

Industrial Action – Frequently Asked Questions for Staff

These FAQs are designed to assist all members of staff of the University and reflect the information known at the time of issuing them. The FAQs will be regularly reviewed and updated as and when appropriate.

Q. What is the Industrial Action about?

A. Action has been called by UCU (the University and College Union) as a consequence of changes to the USS pension scheme, which are intended to address the scheme's deficit, and in relation to the 2019/20 national pay negotiations. In addition, the EIS Union (Educational Institute of Scotland) have called for their members to take industrial action in relation to the 2019/20 national pay negotiations.

Q. What form will the action take?

A. The action will take the form of days of strike action (for both UCU and EIS members) and actions short of a strike (ASOS) (for UCU members only) impacting a number of universities across the UK, including Strathclyde.

UCU have indicated their intent to take strike action commencing on Thursday 20 February 2020 for a period of 14 working days.

The specific days of action notified by UCU are:

- Week 1: Thursday 20, Friday 21 February.
- Week 2: Monday 24, Tuesday 25 and Wednesday 26 February.
- Week 3: Monday 2, Tuesday 3, Wednesday 4 and Thursday 5 March.
- Week 4: Monday 9, Tuesday 10, Wednesday 11, Thursday 12 and Friday 13 March.

EIS have indicated their intent to take five days of strike action. The specific days of action notified by EIS are:

- Week 1: Thursday 20 February.
- Week 2: Tuesday 25 February.
- Week 3: Monday 2 March.
- Week 4: Thursday 12 and Friday 13 March.

In addition to the strike days, UCU have advised that its members will be taking continuous action short of a strike (ASOS) until Wednesday 29 April at the latest. This includes working to contract, not covering for absent colleagues, not rescheduling lectures or classes cancelled due to strike action and not undertaking voluntary activities.

Q. Who is likely to take the action?

A. Employees who are members of UCU and EIS have been asked to take action. UCU members are normally on Academic, Teaching, Research or Knowledge Exchange contracts or are Administrative and Professional Services Staff on grade 6 and above. It is our understanding that EIS members are most likely to work within the HaSS Faculty.

Q. Who and when do I need to inform that I am participating in the industrial action?

A. Your manager is entitled to ask you if you are intending to participate in strike action and/or ASOS, although you are not obliged to inform anyone in advance that you intend to take strike action. However,

it would be helpful to let your Head of Department know in order that cover can be arranged in the interests of mitigating the potential impact on our students. The UCU guidance confirms that, after the strike action, you should confirm your participation. The UCU FAQs can be found [here](#).

Q. What actions do I need to take if I have participated in or are currently participating in strike action?

A. You are required to advise the University that you have participated in strike action immediately upon your return to work after the relevant strike day(s). An on-line form is available [here](#). You will need to complete and return the form(s) within the timescales indicated. Please note there are different forms for UCU and EIS members.

Q. What if I am absent on the day of a strike?

A. If you are absent on any of the days outlined above for a reason not related to the strike, then please notify your Head of Department in accordance with standard University procedures. Those who are unable to attend work as they are unwell should follow the normal sickness absence notification procedures.

Q. Can I take annual leave on a day when there is strike action?

A. Annual leave will not normally be agreed at times that coincide with industrial action dates, unless it has already been arranged with a Head of Department at least a week in advance of the commencement of the action.

Q. I already have prior arrangements for the day(s) of the strike that will result in me being away from the University on University Business. What will happen?

A. Provided that you have the prior approval of your Head of Department / School for you to be away from the University undertaking university business on the day of a strike, you will not be regarded as being on strike and there will be no effect on your salary.

Q. What will the impact on pay be for those participating in Strike action?

A. Participation in industrial action is a breach of contract and, consequently, those choosing to take action will have a day's pay deducted for each day that they participate in the action. This will be calculated at the rate of 1/365th of annual salary for each strike day which individuals choose to participate in (pro-rata for part-time staff). This is a legal and appropriate response to strike activity. Further information can be found in the [University's Position on Industrial Action and the Withholding of Pay](#).

Q. What will the impact on pay be for participants taking Action Short of a Strike?

A. A member of staff who refuses to carry out any of their contractual duties as part of industrial action is committing a breach of their contract of employment. The University does not accept the partial performance of the contract of any member of staff. If as a result of participating in action short of a strike, individuals do not perform their full contractual duties, the University will view this as partial performance which will be deemed to be unacceptable and for which pay deductions will need to be made. Further information can be found in the [University's Position on Industrial Action and the Withholding of Pay](#).

Q. If I participate in industrial action what impact will it have on my pension?

A. If you are a member of the USS pension scheme, participation in industrial action could result in the suspension of your membership of the scheme for the period of the strike. The University is not obliged to make pension contributions for any scheme member when not attending work due to strike action and reserves the right not to do so. However, on this occasion, to ensure continuous accrual of pension scheme benefits, the University will undertake to pay the employer's contribution as though the striking member had worked on the strike day and will deduct the employee's contribution as normal unless you request otherwise.

If you do not wish pension contributions to be deducted for the period that you are on strike you should notify the University's Pension Team (pensions@strath.ac.uk) on or before the strike action commences. This will mean that you do not accrue pension benefits for day(s) that you have participated in strike action. For the strike days indicated above, the USS pension scheme has put in place additional support arrangements for death in service and incapacity cover and these will remain in place where full contributions are not being maintained.

Q. Will there be picket lines on the day and can I cross them?

A. On the strike day it is possible that pickets may be present around the University. By law, any picket may pass on (in a peaceful manner) information to other employees who choose to receive it. Picketing staff may ask non-participating staff to stop so that they can receive this information. There is no compulsion on the individual to receive or act on such information. Staff on picket lines have no right to impede your access to the University and if you are working as normal on the days of the strike action you should walk carefully past the picket line and report to work as normal.

Q. If the pickets are intimidating or threatening to me what should I do?

A. In the past, picket lines have been organised professionally and the behaviour of the pickets has been courteous and non-threatening and we would anticipate this will be the same in the future. Therefore, there should be no need to feel anxious or overly concerned about the presence of picket lines on the days of strike action. However, if any incident does occur that causes you concern you should report the circumstances to your Head of Department or to Human Resources on x2673.

Q. If I choose not to cross a picket line what will the implications be for me?

A. You should be aware that a refusal to cross a picket is not regarded as a legitimate reason for failure to attend work. Accordingly, the University will need to consider members of staff whose only reason for absence is a refusal to cross a picket line as taking unlawful industrial action and can lead to pay for that day being withheld.

Q. Where can I find out more information?

A. If you have further questions that are not covered above, then contact your Head of Department / School or the HR team.

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