



EIS-FELA POSITION ON NATIONAL DISPUTE ON THE USE OF INSTRUCTORS INSTEAD OF LECTURERS

24th March 2021

**EIS-FELA
Parliamentary Briefing**

EIS-FELA (Further Education Lecturers Association) will on Thursday 25th March embark on strike action, seeking to ensure that an agreement already made through national bargaining is ratified and honoured.

On Friday 12th March, agreement was reached at the National Joint Negotiating Committee (NJNC) between representatives from Colleges Scotland and from EIS-FELA, following protracted negotiations. This NJNC Agreement contained two components: a joint statement and a job profile for lecturers and it was agreed that the NJNC Agreement needed to be ratified by both parties before it could take effect.

The EIS-FELA Executive Committee ratified unanimously last week but the Employers Association of Colleges Scotland did not ratify the agreement its negotiators had reached, and instructed them to renegotiate a key element of the NJNC Agreement.

Colleges Scotland have described to MPs / MSPs that “the employers’ representatives again worked to find a resolution to the small outstanding point of wording in the national role profile – the vast majority of this already having been agreed.”

This is inaccurate as this “small outstanding point of wording” was not a minor issue but effectively a new element that the Employers representatives only brought before the NJNC on 23rd March, in an effort to renegotiate the Agreement that they had made the previous week.

This “*small outstanding point of wording*” was sufficiently important to the Employers Association, that they sent back their negotiators to unpick an agreement that they made the previous week and, in turn, cause the commencement of strike action. It should be noted that EIS-FELA had cancelled a previously planned day of strike action to allow for ratification of the agreement to take place.

This “*small outstanding point of wording*” is the difference in the national role profile is crucial to describing what constitutes a lecturer in a college and therefore to protect the role of lecturer – the issue at stake in the dispute. A direct comparison between the proposed rewording and that of the partially ratified agreement can be found at the bottom of this briefing.

At the meeting of 23rd March, despite four hours of attempts, Colleges Scotland negotiators failed to offer any justification as to why the Employers’ Association had not ratified the agreement in place nor did it seek to explain how its amended wording helped to protect lecturers’ roles. Without an acceptable clarification or justification, EIS-FELA views the new proposal, in particular the removal of the word “unique” from the specification of a lecturer’s role, as creating a window of opportunity to designate lecturer responsibilities to other staff - precisely the issue at dispute.

The EIS-FELA has been left with little option, therefore, but to engage in industrial action. The EIS-FELA remains open to further negotiations to avoid long term strike action but we need Colleges Scotland to negotiate in good faith and to honour agreements reached in those negotiations rather than seeking to unpick them post agreement.

Footnote:

The “small outstanding point of wording”:

Unratified NJNC Agreement made on 12th March:

“This is a holistic role profile with six professional responsibilities, of which 1, 2, 3 and 4 are core as they are unique to the role of the lecturer. Collectively these responsibilities form the core role of the lecturer. All lecturers should be capable of fulfilling these responsibilities. It is not expected that every lecturer will perform all of the functions and attributes under each of the responsibilities at all times.”

Employers proposed amendment to unratified NJNC Agreement:

“This is a holistic role profile with six professional responsibilities and collectively these responsibilities form the core role of the lecturer. All lecturers should be capable of fulfilling these responsibilities.”

is campaigning at local and national level against the use of non-teaching staff (sometimes referred to as instructors, assessors or tutors) to deliver the curriculum in colleges in Scotland. We have ongoing disputes in Forth Valley, Fife and West Lothian Colleges and are deeply concerned by Colleges Scotland comments regarding the potential for this to be introduced across the sector in the near future. We have produced this briefing paper for MSPs to explain our concerns.

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