally Hunt, General Secretary

The background to the negotiating structure reform proposals

At its meeting on 14 December UCU's Higher Education Committee (HEC) considered proposals for revised arrangements for national pay bargaining under the Joint National Committee for HE Staff (JNCHES). These proposals were produced after a lengthy process which is set out in detail below. HEC decided that the matter should be referred to a ballot of HE members and this statement sets out the issues on which you are asked to decide.

July 1999 the report of the Bett Committee recommended, (inter alia) a single table for national pay bargaining for HE staff but for an initial period of two years this should fall to two sub-committees, one for academic and one for other staff.

June 2001 the JNCHES structure was agreed which included two sub-committees to negotiate pay, one covering all academic staff and academic-related staff in pre-92 institutions (ASSC) and one covering other non-academic staff (PTAAS). There was agreement that this structure should be reviewed after two years.

July 2003 all JNCHES unions agree to the Framework agreement except AUT.

May 2004 following industrial action, AUT and pre-92 institutions agree to the Memorandum of Understanding and the national Framework Agreement is concluded for local implementation.

August 2004 to date the Framework Agreement has been implemented through local negotiation including the 51(+) point pay spine for all staff "from porters to (but not including) Professors". Grading has been by reference to job evaluation developed to achieve "equal pay for work of equal value".

July 2006 pay settlement agreed which included a commitment to review the JNCHES negotiating machinery. Early in the review the employers state that they will only accept single table bargaining for pay negotiations.

July 2007 proposal for new JNCHES arrangements are put forward. UCU representatives said that UCU could not accept the proposals without full consultation with a special HE conference. UCU raised three issues of concern, i.e. the proposed move to single table pay bargaining, a pre-determined timetable for pay negotiations and a disputes procedure which would precede any industrial action ballot. These matters are set out in detail in HE/5 which can be found online at www.ucu.org.uk/HEpay together with the report which HEC considered on 14 December in HEC/142; this includes the full text of the proposals for the revised JNCHES structure.

7 November 2007 UCU HE conference agrees:

Conference notes the draft review of JNCHES forming Appendix 1 and the Annex A of the briefing paper, and reaffirms its commitment to national bargaining on pay, and on conditions for post-92 institutions.

Conference confirms the right of all unions to pursue the interests of their members and deplores the employers' repeated attempts to influence UCU's democratic processes by threatening unilateral abandonment of national pay bargaining.

Conference authorises the negotiators to secure revisions to the draft agreement which satisfactorily address the matters identified in HE/5 numbered paragraphs 1, 2 and 3.

27 November 2007 JNCHES review group agrees changes to the proposed JNCHES structure. UCU refers this to the Higher Education Committee without a recommendation.

14 December 2007 HEC agrees to put the new structure to a ballot of HE members without recommendation.

THE CASE AGAINST

Single table bargaining will mean giving in to the employer diktat that the clerical and manual Unions should have the power of veto over our right to negotiate for our members. It will mean the end of effective bargaining.

Our case for a substantial "catch up" pay settlement is based on comparability with other professions - doctors, MPs, senior civil servants and the like. With a single pay claim, the other unions will veto anything which means more for our members than for theirs. Consequently, the maximum achievable will be RPI or the public sector pay norm - probably whichever is lower.

Pay will be driven down to the lowest common denominator leaving institutions with lots of money to fund pet projects or to distribute - without negotiation - in discretionary rewards for the chosen few. UCU will cease to have any meaningful role in negotiating pay.

The imposed negotiating timetable will rule out balloting on industrial action until June or July - making effective action impossible.

The national 'single table' will negotiate everything including conditions of employment and pensions. Unless the employers and the other unions agree, we will not be able to take the lead role in negotiating on issues of major concern to our members such as pensions, the academic-related link and the abuse of fixed term and hourly paid contracts.

This will set a very dangerous precedent for local UCU negotiating arrangements and pose a serious threat to the survival of local agreements on academic freedom, grievance, disciplinary and redundancy procedures.

Do we really want to give other unions a role in negotiating on matters which are of major concern to our members?

This ballot gives us an opportunity to call the employers' bluff and reassert our determination to bargain and negotiate for all our members - at national as well as local level. Vote NO!

THE CASE IN FAVOUR

HE Sector Conference instructed negotiators to seek three changes to the new proposed JNCHES structure. These changes concerned:

- balloting during disputes procedure;
- a sub-committee for academic staff issues;
- timetable for bargaining.

Your negotiators achieved:

- the right to ballot for action during the disputes procedure;
- provision for working sub-committees to address specific issues;
- a timetable with negotiations finishing at end of May;
- the possibility of adding points at the top of the scale, preserving our 'catch-up' aspirations.

UCU would have preferred more distinct structures and an earlier timetable, but we were negotiating with the other unions as well as the employers.

Negotiations have ended. The deal is the best that can be achieved by negotiation.

If we vote yes, we need to develop our pay campaigning and industrial action strategy. We need to establish better working relations with the other unions, so that all can benefit from single-table bargaining. It won't be easy, but it's our best option.

If we vote no, where does UCU go? The other unions will sign new national bargaining arrangements, leaving UCU out in the cold. There is a real danger some employers will break away from national bargaining. This means we will have to take industrial action, locally, to defend national bargaining.

UCU will be greatly weakened if we lose national bargaining. It will divide members and lead to loss of pay for most members. It will threaten the national contract in the post-92 sector. Local pay bargaining will lead to more attempts by employers to bring in Performance Related Pay and tie incremental progression to appraisal.

This is one of the most important decisions UCU will take in its history. Vote YES to keep national bargaining and keep UCU membership united.