



The Educational
Institute of Scotland

To all EIS-ULA Members included in the
New JNCHES Framework.

Ref: DB/KN/ULA Member Update(2)
26 February 2014

Dear Colleague

Update: 26 February 2014

I wrote to members yesterday outlining where we are with the 2013-14 pay dispute. This letter is to update you on "exploratory talks" that has been mis-leadingly reported in the media as being related to the 2013-14 pay dispute. Some media reports also suggest that the EIS will be present at those "exploratory talks"; this is inaccurate.

Around 12 February 2014, the Employers' Association (UCEA) intimated to the EIS that it may consider exploratory talks if the trade unions effectively agreed to certain conditions. The Employers were clear that the exploratory talks would only cover preparations for the next pay claim, i.e. 2014-15 and would not cover the pay dispute which is based on the 2013-14 pay claim. It has since become clear that the exploratory talks will also not cover the pay uplift for the 2014-15 negotiations – because the Employers will not yet have completed their process in deciding what their pay offer will be.

On 12 February 2014, the EIS-ULA Executive discussed the potential exploratory talks and decided that they would not attend any such talks. The EIS-ULA Executive believed that the remit of the proposed talks were too narrow, they could not lead to any resolution of the 2013-14 pay dispute and that the proposed exploratory talks had unacceptable pre-conditions.

The EIS advised the Employers of this in writing on 13 February 2014.

I understand that the UCU decided on Friday 14 February, 2014 to begin a 'marking boycott' on 28 April, 2014.

The UCU, Unite, Unison and the EIS met in London on 17 February 2014 to coordinate the joint 2013-14 pay dispute and begin setting out the 2014-15 pay claim. The EIS advised the



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other unions that it would not agree to any exploratory talks with pre-conditions, and noted that it did not think that any talks would help the 2013-14 pay dispute, i.e. that they were not meaningful.

On Friday 21 February 2014, the EIS was alerted to some media websites carrying reports of agreed exploratory talks between the UCU and UCEA (the Employers), to which the other unions would be invited. An invitation included the GMB union which is not part of the 2013-14 pay dispute. Late Friday afternoon the attached letter was received from the Employers.

EIS-ULA Office-Bearers considered the letter over recent days, and I am informing you that the EIS will keep to the EIS-ULA Executive decision and will not be joining these 'exploratory talks'. The reasons are set out below.

1. The talks only cover the 2014-15 pay period, and do not address the 2013-14 pay claim and pay dispute.
2. The talks will not discuss the pay element of the 2014-15 pay negotiations, because the Employers have not completed their process to decide what they are going to offer.
3. The talks come with **two** pre-conditions for the unions; one involves suspending any further action on the 2013-14 pay dispute despite the fact that the talks do not cover the 2013-14 pay dispute. The second pre-condition prevents us from communicating with our own members regarding these talks. Both these conditions are unacceptable to the EIS – indeed this letter would not be possible had we agreed to the pre-conditions.
4. The pay negotiations for 2014-15 will take part through the New JNCHES process which begins with its first full meeting on 26 March 2014, where the Employers will have a pay offer. The EIS will participate in these pay negotiations, which are the only means of agreeing the 2014-15 pay claim.
5. The talks would limit or prevent the EIS continuing its political campaign for the 2013-14 pay claim, and effectively preparing members for the likely escalation of ASOS to an assessment boycott around late April 2014.
6. The Employers and the EIS have met over five times in the last year to try and resolve the pay dispute, which is solely focussed on pay. The Employers have made no effort to resolve the dispute and further "talks about talks" are (for the reasons set out above) unlikely to lead to a meaningful outcome.

I hope this letter explains why the EIS-ULA Executive has acted as it has. Members should therefore read any press reports regarding these 'exploratory talks' in the context set out above – put simply the exploratory talks' remit does not cover the 2013-14 pay dispute, and it should not be regarded as the Employers being forced back to the negotiating table.



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For completeness, the EIS wrote to the Employers (UCEA) on 11 February 2014 stating: *"The EIS is hoping that further talks to resolve this dispute and negotiate a resolution can take place and that the Employers re-consider their position of only carrying out joint work on zero hours contracts if the trade unions accept the 1% pay offer."*

There has been no response in writing from UCEA to this request by the EIS. UCEA have intimated informally that they will not re-open negotiations or hold further talks on the 2013-14 pay dispute. For the avoidance of doubt, the EIS would attend talks on the 2013-14 pay dispute.

The EIS will continue with the joint union campaign for a decent pay rise. Hopefully the pressure built up in 2013-14 will bring about a decent pay offer for 2014-15 - which may be the best that the 2013-14 pay dispute achieves. A poor pay offer for 2014-15 is simply likely to lead to continued pay disputes and industrial action. Either way, the EIS believes that the 2014-15 New JNCHES pay negotiations beginning on 26 March 2014 are key - not the exploratory talks.

Please do not hesitate to contact me should you have any queries.

Yours sincerely



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Encl.



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