

Industrial Action Management

June 2014

This Policy Statement was endorsed by the Human Resources Committee at 23 September 2008 (minute 7.1 refers) and discussed at the University Negotiating and Consultative Committee on 18 June 2014 to inform them of minor amendments. The Policy Statement is based on advice from UCEA outlined in the 'UCEA Guidance on Managing Industrial Action and Withholding Pay' paper, and indicates the University's approach in the case of industrial action being taken, including action short of a strike (partial performance).

Peter Brook
Director of Human Resources

Implementation of UCEA Code for Universities Participating in National Collective Negotiations

The University will use the following approach to the management of industrial action, including action short of a strike

- a) Any form of industrial action constitutes a breach of contract; in the event of any industrial action being taken, therefore, the University will assert its right to withhold pay from any employee taking part in such action.
- b) When the University is notified of any industrial action to be taken, all employees are requested to work with their Head of Department or line manager in advance to ensure students and others are informed if classes, appointments or other services are cancelled on that day. After the industrial action has taken place, employees will be required to confirm that they took part both with their Dean or Head of Professional Service and with HR by sending an e-mail to the dedicated HR address.
- c) In the event of an employee taking full strike action, the University will withhold pay at the rate of one day's pay for each day of strike action. For these purposes, pay will be withheld at the rate of 1/260th of the employee's salary for each day of strike action.
- d) In the event of action short of a strike being taken ('partial performance'), the University reserves the right to withhold up to and including 100% of pay, depending on the intensity of the action taken, as well as its potential impact on the University and students. Such impact will be assessed by the Vice-Chancellor on advice from senior colleagues.
- e) All line managers and Heads of Department are expected to cooperate in providing information about their staff in relation to the action, be it full strike action or action short of a strike.
- f) Annual leave will not normally be approved during a period of strike action or action short of a strike. Leave which has been approved in advance of the action being notified to the University will normally be honoured. There must be a record of the leave having been notified or agreed in advance with the Head of Department or line manager before the date on which the industrial action is notified to the University.
- g) In the case of employees taking part in a salary sacrifice scheme, e.g. childcare vouchers, the full salary of those employees will be taken into account in calculating the amount of pay to be withheld.