

# National Bargaining News

February 2017

News from the national negotiations

## Employers Walk out of crunch NJNC Meeting

In scenes which left even experienced EIS-FELA negotiators astonished, management refused to negotiate at Thursday's NJNC meeting, refused to listen to an EIS response to *their* proposals before (literally) walking out of the meeting—before the agenda had been completed..

Thursday's meeting was the culmination of months of weekly 'Short Life' Working Group (SLWGs) meetings which sought to agree the workstreams from the March NJNC Agreement—i.e. Pay and T&Cs.

We had already agreed two extensions to the SLWGs, and it became clear to the EIS that the Management Side were simply using the SLWG to buy time and stall. The EIS is clear that to deliver the first harmonisation payments in April 2017—implementation needs to be agreed now.

The EIS had made it clear to management and to the government when we met Further Education Minister Shirley Anne Somerville earlier in the week that there would be no further extensions to the SLWGs, and that an agreement needed to be reached at the NJNC (STL) lecturers table at its 9 February meeting.

We entered the NJNC lecturers' meeting hoping to conclude an agreement to deliver harmonisation pay into unpromoted and

promoted lecturers' pockets in April.

Early in the meeting we confirmed an agreement for a unpromoted lecturers national pay scale and how staff will migrate to the new harmonised national pay scale with payments in April 2017, April 2018 and full harmonisation in April 2019.

For promoted staff, we have agreed to three distinct pay points of £43,850, £46,925 and £50,000. Staff in senior lecturer and curriculum manager type posts will go through an agreed job matching process on the basis of 'no detriment' (as per the March 2016 agreement), a process to be jointly agreed by unions and management by April 2017.

So far, so good, and then it all started to go wrong...

Management stated that they would only implement the agreed pay scales and harmonisation— if we agreed key terms and conditions (T&Cs) first.

Management said they needed to get something back for paying a salary of £40k to lecturers. We stated that this had been agreed last year—and management got out of a sustained strike.

Management stated they were here to negotiate an agreement on these areas: before the first harmonisation payment was

made:

- 1000 annualised hours of class contact a year
- Pay conservation of 1 across the sector
- The principle of having a pay bar at point 3 of the unpromoted lecturer's scale

After seeking clarification, the Management confirmed that they proposed dealing with other T&Cs before agreeing the April 2018 harmonisation payments.

The EIS said that this was unacceptable and they wanted to implement the whole NJNC Agreement—not piecemeal every year for 3 years. The management agreed and stated that it sought an agreement on annual leave too before any pay could be implemented:

- 45 days annual leave for all lecturers

The EIS asked for the detail of the salary "bar" on point 3 of the agreed five point scale.

The Employers' plans for a salary bar were vague. The EIS asked for details, management responded with a range of possibilities—making it clear that this was not about limiting pay but recognising professionalism.

In the absence of a clear management proposal, the EIS offered a TOFE bar at the top of the scale (point 5). It also asked for guarantees about access to remission and funding and for the bar to be dis-applied if they were not forthcoming.

Management decided that they were not going to negotiate but send written proposal back to us in a week's time.

Employers stated that they wanted a 1 year pay conservation clause. We asked if this would replace the 3 years/ 5years/ life-time conservation agreements that staff had in the sector from mergers. They said yes. We asked them if this would trump "TUPE". They did not respond. We asked them if "no detriment" in the NJNC Agreement actually meant no detriment for one

year. They said yes.

We asked them why 45 days – they said to pay for the £40k lecturer salary. We asked how, but they would not answer. We pointed out that the 45 days was worse than the 55 days they had proposed a few days earlier through the SLWG.

We stated that we could not agree to annualised teaching hours. We noted Management's position was worse than they had proposed in the SLWG a few days earlier. We offered to negotiate on our position—adding short term cover. The employers asked us to send our proposals in writing.

After the final adjournment we returned, ready to give our proposals and to engage in meaningful negotiations—to find

management wanted to go home. They asked for an adjournment till next week, and we stated we wanted to negotiate and come to agreement that night. They walked out.

EIS negotiators tried in vain to persuade management to sit down and talk to us.

The agenda was not completed, which meant that management did not discuss our 2017-18 pay claim.

We have formally entered a dispute with management; we will continue to talk to them but, we will talk to them as we prepare once again for national industrial action.

## Dispute—what happens next?

We have formally declared a dispute with management under the terms of the nRPA, and will continue to meet with them in an attempt to negotiate an agreement.

Industrial action is a last resort, and asking members to vote for strike action is not a matter we take lightly. It is clear that management are not prepared to enter into serious negotiations until they are forced to—and a successful industrial action ballot is one of the strongest levers that we have to bring them to the table.

**Our Executive have given us a clear direction, voting unanimously for an indicative ballot for industrial action.**

There is no doubt that **management will not honour this deal unless they face the threat of national industrial action.**

FELA annual AGM is on Friday 17 March, and we intend to organise a lobby of SNP Spring Conference in Aberdeen the following day, Saturday 18 March.

### **What can YOU do in your branch?**

\* Talk to your colleagues. Have they read this newsletter? Are they in the union? We can't reach everyone—you can!

\* Organise branch meetings and invite a national negotiator to speak

\* Lobby your local MSPs, write letters and invite them to the college

## **Shetland College: it's our ball and you're no playing**

Thursday's meeting started with a NJNC Central Table, and one key item was the apparent refusal of management to allow Shetland College teaching staff to join national bargaining.

Management claim that this was not a refusal, but that there could be 'unintended consequences' if Shetland joined. What were these we asked? The Employer's Association were not willing to say.

The management cannot have a veto. Shetland Council, the college management and all of the unions are in agreement—let Shetland's lecturers join!