

National Bargaining News

December 2017

News from the national negotiations

Core T&C 'Agreement in Principle' May 2017 Agreement moves to ratification

Three national bargaining meetings have taken place since the last newsletter and we have news—an agreement in principle which will be discussed shortly at a Special FELA Executive on 8 December with a proposal for a ballot on ratification.

After a lengthy meeting earlier in the month which made significant progress on the outstanding 'purple bits' of the May 2017 Agreement, we finally reached agreement in principle on 29 November.

The final Agreement is subject to ratification by both sides and also to an equality impact assessment.

It sets out agreement on core T&C, and while it does not deliver everything we had hoped for, we believe it represents a significant gain for a large part of the sector. Importantly, it gives 'no detriment' protection on all aspects to all lecturers, promoted and unpromoted—so if you currently have a better local agreement in an aspect of the terms and conditions, you keep it.

This Agreement is the outcome of several years and many thousands of hours of negotiations,

but more than that, it is the outcome of six days of industrial action—without that, we would not have won the pay uplift and we would be in danger of facing a 'race to the bottom' on T&C and the wholesale casualisation of the sector.

As negotiators, we believe that this is the best agreement that could be reached through negotiation at this stage. We would urge members to read the Agreement when it is published and to support its ratification.

The Agreement covers:

Conservation—four years cash conservation, with no detriment for staff currently in receipt of better local arrangements. The majority of colleges have two years or less, and we believe this is a significant improvement for many members.

Annual leave— 62 days for unpromoted teaching staff and level 1 promoted staff, 60 days for level 2 promoted and 55 for level 3 promoted with 'no detriment' for those in post on 31 December if you currently have more. Again, an improvement for the majority of colleges.

Class contact—23 hours plus 1 as per the May Agreement. The 'plus 1' is to a maximum of 8 hours in any consecutive 12 week period.

The 23 hours includes all teaching and assessment, supervision of students, tutorial teaching and as appropriate and directed by management, agreed academic research and curriculum development. This is not as comprehensive a list as we had hoped, but we believe it is inclusive of the diverse range of activities—from SCQF level 1 through to level 12, in classrooms, the community and the workplace—undertaken by our members.

The one hour is for cover for sickness or short term absence, and the co-ordination and leading of IV duties as agreed.

The 23+1 is a weekly maximum—it is not 'evened' out or annualised, and it is pro-rata for part time staff. There is an annual maximum of 860 contact hours.

These changes take effect from 1 August 2018. Where members have a better local agreement, no detriment will be in effect for all members in post as of 31 December 2017.

This again is an improvement for the majority of our members;

those on less will have no detriment'.

For promoted staff, the content of the teaching remit will be the same as for unpromoted staff, but the number of hours reduced according:

Level 1—up to 17 hours class contact

Level 2—up to 12 hours class contact

Level 3—up to 9 hours class contact

Again, promoted staff in post as of 31 December 2017 will benefit

from 'no detriment' where better local agreements are in place.

Transfer to permanence

For temporary staff, contracts will transfer to permanence on completion of two years' service, with effect from 1 April 2019. This is a huge step forward in challenging the casualisation of the sector and a huge gain for hundreds of temporary staff.

No detriment protection

'No detriment' protection will also cover temporary and fixed

term staff on renewal of contracts and on transfer to permanence, and also to permanent staff amending hours or otherwise amending their existing contract. Again, this gives reassurance to staff on temporary contracts and those considering phased retirement and/or family friendly working arrangements.

We believe that this deal is hugely significant for the sector. It follows successful pay harmonisation for unpromoted posts and is the first national agreement on T&C since the early 1990s.

Pay Rise!

We have continued to pursue our claim for a cost of living pay rise for the 2017/18 session – pay harmonisation does not affect all lecturers, and 'catch up' for systematic and long term underpayment for the job does not mean a pay freeze!

Management have been unable to improve on their previous offer of £425 unconsolidated for those who received less in pay harmonisation, and we have now entered a dispute at the NJNC. We anticipate a response after the December Employer's Association meeting and we are preparing our 2018/19 pay claim.

An Employment Tribunal for a test case against City of Glasgow College over the payment of the £100 from the 2015/16 session was heard last week—no outcome yet but we hope to hear before Christmas.

UHI colleges up-

UHI EIS reps met with national EIS FELA office bearers via VC recently to hear an update on national bargaining and to discuss a number of UHI concerns.

A proposal has been mooted for 'closer working' between the five incorporated UHI colleges (Inverness, Perth, Moray, Lews Castle and North Highland) and Executive Office in Inverness.

While this is not a 'merger' according to SFC, some concerns have been raised, not least regarding the failure of Executive Office to recognise trade unions and the lack of effective teaching staff representation as a result.

The EIS FELA Executive discussed this at our November meeting and agreed to adopt a neutral position with regard to the proposals, focusing on concerns over the implications for lecturing staff and learning and teaching at both the incorporated and non-incorporated colleges.

We are also talking to our colleagues in EIS ULA, the

University Lecturers' Association, to consider facilitating greater joint working between the two Self Governing Organisations.

The '23+1' will include agreed academic research, mainly affecting lecturers in UHI.

Meanwhile, the Orkney College dispute continues—the Council-run college is the ONLY college in Scotland not signed up to or shadowing national bargaining leaving lecturers below the rest of the sector.

Meanwhile at neighbouring Shetland, the SFC are providing project management support to consider the business case for a potential merger with the North Atlantic Fisheries College. If there is to be a new college formed, we believe that any new college must be an incorporated college.

We are continuing to push for recognition at Argyll and West Highland. A very successful inaugural EIS branch meeting was held in Fort William on 30 November and a branch committee established.