

Warwick UCU Strike FAQ and guidance for casualised staff

Version: 09/02/2018 (The info here will be regularly updated, check warwickucu.org.uk for updates!)

Please feel free to forward this to any of your colleagues that are not in UCU. Note that, unlike the national FAQ's, these are not checked by union lawyers. If in doubt, always refer to the nationally available information or double-check with UCU.

1. I am contracted to teach at Warwick through STP / VAM. Can and should I participate in the strike?

First of all, you have the right to strike if you are a member of UCU, regardless of your contractual status, as long as your contractor is the University of Warwick. This is also clearly stated in the STP Terms and Conditions that are sent out with every contract, under paragraph 19:

"19. Trade Union Membership

You are able to join a trade union of your choice if you wish to do so, and you are entitled to be individually represented by an elected trade union representative. You are able to take strike action if you choose if there is a dispute between your union and the University, but you must give prior notice if you intend to take strike action as indicated above." [See point 6 on giving notice]

If you are a UCU member, the union very strongly urges you to take strike action. And there are many reasons for that – some of which we have already addressed in a previous email (see also [here](#) for UCU's briefing note for casualised staff). The key point is that as someone at the beginning of your career, you will be particularly affected by the proposed changes to the pensions scheme, since you will have little to no benefits accrued under the current system. Staff towards the end of their career, on the other hand, are less affected as they will still receive the benefits they have built up under the previous scheme. If you want to find out more about the dispute (and there is still time for that), there are some links in the strike dates and resources document.

We cannot emphasise enough how important this issue is for UCU and for the future of UK Higher Education as a whole. As you will have noticed, the plan of holding 14 days of strike is far more serious than any industrial action UCU has taken in the last decades. This shows the gravity of the issue. Once the defined benefits scheme is closed, it is closed forever and there is no turning back. This is unlike any other dispute we have had. This also raises the stakes of this dispute to an equally unprecedented level. It is very important for this strike to be successful and to have high rates of participation: otherwise, our very ability to put pressure on the employers in any future dispute will be undermined.

2. I am not a UCU member. Can I also strike?

In order to strike, you have to be a member of UCU. But you can, and in our view should, join UCU. It's not too late to join now – follow this link: <https://www.ucu.org.uk/join>, fill in an online form and it is done. You can do it up to the day of the strike, including on the picket line, and you will be covered by the dispute.

As a UCU member, you are protected from victimisation and retaliation, you have access to strike pay, and there are multiple other benefits as well – including and most importantly the solidarity of your colleagues! If you are a postgraduate who teaches, it is free for you to join UCU - but make sure that you join as a full member, not as a student member. If you are a student member but you also do teaching, upgrade your membership NOW to the full membership so you are covered by the dispute

and entitled to access strike pay. This upgrade is free if you are a PhD student who teaches. If you are not a PhD student, the membership fee for the lowest earning band is very low – around £1 a month.

3. I fear that participating in the strike will make me vulnerable towards my head of department. What if they hold it against me next time I apply for a job, or when my contract is up for renewal?

It is your legal right to take strike action, and it is illegal for any employer to use strike participation against you in any way. However, we are aware that theory and practice don't always correspond, especially for staff on casual or fixed term contracts who might fear that their future employment prospects could be jeopardised if they take action in breach of their contract or that the department management does not like. As a union, we are doing everything we can to make sure that no one can be singled out and suffer repercussions. In particular:

- Warwick UCU is writing to Heads of Departments to remind them not to use any intimidating practices towards staff in order to prevent them from striking; and to make them aware that the UCU will be monitoring how departments treat staff who take part in the strike. If any evidence emerges that staff who have participated in the strike experience different treatment in the future, or are disadvantaged for future contract renewals, we are telling Heads of Departments that the union will be taking action against these practices in order to protect our members.
- The Provost has agreed that STP workers and fixed term employees should not suffer any detriment as a result of the strike action and she will reiterate this message to Heads of Departments. We have made clear to the Provost that we will be closely monitoring contract renewal rates in the coming academic year in relation to those who have taken strike action.
- We are writing to the Vice Chancellor, who has publicly expressed his opposition to UUK's plans to change the USS pensions scheme, and we have called on him to show his support for the strike by emphasising in his communications with Heads of Department that any mistreatment or intimidation of staff partaking in the strike will not be tolerated.
- The more of us that take strike action, the less likely it is that individuals can be victimised. We therefore strongly advise you to communicate with your colleagues and your departmental UCU rep and to set up a departmental meeting to prepare for the strike and convince your colleagues to participate. If you need any help in setting up a departmental meeting, write to us and we will try our best to help facilitate a meeting.

4. If I participate in the strike, how much pay will I lose? Is there a way I can be compensated for my lost earnings?

This is a very important issue especially for casualised staff – whether hourly paid or fixed term. Staff on regular full-time employment contracts risk 1/260th of their pay being docked per strike day (or a pro rata proportion if they work part time). For hourly paid staff, (STP/VAM), it doesn't work in the same way. In a meeting with management on Friday 9th February we were told that the procedure they are going to apply is the following: tutors should fill in the time sheet honestly, only for work that they have done, and they will be paid *according to the hours they submit*. We can thus assume therefore that strike pay deductions will be applied on the next relevant monthly payment after timesheets are submitted. That means, of course, not to claim contact hours that have not been delivered; other elements can be claimed if the work has been undertaken.

Regardless of how pay deductions are calculated, however, we know that for hourly paid tutors and staff on part time / short fixed term contracts the proportional loss of pay from participation in strike action can be much higher than for regular members of staff.

The good news is that there is a central strike fund for those in need (the UCU 'Fighting Fund') that you can apply to in order to receive strike pay; and members on casual contracts are prioritised for applications. The link to the rules for applying and to the application form itself are under "Resources" below – make sure to read this before taking strike action. However, the amount that the national strike fund covers is limited to £50 per day starting from the fourth day of strike action; and to a maximum of £500 per person in total. As per the latest UCU guidance: "Casualised staff who are paid to teach but whose pay also includes allowance for marking and preparation will be paid appropriate strike pay for each day where they can show evidence that they struck rather than worked and where this working pattern is confirmed by the branch". That also means that each day that you participate in the strike – by not undertaking teaching, marking, preparation, advice duties – will be considered as a day of strike participation for the purposes of the strike pay fund. We have received guidance that there will be flexibility applied in the evidence that casualised staff will be asked to provide to the Fighting Fund in order to show their income losses related to the strike, and that claims will be considered favourably as long as they are supported by the branch – also in consideration of the fact that the earning patterns of hourly paid and casualised staff may vary from month to month for a variety of reasons. Possible forms of evidence could be: a pay slip for the month of the strike showing lower earnings compared to a previous pay slip; evidence of timesheets submitted with no hours claimed on strike days as opposed to other weeks; or a combination of timesheets/ pay slips compared to the hours outlined in your contract (if you are just starting to teach this term and don't have a previous pay slip to use as a comparison, for example).

We are nonetheless aware that this may not cover the whole income lost by some people; and that this could be particularly disadvantageous for those hourly paid staff who rely fully on the income they earn in term time as they are not paid for non-term periods. To make sure that casualised, hourly paid and part time staff are not disproportionately disadvantaged, we are taking various steps:

- Warwick UCU AGM voted, on 07/02/2018, in favour of setting up a local hardship fund alongside the national strike fund that casualised members of staff will be able to apply to. Committee is still looking into the practicalities of the fund. AGM has also voted to donate as much money as possible to both the national and the local strike fund, and are looking into ways of raising further funds. Further details will follow as soon as possible once known. It is worth noting that local strike funds could set their own rules – e.g. cover strike pay from the first day of strike participation.
- Besides all these options, there is an amazing charitable organisation called Education Support Partnership, of which UCU is a major contributor and close partner. Education Support are a one stop call for several issues and hardships, including financial concerns, sexual harassment, stress, working for educators. We encourage members to make use of this resource. We appreciate that you may, as many cases have highlighted, struggle to pay your monthly rent as a result of permanently losing up to half your monthly income during this strike period. Education Support issues grants to educators facing financial and money worries. You can find out everything you need to know about this form of hardship support here: <https://www.educationsupportpartnership.org.uk/helping-you/apply-grant>

The resources below include a link to the rules of application to the strike fund, and some further tips for casualised groups. We are not able at this stage to confirm how long it will take for strike pay claims

to be processed. If you envisage that you will be suffering immediate hardship as a result of strike pay deductions, get in touch with the branch. We will try to help by supporting an early application to the UCU national Fighting Fund even in the absence of a payslip from next month showing the difference in income.

5. What do I tell my students? What if the department wants me to reschedule my seminar / lecture?

We encourage you to talk to your students about the strike and explain why you are taking action and why this is important. UCU has resources available here (<https://www.ucu.org.uk/why-we-are-taking-action-over-USS>) to explain the dispute to the students. There are also FAQs for students written by staff at Warwick available [here](#) and various amazing resources on the 'Warwick Student-Staff Solidarity' [facebook page](#).

The official advice from the union is to not reschedule any classes that are cancelled because of the strike. We know that you might come under pressure from your Head of Department to reschedule your classes; if this is the case, let the union know immediately.

6. Do I need to notify the employer before going on strike?

- UCU's advice for those who are **employees** (with a full employment contract) is *not* to notify the employer, as there is no obligation to do so, and notifying them would allow the employer to take action to minimise the strike impact.
- However, for those who are classified as **workers**, this is different. STP contracts explicitly ask workers to notify in advance, though exactly *how far* in advance is not specified. The University has unfortunately refused to drop this request which considerably discriminates against STP tutors' right to strike. So, we advise members on STP contracts to follow the letter of their contracts in sending advance notifications, whilst bearing in mind that the aim of the strike is to maximise disruption.

7. OK, I am on board. What concrete steps do I need to take before the strike?

- Check that your UCU membership is up to date. This includes making sure you're a full member, not a student member. Or: join the union if you're not already a member!
- Talk to your colleagues and encourage them to join in to take strike action (and to join the union) and to not cross picket lines on strike days.
- Write to your students encouraging them to support the strike by not crossing picket lines on strike days. We will circulate an email template for this purpose in the coming days.
- Set up an out of office email reply explaining that you are on strike and that you will not be answering emails on strike days, or, even better, that you will be deleting all emails coming in on a strike day, and that emails should be resent on non-strike days.

8. What happens on the days of the strike?

- Come to the official UCU picket line in the morning!
- Don't go into the office and don't do any work relating to your employment / contracted work on strike days. This includes administrative work: i.e. not updating tabula, not accessing the University's email servers, etc. It also means no marking. This is important, as some marking will fall within the period of the strike. UCU policy is to only work 7.5 hours on non-strike days;

that means that it is not the intention that employees / workers will catch up with marking and emails on non-strike days through excessive work. If this means that students will not receive their essays back in time, then this is a consequence of the strike.

- Participation in seminars and events that would be part of your normal work schedule is also covered by the strike.
- Employees: follow the guidance on notification of participation in the strike outlined in the University's guidelines on the strike:
https://warwick.ac.uk/insite/news/intnews2/ucu_strike_action_update_and_guidance/
- STP workers are under current contractual arrangements required to notify in advance, as stated above under 6.

Strike Dates

1. Thursday 22nd February
2. Friday 23rd of February
3. Monday 26th of February
4. Tuesday 27th of February
5. Wednesday 28th of February
6. Monday 5th of March
7. Tuesday 6th of March
8. Wednesday 7th of March
9. Thursday 8th of March (International Women's Day and Women's Strike)
10. Monday 12th of March
11. Tuesday 13th of March
12. Wednesday 14th of March
13. Thursday 15th March
14. Friday 16th of March

Resources

General Info:

UCU FAQ's on the pension dispute: <https://www.ucu.org.uk/uss-action-faqs>

UCU briefing note on casualised staff: [here](#)

Information on the Fighting Fund and how to apply:

Rules: https://www.ucu.org.uk/media/9164/USS-dispute-Support-for-members-taking-industrial-action/pdf/ucu_ussdispute_fightingfund.pdf

Applications for the Fighting Fund: https://ucu.custhelp.com/app/fighting_fund/

Student resources

UCU resources on the strike for students and concerned members of the public:

<https://www.ucu.org.uk/why-we-are-taking-action-over-USS>

Warwick Student – Staff Solidarity Facebook page:

<https://www.facebook.com/studentstaffsolidarity/>

Strike FAQs for Warwick students published in the Warwick Globalist:

<http://warwickglobalist.com/2018/02/06/ucu-strikes-members-of-staff-answer-your-questions/>

Upcoming meetings on the strike for casualised members of staff (STP, VAM, fixed-term, fractionals...)

- UCU Meeting specifically for casualised staff on Wednesday 14 February from 5:30 to 6:30pm with the Branch President. Venue to be confirmed.
- A group of STP/VAM tutors are holding a self-organised information sharing meeting on the strike on Thursday 15 February, 5.30 to 7pm, S0.11. Facebook event here: <https://www.facebook.com/events/818763578303367/>