

15 March 2018

Rt Hon Amber Rudd MP
The Home Office
2 Marsham Street
LONDON
SW1P 4DF

Dear Ms Rudd

I am writing to seek urgent clarification on important matters relating to international staff working in UK universities.

As you may be aware, the University and College Union (UCU) is currently engaged in an industrial dispute with 65 higher education institutions across the UK. The dispute centres on plans to change pensions which could leave many staff up to £10,000 worse off in retirement.

Members at affected institutions have taken 14 days of strike action in the four weeks to Friday 16 March, and further strikes are planned for May and June in the event that the dispute is not resolved in the coming weeks.

Many of our members on Tier 2 visas have raised concerns that they could be putting their employer sponsorship at risk if they continue to engage in the strikes, because of the 20-day annual limit on unauthorised absence.

The right to strike is a fundamental right, enshrined in article 28 of the Charter of Fundamental Rights of the European Union. As such, all staff at our universities should be able to engage in lawful industrial action without fear of reprisal.

There is a lack of clarity in the current Home Office guidance for Tier 2 visa holders. I would therefore be grateful if you could please confirm in writing that staff taking lawful strike action will not have this counted against them with regard to their visa status or applications for indefinite leave to remain. I would also request that Home Office guidance be updated to reflect this.

In addition, I am deeply concerned to hear about the case of Durham university researcher Ernesto Schwartz-Marín and his wife Arely Cruz-Santiago who have been refused leave to remain because of time spent

abroad for research purposes. It is imperative that our immigration system provides the flexibility for researchers in our universities to complete their work without fearing for their immigration status. I am therefore asking that your department reviews this case as a matter of urgency.

I look forward to hearing from you.

Yours sincerely

Sally Hunt
General Secretary