

anti-casualisation news



THE NEWSLETTER OF UCU'S ANTI-CASUALISATION COMMITTEE

Highly participative and successful

The outgoing Chair reports back from the annual meeting for staff on casual contracts



The annual meeting for staff on casual contracts held on 9 March was the best attended for many years with

47 members registered as delegates and a further 19 as observers.

The meeting was lively and generated a lot of interest in standing for the Anti-Casualisation Committee. In fact, more members offered to be co-opted to the Committee than we were able to accommodate but thank you to everyone who put themselves forward.

The meeting heard from Sally Bridge from the Communication

Workers Union. Her presentation was excellent and was circulated to all attendees.

The meeting passed 15 motions of which a number were used to formulate our six motions to Congress and sector conferences, hopefully for endorsement. The minutes of the meeting, including all motions passed, will be circulated to all branches in due course.

In future, subject to NEC agreement, members will be able to self-register for the annual meeting, as well as coming through branches. The Committee will also be discussing the feedback from the meeting and how best to organise and advertise

future annual meetings and, in particular, to think about maximising attendance; encouraging branches to debate and submit motions; encouraging members to stand for the Committee; getting the format for the meeting right; inviting the best speaker, and deciding on workshops.

If you have any ideas on how to improve the annual meeting, then please let us know.

All together it was one of the most successful and participative annual meetings, so thank you to everyone who came along and took part.

Jim Thakoordin, ACC Chair
February 2010 – March 2012

ANTI-CASUALISATION AT CONGRESS 2012

We are delighted that, following a very successful annual meeting, ACC is sending our full complement of two motions each to Congress and the sector conferences, as well as a rule change. The annual meeting was clear that representation of members by members must not be lost in any review of the democratic structure, so the first of our motions to Congress, passed as an emergency motion by our annual meeting, calls for the anti-casualisation annual meeting and committee to be retained, and for continued representation on the NEC (see below). A number of branches and other committees have put forward motions on similar themes to Congress.

This is all the more urgent since the situation of staff on casualised contracts in both FE and HE remains extremely difficult. The use of variable-hours contracts and hourly-paid lecturers prevails in both sectors as part of a drive for an education system which is increasingly marketised, encouraging destructive competition and segmentation.

The rule that workers can no longer be regarded as fixed-term after four years with an employer is often ignored or is toothless. Staff are often discriminated against in terms of career progress, training, and recognition in the workplace. Postgraduates and researchers

continued overleaf

are exploited and remain on insecure 'apprentice' contracts despite many years' experience. Adult and continuing education often has very poor conditions of work despite government rhetoric about the importance of life-long learning.

All UCU members should stand together to oppose these attacks, so we are calling for an increased profile for campaigns against casualisation, including a national day of action to recruit staff on casualised contracts, training, and encouragement of anti-casualisation activism at branch level.

The Anti-Casualisation Committee has submitted the following motion to Congress:

The continuation of structures for the voice of members on casualised contracts in UCU.

This conference notes:

The work of the Anti-Casualisation Committee has been critical in raising the profile of those UCU members who are in the weakest employment position. To ensure that targeted campaigning and organising of workers on casualised contracts in FE and HE is carried out, we need people who have this as the main focus. We also assert the right of these members to have an FE and an HE member on the NEC in order to represent their views.

This conference calls for:

- the maintenance of a specific and separate Anti-Casualisation Committee and of the annual meeting of members on casualised contracts
- no reduction of membership on the Anti-Casualisation Committee, so that the committee can continue to represent members on many different kinds of casualised contract
- continuation of a separate election for an FE and an HE member on the NEC to represent members on casualised contracts.

The other motions we have submitted are as follows:

Motions to Congress:

- rule change to allow the Committee to submit motions to special Congress or sector conferences
- a campaign for non-casualised employment – calling for a national day of action to recruit staff on casualised contract and to organize an organising /training conference for members on casualised contracts.

TO FESC:

- encouraging activism on anti-casualisation in branches

- Adult and Community Education – highlighting the position of staff on casualised contracts in ACE and calling for materials for negotiations and a recruitment campaign within the sector.

To HESC:

- Postgraduates – calling on LAs and branches to reach out to recruit and support postgraduates
- Researchers on fixed-term contracts – calling on the HEC to provide information and support branches to push for conversion to permanent contracts for research staff to and approach employers and funding bodies to achieve sustainable research careers.

Are you going to Congress? If so, please support our motions to oppose casualisation and to improve the employment conditions of researchers, fixed-term, hourly-paid, zero-hours and other staff and, most importantly, do what you can locally to put the motions into practice. As well as our promoting our motions, The Anti-Casualisation Committee will be holding a fringe meeting on Friday lunchtime (8 June) on 'Casual employment and tackling the crisis in education'. We hope to see you there.

Philip Inglesant

The new ACC Committee

Following the annual meeting we have a new Anti-Casualisation Committee with a full complement of members from both FE and HE:

Jean Crocker (Chair) – Teesside University/NEC

Pat Roche (Vice-Chair) – Blackpool & Flyde College

Vicky Blake – Durham University

Mary Clinton – Liverpool University

Terry Duffy – Glyndwr University

Philip Inglesant – Edinburgh University (Congress rep)

Lesley Kane – Open University

John McCormack – Newcastle College/NEC

Christina Paine – London Metropolitan University

Regine Pilling – Westminster-Kingsway College

<name removed on request>

John Saunders – City University

Winston Scotland – City and Islington College

Mahmoona Shah – Bradford College (Congress rep)

Jim Thakoordin – Bedfordshire ACE

Then and now – the struggle against casualised contracts

Our annual meeting of members on casualised contracts has a long history. There was a contract research staff (CRS) annual meeting and committee by 1983, as documented by Conley and Stewart (2008) in their account of AUT work on CRS from 1974 to 2002.¹ Nowadays we say *researchers* rather than CRS, as guided by researcher activists.

In the 1990s members started meeting in preparation for a parallel annual meeting and committee for other members on fixed-term contracts – this piece focuses on that line of activism. In March 1996 I attended such a meeting by invitation, after contacting head office as an hourly-paid (HP) member, since there were no HP members in the group. I was discouraged at my branch on the basis that it wasn't for my kind of staff and the issue wasn't on the branch agenda.

It has been one of the tasks of anti-casualisation activists to keep casualised contracts on the agenda at all levels of the union until we get decent contracts for everyone.

Progress has been made. The

March 1996 meeting discussed 'waiver clauses', a way of getting fixed-term staff to sign away their right to claim redundancy pay and unfair dismissal. This did not include hourly-paid staff – there seemed to be an assumption that we had no rights to sign away. But we all took part in an intensive waiver clause campaign, alongside excellent allies on open-ended contracts, and the waiver clauses became history.

A motion at the second annual meeting of 'Fixed-Term Non-Contract Research Staff' (FNS) in May 1997 called for branches to seek, for hourly-paid members, recognition by employers, the right to join the Universities Superannuation Scheme, and the same terms and conditions as other staff.

The recognition battle seems to have been largely won in HE, though not always for postgraduate staff. In FE this can be a problem for agency staff. On pensions, pre-92 universities decided eligibility, and sometimes you had to be employed for a certain time first,

so fixed-term contract staff suffered, and I don't know

of any HP staff who could join. There were local campaigns and successes, and eventually legislation brought considerable improvements, though some postgraduate staff are still not treated equally.

As now, FE colleges and post-92 universities had the Teachers' Pension Scheme. I was teaching in a college when legislation allowed hourly-paid teachers to join, and they promptly decided to use an agency and asked us to re-apply – we would not be considered employees and were to be denied a pension. This is still a problem for agency staff.

The fight for equal terms and conditions came to a crunch point with the Framework Agreement in universities, as all staff were to be placed on the pay scale at the appropriate grade – by August 2006.

This has helped hourly-paid staff, more so in the post-92 sector, where the employers nationally already negotiated their pay, which the pre-92 employers would not do. In many pre-92 universities, the hourly-paid were initially left out.

continued overleaf



It is UCU policy that all HP staff are 'assimilated' on fractional contracts. Progress is being made slowly. We encourage all local associations/branches where members are still excluded to engage with management and seek help from region, head office and the ratification panel for the assimilation of hourly-paid staff in pre-92 universities, so that their most vulnerable members are treated equally.

It is UCU policy that hourly-paid staff in FE should have fractional contracts and (following an ACC motion) that agency workers are directly employed. Successes have

been won by sympathetic branch committees and by groups of members using collective grievances.

How are things in your workplace?

Since those early days the CRS and FNS committees have merged, eventually to form the ACC. When Natfhe and AUT also merged, the annual meeting and committee for members on casualised contracts became part of UCU, to include members on fixed-term, hourly paid, zero hours and agency contracts and non-employment 'contracts for services', whether in HE, FE or Adult Education. Please make sure your branch sends delegates

to the next annual meeting in 2013!

Currently, job insecurity is rife. We read in this newsletter of people being replaced by others on less secure contracts. We have to keep going and protect each other as best as we can. It will not last for ever. We can see that the hard work of activists has achieved good gains – and we will go forward at every point we can.

Jean Crocker

¹ H Conley and P Stewart (2008) *Representing fixed-term workers: the anatomy of a trade union campaign* Employee Relations Vol 30 (5) pp 515-533

RESPONDING TO YOUR NEEDS

At its first meeting on 3 May, the new Anti-Casualisation Committee discussed its priorities for the forthcoming year and how to make its work more strategic, participative and productive.

The Committee has listened to the comments made at the annual meeting (and the feedback following it) and will make every effort to better engage with branches and members on causal contracts.

The Committee have therefore agreed to actively engage in relevant discussion forums, to take on key regional/national contacts and to explore using social media to communicate with members. For information on UCU discussion lists please see:

www.ucu.org.uk/index.cfm?articleid=1078

If you have ideas on how the Committee can improve its engagement and communications with branches and members or if you any ideas for the Committee to consider please contact the Chair, Jean Crocker, at: jeancrocker@heights222.fsnet.co.uk



The Committee agreed that it would seek to publish at least two newsletters a year and would encourage contributions from a wider group of members. If you have a contribution you'd like to submit, please send it to Jean Crocker at the address above.

HIDDEN IN PLAIN SIGHT

What the Commission's inquiry into disability-related harassment means for schools and colleges

On 12 September 2011, the Equality and Human Rights Commission published the findings of its formal inquiry into disability-related harassment. The extensive evidence indicates that for many disabled people, harassment – including verbal and physical abuse, theft, sexual harassment and bullying – is a commonplace experience. The report makes a number of specific recommendations for schools and colleges including:

- Actively developing material to help students understand disabled people and the prejudice that disabled people face within society.
- Ensuring that their procedures for identifying the bullying of disabled students are fully operative, effective, and understood by all staff and students.
- Recognising the growing threat posed by 'cyberbullying'
- Identifying and implementing interventions to prevent harassment, developing responses to prevent escalation and investing in awareness campaigns encouraging victims to come forward.
- Ensuring disabled pupils and those with special educational needs are able to participate in all activities on an equal basis with non-disabled pupils.

Jim Thakoordin

The full report can be found at: <http://bit.ly/J4dRzr>

CASUALISATION AND RESEARCH CULTURES IN UK HIGHER AND FURTHER EDUCATION INSTITUTIONS

Or why you should never believe you are a football star...

There is a selfish and usually also spurious belief that out of every situation there are 'winners and losers'. In the current drift towards casualisation of both research and teaching activities in UK H/FE institutions one might be forgiven for believing there must be some tangible beneficiary. Perhaps the angst of academic casualisation might spur on the sort of tortuous effort and output associated with a junior doctor's training. Or perhaps students might benefit from the intensified schedules and casual vulnerability of their tutors? Or at least maybe the institutions might epistemologically or even financially benefit? The answer to the first two questions is definitely not and to the last a qualified yes, but only in the short-term and at great personal cost to staff – both products that might ultimately prove even more costly.

In their analysis of casualisation of academic labour, published by the British Geographical Society (BGS) in 2003, Cairtriona Ní Laoire and Nicola Jane Shelton show how academic performance is closely related to work characteristics, achievements and employment conditions. The results suggest that job satisfaction among contract workers is directly related to career stage, and that structural features of the academic labour market combine to restrict many highly-qualified academic staff to fixed-term contracts for longer than may be appropriate.

This terrain is fraught with inequalities. Casualisation is highly gendered, with women over-represented among the more junior ranks of contract staff and men dominating the senior ranks. Prolonged employment on fixed-term contracts can result in negative effects on the health and welfare of many contract staff, and also on staff morale and productivity. The paper concludes that underlying structural inequalities in the academic labour market need to be addressed. It's a dilemma for colleges – how do they promote and enhance the research and teaching that brings prestige (and funding) to the institution, and at the same time provide a high-quality learning experience to students if all they can offer are sessional contracts.

A host of studies since the BGS one have shown us the spuriousness of casualisation. The answer to this



Casualisation is highly gendered with women over-represented among the more junior ranks of contract staff

dilemma is not more casual teaching-only contracts or elite research contracts, but a happy mix of staff teaching and conducting research in permanent contracts.

Not only is there a real danger that untrammelled casualisation will expand the periphery of an 'ever-green' academic underclass of academic tutors but that our so-called 'football stars' of coveted scholarly departments will never produce the golden goose prized by university presidents. From recent research too it is clear that very few ever get those 'footballers' salaries'

Terry Duffy

WORKING PART-TIME AND TPS

Times – they are a-changing! This is certainly true in the Teachers' Pension Scheme (TPS) and while all members are getting a worse deal, if you work part-time you may be hit even more.

All pension contributions to TPS went up in April, but the way that contributions for part-time staff are calculated and the new banding structures mean that part-time staff with more than one contract could end up paying a higher percentage contribution than full-time colleagues.

Make sure your branch knows about the impact on part-time staff and asks your employers to raise this unfair treatment with their employers' association.

This is another reason why UCU said no to the government proposals.

Geraldine Egan – Pensions Officer

Casualisation creep...

anti-casualisation news from Bradford College

Bradford College is the second largest further education provider in England and one of the largest UCU FE branches.

Recent issues affecting casualised (hourly-paid and agency) staff at the College include a proposed new contract, training day payments for part-time staff, a new building and 'casualisation creep' – a perceived increase in the numbers of, and reliance on, casualised staff (mainly hourly-paid but also agency staff).

Casualisation creep

Some teaching staff perceive there to be increasing levels of casualisation creep at the college, with part-time, hourly-paid contracts, and agency staff being used in place of salaried staff in the vocational areas of FE Business, ESOL, and the A Level centre.

In FE business there are currently an estimated 14 hourly-paid members of staff compared to 7.5 staff

on full-time salaried contracts. We have estimated the total average contact hours worked by hourly-paid staff to be 247 per week, compared with the estimated 156 contact hours for full-time staff. Eight of these hourly-paid teachers have course tutor responsibilities across eight courses, assist with internal verification duties, external verification by Ofsted and Edexcel, pastoral care, mentoring of trainees, curriculum development completing student report forms, and departmental administration duties. One of the hourly-paid tutors is a subject learning coach and volunteer connection for the IfL, for which no remission or payment is received. There are also cases where hourly-paid staff are writing and delivering entire courses for external agencies such as the Jobcentre.

One of the perceived reasons for the continuing use of hourly-paid staff is the need to keep costs down, as measured by the 'pay to

income' ratio. In the A Level centre, a member of staff was recently made redundant and replaced with two Protocol National agency workers costing the college an estimated additional £1,000 per week. Protocol staff are also being used to deliver ESOL. Colleges would say that this provides a more flexible workforce, but the counterargument is that we need stability and professionalism for hourly-paid staff.

Reliance on goodwill

However, the full picture of the contribution of hourly-paid staff goes beyond numbers of and contact hours to encompass goodwill in planning (schemes of work, lesson plans, mentoring, administration and pastoral care duties). Managerialism and bean counting often fail to assess and acknowledge the contribution of staff in these areas. With regard to the issue of 'casualisation creep' we have sought information on the number of hourly-paid, and agency

staff, and the hours worked per department to enable assessment of the extent to which the college is reliant on casualised staff. Once this information is received, we will be aiming to organise hourly-paid staff, and press for improved contracts and conditions for hourly-paid staff.

The new contract

The new contract proposes

Ratio of hourly-paid to full-time salaried staff in Business FE at Bradford College



to increase teaching hours from 787 to 880, by two hours per week for all salaried full time staff, and to increase the number of teaching weeks as well as reducing holiday entitlement. This increase in contact hours is opposed by branch members because it will increase teaching loads, and reduce time available for equally important pastoral care, administrative and CPD activities. Scholarly and CPD activities are currently in the spotlight having been highlighted as an area the college needs to improve in to achieve Taught Degree Awarding Powers.

The new contract, if implemented, will have a devastating effect on the numbers of hourly-paid staff as well as increasing the stress levels of full-time staff. Therefore, at the AGM on 15 March 2012 members voted overwhelmingly to take strike action in order to defend the current contract and conditions. If implemented this contract will be the worst in the region.

Training and planning day

On the training and planning day issue (TAP day) it is felt that hourly-paid staff are excluded by the cancellation of all classes, in return for payment of £36 to attend. Some hourly-paid staff have been told it is compulsory to attend TAP day, whilst others are not expected to attend. Under the terms of their contracts however, hourly-paid staff are not expected to attend, therefore missing out on important training, planning, and information dissemination.

In addition, many hourly-paid staff have no incentive to attend for the low payment which works out as

below minimum wage over the course of a whole day's attendance. Staff in the FE business department are taking a lead in challenging management over this issue, on equality grounds as many hourly paid staff are women.

With the new-build, the hot-desking issue has returned to the fore. Staff will be expected to hot-desk. With minimal storage space, carrying files, and papers could present health and safety risks. It also raises issues of meaningful and inclusive communication spaces for staff. Hourly-paid staff who are teaching full time hours won't even have the same rights to a desk as full-time staff teaching the same number of hours. The lack of staff meeting and interaction spaces fails to promote teacher led forms of CDP, communities of inquiry, and collaboration.

These issues have been brought to management's attention and the proposed new-build highlighted as anti-educational but they are determined to press on with their plans, placing an announcement in the local paper about the new-build and the proposed inferior contracts (designed to cut staffing costs by financing the costs of a £35 million loan). The branch committee will be meeting to discuss a proactive approach to these developments, including a counter PR strategy, as well as investigating local authority sign-off for the new-build plans.

A UCU Bradford blog and UCU Bradford Twitter feed are under development so watch this space for more anti-casualisation news from the branch.

STOP THE CUTS IN THE OPEN UNIVERSITY AND SAVE JOBS

The ePetition *Stop the cuts in The Open University* was set up on the Parliamentary website by The Open University UCU branch. If nothing is done OU student fees will soon rise to £5000 for the equivalent of a full year's study.

While this is cheaper than an on-site university it will preclude many of those who have traditionally studied with the Open University. The result could be huge job losses amongst the OU's 7000 associate lecturers who are the largest group of casualised staff in any single institution.

Another reason for signing the petition is that the Open University has provided education and updating of skills to many people, including teachers and lecturers themselves. It must continue to do so at an affordable cost. Please sign the petition here:

<http://epetitions.direct.gov.uk/petitions/22316>

Lesley Kane



ISSUES FOR MEMBERS IN SCOTTISH UNIVERSITIES



Members on casualised contracts held a meeting at STUC's Glasgow office on 16 March this year, organised by Claire Johnston, branch development organiser, with Deborah Shepherd, regional support officer.

Our stalwart anti-casualisation organiser Ronnie Kershaw and committee secretary Jane Thompson travelled from the south to be there.

Nine casualised staff took part in a lively discussion, although it was unfortunate that few attended from outside central Scotland.

Naturally, many of the issues are the same in Scotland as for casualised staff elsewhere. Most students are horrified to learn that many of their lecturers are in fact hourly-paid teachers in very insecure employment, and fixed-term research funding and employment operate in much the same way as in the rest of the UK.

However, Scotland has its own higher and education system (UCU does not organise FE staff in Scotland), under the Scottish Government, which avoids some of the extremes of marketisation seen in England.

Some universities are more positive than others in developing the careers of fixed-term and other staff on casualised contracts. In particular, Glasgow has a

functioning redeployment system; others in Scotland could do well to follow their example. As UCU has repeatedly asserted, this is good for the employers as well as for staff – constant insecurity and loss of vital skills is to the benefit of nobody.

Two of the key legal cases concerning fixed-term employees have been in Scotland: in Aberdeen, the 'open-ended' contracts for staff who have been on fixed-term contracts for many years was clarified.

More unfortunately, the Employment Appeal Tribunal (Scotland) has recently overturned an earlier legal victory by ruling in favour of Stirling University, arguing that in cases of redundancy at the end of a fixed-term contract, 'the circumstances are ... not of termination being imposed on [employees] against their wishes...', and that therefore the employer has no statutory obligation to consult with the union as in collective redundancy situations. UCU is of course hoping to reverse this decision.

Further actions are planned at local and institutional levels, starting in early July.

Philip Inglesant

MORE INFO

If you would like to get in touch with the Committee or contribute to the newsletter, please contact the Chair, Jean Crocker: jeancrocker@heights222.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. For more information about the Anti-Casualisation Committee go to: www.ucu.org.uk/2973

