

10 Things You Need to Know about the March 2016 Agreement

- 1) The employers are fully committed to honouring in full the 'Terms of Agreement' (see Table 1) reached in March 2016. This includes the top of the salary scale of £40k for lecturers, and harmonising salaries in incremental steps. The whole Agreement will be subject to an equality impact assessment.
- 2) The employers have always been clear with the EIS that it considers the "Terms of Agreement" to be a total package, with changes to pay and conditions of service being inextricably linked.
- 3) If necessary, the incremental step on salary harmonisation will be backdated if reaching final consensus on how to implement the full 'Terms of Agreement' is delayed. In other words, your money is guaranteed provided that the EIS does not breach the 'Terms of Agreement'. The employers have written to the EIS (see attached letter) setting out that strike action is putting that guarantee at risk.
- 4) It is not the case that the deal has not been honoured (see the Agreement in Table 1); the EIS has been consistently selective in the 'pay' sections of the Agreement that they consider most important. The employers consider the terms and conditions element of the Agreement to be equally important.
- 5) There has already been compromise on pay, and your pay is already guaranteed, subject to the EIS not breaching the Agreement. The harmonisation of salaries equates to an average pay increase for all lecturers of 9% over the next two years. The EIS is disputing this level of increase. However, Table 2, which has been shared with the EIS, summarises the range of pay increases. Payment cannot be made until such times as there is agreement on terms and conditions – further compromise will be required.
- 6) Employers will respect the outcome of any EIS ballot on industrial action. The EIS has stated that it *"cannot pay strike pay to members in a national strike"*. Unlike previous industrial action taken in March 2016, employers will make deductions from salaries for all days of strike action.
- 7) You are being asked to strike when there is a proposed average pay increase of 9% over the next two years. This is in addition to 'cost of living' increases which have already been applied. The pay gap exists in the college sector as a result of over 20 years of local negotiation to which the EIS has been an integral part. Despite EIS rhetoric, this is a complex process which the employers continue to engage in good faith, on the understanding that there must also be changes to terms and conditions of service alongside significant pay increases.
- 8) The EIS proposals would cost the sector in excess of £30m and includes demands for 66 days annual leave and 21 hours class contact per week, with no real focus on professional standards. What the employers are offering is 56 days annual leave and 26 hours contact time, along with the pay increase. A disproportionate focus on pay provides no discernible benefit to the college sector, students, taxpayers, or the status of lecturers.
- 9) As public bodies, colleges have a duty to ensure value for the public purse and cannot support average 9% pay increases (with a further pay claim for 2017/18 for £1,000) without demonstrating a benefit to the people we serve. National Bargaining cannot be seen as simply a one-way street.
- 10) The focus should be on delivering a Workforce for the Future, as per the 'Terms of Agreement' – one workforce that delivers a fair and equitable package for all staff and improves the quality of teaching and the learning experience for students.

Table 1

The Terms of Agreement (agreed in March 2016 by the EIS and the employers)

Terms of Agreement

The offer is with effect from April 2015.

1. To extend this settlement period to cover 2 years inclusive of 2015/2016.
(Implemented in Full)
2. To recognise that 1% / £300 whichever is the greater is an interim payment.
(Implemented in Full)
3. That in addition to the above, there will be a further flat-rated element of £100 paid in April 2016.
(Implemented in Full)
4. That this offer provides for a flat-rated pay uplift for 2016/2017 of £450.
(Implemented in Full)
5. To jointly develop a roadmap towards a harmonised workforce for the future, to include the following elements:
 - a. agreed settlement dates over a 3 year period, commencing April 2017, with agreed annual milestones in each subsequent year, built on an agreed principle of no detriment on pay; *(In progress)*
 - b. a review of future workforce requirements within a joint process with shared data; *(In progress)*
 - c. to agree the roadmap by end of May 2016; *(Implemented in Full)*
 - d. the top of the un-promoted salary scale is currently £39,086. It is agreed that from 1st April 2016 this figure will be £40,026. This figure will become the top point of the new national pay scale for un-promoted lecturers. This will be the starting point for the development of this pay scale and associated migration plan; *(Implemented in Full)*
 - e. the EIS and Management Side will also immediately develop a common set of terms and conditions for all teaching staff by October 2016 or the earliest possible date; *(In progress)*
 - f. the whole agreement will be subject to an equality impact assessment. *(In progress)*
 - g. there shall be no deduction made for strike action that took place on Thursday 17 March 2016. *(Implemented in Full)*

Implementation dates on National Pay Scales *(In progress)*

Dates	
Develop National Pay Scales	May 2016
Migration	August 2016
1 April 2017	25%
1 April 2018	50%
1 April 2019	100%

21 March 2017

David Belsey
Assistant Secretary and Joint Secretary to the NJNC
The Educational Institute of Scotland
46 Moray Place
Edinburgh
EH3 6BH

Ref: JG/JC
Direct: 01786 892 057

Dear David

Terms of Agreement March 2016

The employers have been consistently clear with the EIS-FELA Executive that it considers the '*Terms of Agreement*' (the Agreement) reached in March 2016 (enclosed) to be a total package and we believe this was made clear to the EIS at the time the Agreement was reached. We recognise that the EIS has adopted a different interpretation of the Agreement.

Despite this different interpretation, since reaching the Agreement the employers have in the spirit of good faith continued to negotiate with the EIS to secure a mutually acceptable route to implement the Agreement in full. As you know, this has been a challenging and complex process.

In recognising that the EIS priority is pay, the employers made significant compromise during these negotiations to ensure the implementation dates for the National Pay Scales could be delivered. However, the employers position remains consistent: pay cannot be delivered in isolation to terms and conditions of service.

It is evident that despite sections 1, 2, 3, 4, 5c, 5d and 5g of the Agreement being implemented in full, the EIS continues to interpret the Agreement as a pay only deal, focusing exclusively on the implementation dates on the National Pay Scales.

It is the employers position that if a mutually acceptable interpretation of the Agreement can be agreed without industrial action, the EIS and all its members may be reassured that the implementation dates on the National Pay Scales that will lead to the migration and harmonisation of salaries are **guaranteed**. In the event we miss the April 2017 implementation date (which is inevitable for promoted staff at this point), I can also **guarantee** that any payment will be backdated to this date, resulting in no financial loss to lecturers.

However, should the EIS choose to bring college lecturers out on strike, the whole of the Agreement, including the terms on pay, is put at risk and the guarantee outlined above will not stand. For the avoidance of any doubt, this means that the actions of the EIS are imperilling the whole of the Agreement (other than those elements already implemented), including the guarantee of significant pay increases for all college lecturers in Scotland.

The employers view this as a pivotal moment for National Bargaining with the EIS. We are prepared to work with the EIS, but further compromise, work, and time is clearly required to deliver in full the '*Terms of Agreement*' reached in March 2016.

Please act in the best interests of learners in the college sector.

Yours sincerely



John Gribben
Director of Employment Services and Joint Secretary to the NJNC

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Table 2**Projected Salary Increases for Lecturing Staff from Migration to National Salary Scales**

Salary Increase Range	Lecturers (FTE)
£0-999	159.5
£1000-1999	926.8
£2000-2999	563.6
£3000-3999	1124.1
£4000-4999	785.3
£5000-5999	418.5
£6000-6999	67.9
£7000-7999	67.9
£8000-8999	18.5
£9000-9999	4.6
£10,000-10,999	7.4
£11,000-11,999	10.8
Total Full-time equivalents (FTE)	4154.9

The average salary increase for a lecturer is £3,259 (9%).

Employers' Association
March 2017