

anti-casualisation news



THE NEWSLETTER OF UCU'S ANTI-CASUALISATION COMMITTEE

WELCOME TO THE THIRD EDITION OF **ANTI-CASUALISATION NEWS** (PREVIOUSLY **THE FIXED-TERM AND HOURLY-PAID NEWSLETTER**) WHICH HAS BEEN PUT TOGETHER BY UCU'S NATIONAL ANTI-CASUALISATION COMMITTEE

WHAT'S IN A NAME?



Jean Crocker, Chair of UCU's Anti-casualisation Committee explains the newsletter's recent name change and sums up progress at the end of year one

We have changed our name from *Fixed-Term and Hourly Paid News* to *Anti-Casualisation News* because the forms of casualisation are so diverse. They encompass agency staff, people whose 'open-ended' contracts still explicitly link job security to external funding, as well as researchers, lecturers and academic-related staff on fixed-term contracts, hourly-paid and postgraduate staff, and those on permanent zero hours, and bogus self-employment, contracts.

In our first year we have seen the launch of *Stamp Out Casual Contracts* and the Day of Action (see <http://www.ucu.org.uk/index.cfm?articleid=3635>).

The *Ball v Aberdeen* case has shown that uncertainty of external funding could not be used as a blanket justification for job insecurity, and *Kaye Carl's* case has demonstrated that you can be an employee with employee rights in spite of a 'contract for services'.

The *Researchers' Survival Guide* has appeared, and membership among researchers has increased. For the first time, hourly paid staff across the HE sector are in the pay claim, which calls for the assimilation of all to the pay and grading structures and for pro-rata permanent contracts. There were many motions on casualisation at Congress 08, with speakers demonstrating essential support and solidarity.

We have to keep going until the battle is won. Let *Stamp Out Casual Contracts* be part of actions around FE and HE pay. Fiction about well-off, comfortable education staff can be countered with the reality of rock-bottom pay, for an hourly paid teacher, and the constant threat of a 100 per cent pay cut for the researcher.

Please go on sending in information and articles about pay and conditions at your workplace, actions, successes, and whatever you want to tell other members.

ANTI-CASUALISATION AND THE NATIONAL ORGANISING PLAN

The National Organising Plan (NOP) was agreed by Congress in 2008 and sets out clear targets for our national, regional and local organisation in order to improve our union's strength. These priorities should inform the work of the regional committees who create an organising plan for the year and oversee its implementation.

Priorities identified in the plan include the recruitment of more members and the need to target key groups such as hourly-paid staff, researchers and early-careers staff.

Work on this has already started with the *Researchers' Recruitment Campaign* which is currently being piloted, the *Researchers'*

Survival Guide, and the development of an *Hourly Paid Survival Guide*.

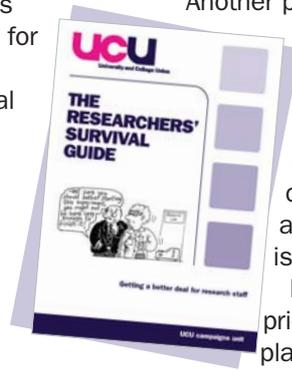
Another priority is to map regional pay and conditions – including those of staff on casual contracts, and again, this work is underway.

Higher Education priorities within the plan also identify the assimilation of

hourly paid staff under the Framework Agreement and action to secure equal treatment for staff on fixed-term and part-time contracts.

More information on the NOP, including progress and regional reports can be found on the UCU website at: www.ucu.org.uk/nop

Jane Thompson,
HE Assistant General Secretary



LAYING THE FOUNDATIONS OF AN EFFECTIVE CAMPAIGN

Our future growth lies in our ability to recruit and organise those most poorly represented in our membership. Casualised workers in FE and HE are the most rapidly expanding section of our potential membership, including temporary agency workers. These are colleagues whose pay can be

between 20 per cent and 40 per cent lower than permanent employees and whose conditions of employment are vastly inferior. These are workers for whom we are shy even of attempting to represent for fear of the repercussions of a single phone call that a manager might make to their agency. ➤➤

Trade unions, including UCU, have been lobbying the government to agree to the Agency Workers' Directive – something the UK government had been blocking in Europe. The directive aims to give agency workers the same rights as directly employed staff. A breakthrough came when the TUC and the CBI agreed a statement on the application of the Directive which limited its application to those employed for 12 weeks or more. There will now be consultation on the options for UK implementation of the Directive. UCU will be fully engaged in this consultation. However, there is still a great deal more campaigning to be done. While the promise and potential of the European legislation to ensure parity of conditions and representation is welcome, there remains the possibility that the UK legislation will contain derogations that could hamstring vital protections, and it may not come into force for several years.

In the lead up to the Fixed-term Employees Regulations, UCU (then AUT and NATFHE) campaigned for improvements for our members on fixed-term contracts with the implied threat that our members could exercise their impending legal rights and that the union would support them in doing so. Some harmonisation of terms and conditions has occurred under this legislation to the benefit of our members but employers have also tried to establish clear differences between the contracts of fixed-term and permanent staff (or full-time and part-time staff) in terms of duties, qualifications and skills required to try to block claims for equal treatment. We must resist these

moves and make sure that employers do not try these tactics when agency workers finally get legal rights to equal treatment.

Where all other attempts to engage the employer in collective bargaining have failed, the practical job of winning parity must be both political and legal. We must campaign for nationally agreed standards to bring up local conditions. We must organise lobbies of governing bodies, collect case studies and employee data, and garner letters of support. We must use the legislation that we already have; identifying comparable workers and preparing claims for tribunal.

We must put pressure on rogue employers; we must ensure that institutions where there is entrenched casualisation are not forgotten, and we must ensure that all staff are secure and have a living wage.

**Ben Jones, Co-Vice Chair
Anti-Casualisation
Committee**



The pay of casualised workers in further and higher education can be between 20 per cent and 40 per cent lower than that of permanent employees

CAMPAIGN LAUNCH

I was one of about 40 people attending the anti-casualisation campaign launch on 1 November at Britannia Street in London. The purpose of the campaign is not to deprive people of the employment that they presently 'enjoy', but to fight for better terms and conditions for fixed-term, hourly-paid and agency staff. Currently these staff are treated as the peripheral part of a two-tier workforce. UCU is determined to tackle this and has launched the campaign nationally. Its main aims are to increase the use of permanent contracts, gain equal treatment for agency workers, oppose redundancy selection on the basis of contract type, and transfer all staff onto full-time or fractional contracts.

The launch was opened by the President of the UCU, Sasha Callaghan. Sasha referred to her years of 'bogus self-employment' as an agency worker which propelled her towards activism and to recruiting 40 agency workers to the union. Sasha said that these workers are a source of strength for UCU.

Jean Crocker, chair of the FTHP committee, highlighted some of the issues to be addressed such as zero-hours contracts and researchers' contracts being revoked when funding expires. Jean reported that there had been successes, but that there was still a lot to do as with assimilation of hourly-paid staff in pre-1992 institutions to the National Framework Agreement.

Jane Thompson, Assistant General Secretary HE, said that one aim of the campaign is to make casualisation issues a priority locally.

There was an interesting presentation by Professor Yvonne Hillier and Dr Jill Jamieson which centred on research conducted for the Learning and Skills Development Agency into the deployment and development of part-time staff in the learning and skills sector. This research revealed that such staff 'continue to provide an invaluable service ... but they remain under-recognised and largely unsupported by institutions'.

Ronnie Kershaw, National Officer, reported on pilot schemes to organise researchers that had been conducted at Leeds, Sheffield and Oxford Universities.

Mike Barton, from the FTHP committee, said that local material needs to be produced with a local flavour for local campaigning against casualisation. He stated that the campaign needs to be driven by activists on permanent contracts, and that they need to understand that casualisation has an adverse effect on everyone. Mike called for the increased use of agency staff to be blocked. He stressed the importance of there being a member of the casual workforce on every branch committee.

After lunch, the choice of workshops included 'part-time working' and 'recruiting and organising staff on casual contracts'. The day finished with a social at which delegates and officers exchanged ideas over snacks and a few glasses of wine.

It was a successful launch to the campaign but the hard work has only just started.

Steve Funnell, Anti-Casualisation Committee



ALL WE SURVEY...

Members at the City and Islington branch of UCU decided to carry out a survey of hourly-paid staff at our college, as we wanted to find out where the hourly paid were treated differently from the full time staff.

More than a third of all the hourly paid staff at City and Islington College responded to our survey. Most of these were female and had been working at the college for at least five years. They were working hard; 'working for pin money' does not begin to describe the labour they are putting in.

However, the hourly-paid staff who responded knew very little about the terms and conditions they were employed under: 18 per cent did not know what type of contract they were on, just over half said they could only understand their wage slips sometimes, and 15 per cent never understood them. The total figure of befuddled lecturers who don't know how much they should be paid then stands at 70 per cent. That's the sort of thing that can make planning your life or paying your mortgage very difficult.

The hourly-paid lecturers were generally highly qualified, and almost all have a teaching qualification. The college that employs them as tutors and course managers, and pays them at most two admin hours for the privilege, recognises this professionalism. A payment that is a drop in the ocean for the actual work done.

Hourly-paid lecturers at City and Islington College are often sitting next to someone doing the same job who is paid more, despite there being no difference in experience, performance or qualifications, as this survey has proved. When I mentioned this to a friend outside teaching she said 'teaching is a vocation'. I say in response: why then is one person's vocation treated and paid differently from another's.

**Sally Ingrey, Co-Vice Chair
Anti-casualisation Committee**

REPORT: DAY OF ACTION AT CITY AND ISLINGTON COLLEGE

“ Prior to the day of action on 3 December last year, I gave a speech at our general meeting asking members to support the anti-casualisation campaign, and I am pleased and proud to say that the vote was carried unanimously.

The day before the protest was due to take place, we leafleted both workers and management with a newsletter that set out the issues surrounding casualisation and arranged a stall for the actual day with petitions, joining forms and other literature.

Our anti-casualisation campaign kicked off with a lunchtime protest on the steps of the BAT site at City and Islington College. We have a strong union and so had plenty of support from those on full-time and fractional posts who understand that casualisation weakens everyone and so are fully behind us in our fight.

I gave a speech on the steps, and one of the full-time members of staff thoughtfully got a journalist down from the local paper to take photographs and interview us. The journalist was dumbfounded when I explained the differentials in pay between casualised staff and full-time staff.

Meanwhile one of the full-time members of staff (formerly a casual

worker) engaged a head honcho in conversation over the petitions desk and, as a result of this chat, a further discussion has been pencilled in to talk about the issues of casualisation in our college. It may all lead to nothing but at least the door is opening a little.

On coming back from my speech into the college I ran into my manager who was at pains to tell me that he had made up more casualised staff into full timers than anyone else in the place. I think he might be on our side.

Anyway onward and upward and don't give up on the struggle.

**Sally Ingrey, Co-Vice Chair
Anti-Casualisation Committee**

Reports from other branches can be seen at www.ucu.org.uk/index.cfm?articleid=3635



Jane Thompson: "We need to make casualisation issues a priority locally."

NO EXTERNAL RECRUITMENT WHILE MEMBERS' JOBS ARE AT RISK

Sean Wallis's opinion piece 'It ain't necessarily so' in the UC magazine (October 2008, p15) gives an excellent overview of the undesirability of casualisation of staff – from individuals' and employers' perspectives, and for research and teaching.

Job insecurity can affect people in many ways at different stages of their lives. It can make it difficult to secure a mortgage (especially in a poor economic climate) or lead to a lack of confidence in taking one on. It makes it difficult to plan a family, especially for women, and much time, effort and emotional energy can be spent seeking other (possibly more secure) work, and juggling future work with completing current work. There are also concerns about maintaining employment if you become ill, and what might happen to your family should you become terminally ill when at risk of redundancy and live beyond your redundancy date (so losing the financial protection employment brings). It can also be difficult to decide which type of pension scheme to join when the uncertainty of continued employment is constantly on your mind.

It is not unreasonable to presume that continued job insecurity over one's working life has a detrimental cumulative effect. Employers have a duty to care for all their staff, and to protect them from undue stress. Greater use of health and safety and employment legislation may be required to ensure that members of

staff feel secure, and are secure.

The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 exist to ensure that staff on fixed-term contracts have the same rights as those on permanent contracts, and employment law obliges employers to offer redeployment or retraining before making staff redundant. No job should be advertised externally if the vacancy could be filled by an internal member of staff threatened with redundancy.



The stress of insecure employment can have serious detrimental effects to employees' health

While it is well known that poor / unlawful employment practices are having a detrimental effect on casualised staff – the post-16 education casualised workforce reports high levels of psychological stress (UCU Stress Survey, 2009) – permanent staff in some institutions are also at risk of redundancy when funding

streams end. This has huge impacts, as described, on these staff as well.

Many principal investigators mistakenly think they are obliged to advertise research posts externally, regardless of whether there are staff within their institution at risk of redundancy and capable of carrying out the work. This puts existing staff in the invidious position of competing with external applicants for jobs (on their grade) in their own department. In addition, it is enraging and time-wasting being invited to an interview, to satisfy employer obligations, when there is no real interest in redeployment.

Practice varies between institutions, and there have been examples of significant improvement particularly in areas where local UCU representation is strong. Practices such as issuing all staff with permanent contracts and alerting staff to new positions, to ascertain their willingness and suitability to do the job before advertising externally, are to be commended. However, there is scope for UCU to speed this up at a national level and insist that post-16 education institutions no longer get away with flouting the law. As union members we must ensure that all our colleagues who are currently on casualised contracts or receive routine threats of redundancy are given greater security in the workplace by challenging discriminatory and unlawful employment practices.

Pam Clarke
Anti-Casualisation Committee
Roma Robertson (Researcher)

MORE INFO

If you would like to get in touch with the Committee please contact the Chair Jean Crocker at: j.f.crocker@durham.ac.uk

If you would like to contribute to the newsletter please contact Jim Thakoordin at: jim@thakoordin.fsnet.co.uk

For more information about UCU's work on anti-casualisation please visit our website at www.ucu.org.uk

If you have a problem or query please contact your local branch or association in the first instance
Contact details can be found at www.ucu.org.uk/contacts

