



UNIVERSITY OF SUSSEX
STUDENTS' UNION

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Dear Professor Michael Farthing

Re: UCU marking boycott and upcoming pay negotiations

The University of Sussex Students' Union is writing to you to ask you to make a public statement that you will call on the University and College Employers' Association (UCEAS) to make a fair pay offer in line with UCU's demands.

The ongoing industrial dispute between university staff and employers over fair pay in Higher Education reaches a critical juncture this week. We call on you to act immediately to resolve the dispute by instructing their negotiators to offer a fair and sustainable pay deal to our teachers and lecturers before students are even further negatively impacted by industrial action.

The teachers' and lecturers' trade union UCU has confirmed that a university marking boycott will take place with effect from Monday 28 April if the ongoing pay dispute is not satisfactorily resolved. This follows the employer's offer of just a 1 percent salary increase in the last pay negotiations, which the unions and Will Hutton have pointed out would mean academics will have suffered a real terms pay cut of 13 percent since 2009. It is cruelly ironic that the very same Vice-Chancellors who have thus far failed to improve upon this measly one per cent pay offer to staff themselves lined their pockets with average pay rises of 5.5 percent.

It is our firm view that Higher Education is a partnership between teachers and students and that fairly paid and well-motivated staff are essential for a high quality student experience. There is still one remaining opportunity for negotiation between the UCEAS and UCU this week (Tuesday 15 April) where you can avert a disaster. Ahead of this crunch meeting we ask you to call on the negotiators to make a fair and sustainable pay offer to staff, and prevent a marking boycott that could have a disastrous impact on students this summer.

Students want a speedy resolution to this dispute and the prospect of being punished for others' failures by being denied their graduation is absolutely intolerable. We are under no illusion that the blame for the point we have now reached lies at the door of the Vice-Chancellors and their employers' association, who have thus far failed to offer a better pay deal to the staff who teach and support us, and are failing students in the process.

Yours Sincerely

Imogen Adie
Acting President of the Students' Union

Jane Summerville

From: Sharon Jones
Sent: 08 April 2014 19:51
To: Jane Summerville
Subject: FW: Marking boycott

FYI....

From: [REDACTED]
Sent: 08 April 2014 18:36
To: Clare Mackie
Cc: Sharon Jones
Subject: Re: Marking boycott

Dear Clare

Many thanks. I look forward to it. I heard from one source that the academics do the marking but withhold the marks as part of the boycott - and from another that the academics will refuse to mark the scripts, which will cause serious chaos. As you can imagine, the School is highly unionised and virtually all members of the [REDACTED] participate in strikes, so we may be very badly hit indeed.

[REDACTED]

[REDACTED]

[REDACTED]

University of Sussex

[REDACTED]

Sent with Sparrow<<http://www.sparrowmailapp.com/?sig>>

On Tuesday, 8 April 2014 at 15:29, Clare Mackie wrote:

[REDACTED]

We discussed at VCEG on Monday and I am glad you said marking boycott and not assessment boycott- as the latter was asked by the badger. As all in term assessments will be completed it leaves the marking boycott as the main issue. In terms of official notification we have not yet received this and will respond officially once we hear formally.

In terms of priorities we will obviously prioritise the finalists and will do all we can to support our students to graduate. Detailed guidance will be given out if and when this arises.

Kind regards Clare

-----Original Message-----

From: [REDACTED]
Sent: 08 April 2014 12:34
To: Clare Mackie; Sharon Jones

Subject: Marking boycott

Dear Clare and Sharon

Thanks again for making the time to visit last week - it was really appreciated, especially by me! Helps me so much for people to see the commitment there is to helping us get better at what we are trying to do in the School.

I'm writing about the threatened marking boycott. Will you be giving us advice about how to deal with the chaos that this could result in?

[REDACTED]

Jane Summerville

From: Director of Human Resources <internalcomms@sussex.ac.uk>
Sent: 21 January 2014 11:24
Subject: [Allnotional] Declaration of non-participation in strike action on 23.1.14 and 28.1.14

This is the correct declaration email in relation to strike action; please ignore the previous one that you received, which - because of an editing error - contained inconsistent dates.

To all staff at the University of Sussex in posts for which UCU is the recognised trade union

From Jane Summerville, Director of Human Resources

Dear colleague,

Nationally, UCU has called on its members in HE to take part in further strike action in relation to the national pay offer for 2013/14.

Specifically, UCU has called upon its members to take part in three 2-hour strikes, on: Thursday 23.1.14 from 11.00 – 13.00; Tuesday 28.1.14 from 14.00 – 16.00; and Monday 10.2.14 from 09.00 – 11.00 respectively.

This email deals with the 1st two of the above called strike days.

As strike action is a breach of contract, those employees who take part in the strike action will have no legal entitlement to be paid at all for the day of strike action, even where the action is for less than a full day. A full day's work is the quid pro quo for a day's pay; anything less than a full day's work does not entitle the employee to any pay. Where an employer chooses to make any payment to an employee who takes part in the 2-hour strike action, such payment is paid on a voluntary and ex gratia basis and without prejudice to the legal right to make a full deduction for the day on which strike action is taken.

The University will exercise its discretion for the 1st two of the 2-hour strike days called by UCU to make a deduction of only 2 hours' pay per strike day for any employee who takes part in the strike action, provided that they work normally and carry out their full contracted duties at all other times on that day. As stated above, such payment as the University will make is made on a voluntary and ex-gratia basis by the University and without prejudice to the University's legal right to have withheld pay in full.

The University also reserves its rights to withhold pay in full for future instances of industrial action including the strike notified for 10 February and in the event that UCU calls action short of a strike. The University will inform staff in due course of the approach it will take to deductions in respect of such further industrial action.

In order to ensure that pay at the University is withheld only from staff who participate in the strike action called by UCU on 23.1.14 and 28.1.14, the University is asking all staff in posts for which UCU is the recognised trade union (other than academic and clinical academic staff in BSMS, who have not been included by UCU in their ballot) to declare whether they are NOT taking part in strike action in respect of each of the two-hour strikes in January. Please note that whether or not you are a member of UCU, and whether or not you are full- or part-time, you should make the declaration.

Please also note that, where an individual member of staff does not make the declaration, the University will assume that s/he is taking part in the strike action and make a deduction from his/her pay accordingly, at the rate of 1/365th / 7.5 x 2 (i.e. 2 hours' pay) of his/her annual salary for each of the strike days, until satisfied that the member of staff has not participated in the strike/s. The deduction/s will be made in the February 2014 payroll.

The deadline for return of the declaration for both strikes in January is Wednesday 22 January 2014 at midday so that the University can assess the potential impact of the strike action and make appropriate arrangements for the running of the University.

To make your declaration, please click on the following link, then log in using your ITS user id and password, and then press confirm:

<http://www.sussex.ac.uk/declarationform>

Thank you.

Jane Summerville

You've received this email because you are subscribed to the Allnotional mailing list at the University of Sussex. To unsubscribe, or change your subscription options visit <https://lists.sussex.ac.uk/mailman/listinfo/allnotional>
The University's contact details are at <http://www.sussex.ac.uk/about/contactus>

Jane Summerville

From: Director of Human Resources <internalcomms@sussex.ac.uk>
Sent: 07 February 2014 13:46
Subject: [Allnotional] Declaration of non-participation in strike action on Mon 10 Feb

To all staff at the University of Sussex in posts for which UCU is the recognised trade union

From Jane Summerville, Director of Human Resources

Dear colleague,

Nationally, UCU has called on its members in HE to take part in further strike action in relation to the national pay offer for 2013/14.

Specifically, UCU called upon its members to take part in three 2-hour strikes, two of which have already taken place. This email deals with the 3rd of the above strikes which has been called for Monday 10 February 2014 from 9.00 to 11.00 am.

As strike action is a breach of contract, those employees who take part in the strike action will have no legal entitlement to be paid at all for the day of strike action, even where the action is for less than a full day. A full day's work is the quid pro quo for a day's pay; anything less than a full day's work does not entitle the employee to any pay. Where an employer chooses to make any payment to an employee who takes part in the 2-hour strike action, such payment is paid on a voluntary and ex gratia basis and without prejudice to the legal right to make a full deduction for the day on which strike action is taken.

The University will exercise its discretion for the 2-hour strike day called by UCU and make a deduction of only 2 hours' pay for any employee who takes part in the strike action, provided that they work normally and carry out their full contracted duties at all other times on that day. As stated above, such payment as the University will make is made on a voluntary and ex-gratia basis by the University and without prejudice to the University's legal right to have withheld pay in full.

The University also reserves its rights to withhold pay in full for future instances of industrial action and in the event that UCU calls action short of a strike. The University will inform staff in due course of the approach it will take to deductions in respect of such further industrial action.

In order to ensure that pay at the University is withheld only from staff who participate in the strike action called by UCU on 10.2.14, the University is asking all staff in posts for which UCU is the recognised trade union (other than academic and clinical academic staff in BSMS, who have not been included by UCU in their ballot) to declare whether they are NOT taking part in strike action on 10.2.14. Please note that whether or not you are a member of UCU, and whether or not you are full- or part-time, you should make the declaration.

Please also note that, where an individual member of staff does not make the declaration, the University will assume that s/he is taking part in the strike action and make a deduction from his/her pay accordingly, at the rate of 1/365th / 7.5 x 2 (i.e. 2 hours' pay) of his/her annual salary for the strike day, until satisfied that the member of staff has not participated in the strike. The deduction will be made in the March 2014 payroll.

The deadline for return of the declaration for the above strike is Wednesday 12.2.14 at midday.

To make your declaration, please click on the following link, then log in using your ITS user id and password, and then press confirm:

<http://www.sussex.ac.uk/declarationform>

Thank you.

Jane Summerville

You've received this email because you are subscribed to the Allnotional mailing list at the University of Sussex. To unsubscribe, or change your subscription options visit <https://lists.sussex.ac.uk/mailman/listinfo/allnotional>
The University's contact details are at <http://www.sussex.ac.uk/about/contactus>

**HE NATIONAL PAY CLAIM
BALLOT PAPER**



THIS IS YOUR BALLOT PAPER IN RELATION TO A TRADE DISPUTE BETWEEN
UCU AND YOUR EMPLOYER CONCERNING THE HE NATIONAL CLAIM
REGARDING PAY

**ARE YOU PREPARED TO TAKE INDUSTRIAL ACTION CONSISTING
OF STRIKE ACTION?**

YES ☐ NO ☐

**ARE YOU PREPARED TO TAKE INDUSTRIAL ACTION CONSISTING
OF ACTION SHORT OF A STRIKE?**

YES ☐ NO ☐

Please answer BOTH questions by putting an X in the appropriate box.

YOUR VOTE IS SECRET

In the event of a vote in favour of industrial action, UCU's National Executive Committee, or the Higher Education Committee, or President, Vice President from the higher education sector and Vice Chairs of the Higher Education Committee to whom that power has been delegated, has the authority, for the purposes of section 233 of the Trade Union and Labour Relations (Consolidation) Act 1992, to make the call for members to take part in industrial action.

The independent scrutineer for this ballot is **Electoral Reform Services**.

If your vote is to count, this voting paper must be returned to **REACH** the independent scrutineer, Electoral Reform Services, 33 Clarendon Road, London N8 0NW, no later than **noon on Thursday 10 October 2013**. Please use the enclosed pre-paid envelope to return your vote.

If you take part in a strike or other industrial action, you may be in breach of your contract of employment. However, if you are dismissed for taking part in a strike or other industrial action which is called officially and is otherwise lawful, the dismissal will be unfair if it takes place fewer than twelve weeks after you started taking part in the action, and depending on the circumstances may be unfair if it takes place later.