

To All Staff

8 February 2018

Industrial Action by University and College Union (UCU) Members

The University has been formally notified that one of the campus trades unions (UCU) intends to commence industrial action in relation to;

“Proposed detrimental changes to USS and failure to agree a collective agreement protecting pension benefits”

More specifically the UCU has confirmed that it intends to take the following action;

Strike Action

UCU has announced fourteen days of industrial action for UCU members and this action will commence with a series of strike days as follows;

Week one: Thursday 22 and Friday 23 February (two days)

Week two: Monday 26, Tuesday 27 and Wednesday 28 February (three days)

Week three: Monday 5, Tuesday 6, Wednesday 7 and Thursday 8 March (four days)

Week four: Monday 12, Tuesday 13, Wednesday 14, Thursday 15 and Friday 16 March (five days).

The dates selected in weeks one and two will result in five consecutive working days being disrupted by strike action.

Whilst recognising the rights of individual members of staff to take industrial action, it is the University's intention to endeavour to maintain normal operations during industrial action in order to safeguard the interests of our students and also of our staff and other stakeholders.

In seeking to manage this potentially difficult situation in a spirit of collegiality, the University will respect the integrity and professionalism of all our staff by deeming a member of staff to be engaged in industrial action only by asking them and trusting them to inform their line manager that they have taken such action. If line managers are themselves taking industrial action then they should inform their senior manager at the earliest opportunity.

The University will expect all members of staff who do not indicate to their line manager that they have taken industrial action to discharge all their normal responsibilities as employees.

Deductions from Pay

Deductions for Strike Days

A deduction of pay will be made for all employees who take any strike action. The University is entitled to withhold pay for staff who take strike action and it has been decided to deduct pay at 1/365th of annual salary for each day of strike action taken.

All staff who declare themselves as being on strike on each of the days of strike will have their pay deducted in the next practicable payroll. Managers and staff will be informed when the deductions will be made for any specific strike days as they occur.

Action Short of Strike (ASOS)

The UCU has also informed the University that its members will be taking continuous Action Short of a Strike on 22 February 2018 and continuing onwards, terminating no later than 19 June 2018.

UCU has stated that it intends to ask its members to take ASOS in the following forms:

- Working to contract.
- Not undertaking voluntary duties.
- Not covering for absent colleagues.
- Not rescheduling lectures or classes cancelled due to strike action.

Contracts of employment for Academic, Academic-related, Research and Teaching staff at The University of Manchester stipulate that staff are “*required to undertake such hours as necessary for the proper discharge of their duties*”. This may therefore involve staff being required to work in excess of 35 hours per week if that is necessary for the proper discharge of duties. It may also, in certain circumstances, involve requiring staff to cover for absent colleagues and/ or rescheduling lectures or classes.

Provided that the ASOS carried out by individuals does not impact upon the “*proper discharge of their duties*” then this should not result in partial performance of duties and no deductions of pay will be made. However, this is without prejudice to the University’s right to withhold full pay in the future for partial performance, should it be determined that there is an impact upon the proper discharge of duties. Should that be the case, then it has been decided to deduct 20% of pay at 1/365th of salary.

The University reserves the right to review the basis for making any deductions in respect of ASOS which may include refusing to accept partial performance and making deductions from salary of up to 100% and will write to all staff to confirm the basis for any future calculations should these be changed.

If you have any queries about this then please refer to AskHR at;
<http://www.staffnet.manchester.ac.uk/employment/contact-hr/ask-hr/>

Universities Superannuation Scheme (USS) rules

The USS rules provide for the situation where a member is absent from work due to a lawful trade dispute with their employer. In these circumstances, where pay is withheld (in full or in part) in respect of the period of action, scheme membership can continue if contributions are maintained on full pay, ignoring any pay withheld.

On this occasion, the University has agreed to maintain its contributions in full and your own contributions will be deducted in full so there is no break in your membership or loss of life cover or incapacity benefits.

No action is needed by you for the continuation of membership with full contributions.

If you do **not** wish to continue contributions in full,

- Employer/Employee USS contributions will **not** be made in respect of the salary withheld and
- pension benefits will not accrue and death in service and ill health protection is not provided for each day of strike action.

If you do **not** wish to maintain your USS membership and pay your full employee contributions as normal for each day of strike action we ask you to complete the pro-forma (UCU18). This form should be returned to line managers/Heads of School as soon as possible after each period of strike.

Death in Service Cover and Ill Health Protection

If you do not wish to maintain your USS membership in full for the period of strike action, the USS Pension Scheme will on this occasion maintain death in service cover and ill health protection in such circumstances. The trustee reserves the right to review this policy and the right to charge additional contributions if the industrial action proposed for February/March 2018 is extended or further action is proposed.

Picket Lines

It is anticipated that there will be some picket lines on each of the strike days. Staff can be reassured that the purpose of any picket line is to pass on information in a peaceful manner about the reason for the strike action. A picket line should be comprised of a maximum of six pickets and we expect all pickets to behave in a respectful way to their colleagues who are attending work.

Refusal or failure to cross a picket line is not an acceptable reason for absence from duty and all staff who fail to report for work will have their pay deducted on the basis described below accordingly.

Please note that this dispute is by the UCU as the other campus trade unions are not involved and so only UCU members are legally covered by the strike action. Further updates on industrial action will be issued as soon as information is available. If you have any questions concerning this, please do not hesitate to contact your HR Partner or your Head of Human Resources.

Karen Heaton
Director of Human Resources

8 February 2018

The University of Manchester

**Industrial Action by University and College Union (UCU) Members
February 2018 onwards**

REQUEST TO STOP USS CONTRIBUTIONS

The UCU industrial action in relation to a trade dispute over the

“Proposed detrimental changes to USS and failure to agree a collective agreement protecting pension benefits”

Where an employee takes industrial action and the employer withholds their pay, the impact on USS membership, if Employer’s and Employee’s contributions are not maintained in full (ie. as if no salary is withheld), is:

- Loss of pensionable service for each day not worked, and
- No death in service cover or ill health protection on each day not worked.

The USS rules permit total contributions to be maintained as if salary was not withheld for the period of industrial action, which would mean no loss of pensionable service and maintenance of death in service cover and ill health protection.

On this occasion, the University is willing to maintain its USS pension contributions in full (ie. 100% of salary) where any proportion of your salary is withheld, provided that you maintain your member contributions at 100% of your salary.

If you do **not** wish to pay USS contributions on your salary withheld in respect of the industrial action, the University will not pay its USS contributions. Notwithstanding that the University is not obliged to maintain death in service and ill health protection cover in these circumstances, the University will on this occasion pay a special contribution to USS to maintain death in service cover and ill health protection for the day(s) of industrial action.

If you do not wish to maintain USS pension contributions in full (ie. 100% of salary), please complete this pro-forma in full and return it to your Line Manager/Head of School as soon as possible after the period of strike.

Name:	
Staff No:	
Job Title:	
School/Department:	

I confirm that I do **not** wish to pay my USS contributions in full during the period/s stated below in which I participate in this action. I confirm that **I took part** in the UCU Strike on the following date/s:

Strike Days*

Week one: Thursday 22 and Friday 23 February (two days)

Week two: Monday 26, Tuesday 27 and Wednesday 28 February (three days)

Week three: Monday 5, Tuesday 6, Wednesday 7 and Thursday 8 March (four days)

Week four: Monday 12, Tuesday 13, Wednesday 14, Thursday 15 and Friday 16 March (five days).

*Delete dates where not applicable

Signature: _____.

Date: _____.