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## **EDUCATION SECTOR**

Our Ref: MJR/VT/HE/43/11

22<sup>nd</sup> November 2011

**To: All Reps and Branches  
Regional Officers responsible for Higher Education**

Colleagues

### **Higher Education Industrial Action**

The result of the Unite Higher Education Industrial action ballot has now been received from the Electoral Reform Society. A copy is enclosed for information.

Your local Unite Regional Officer should have already passed a copy to Employers for their information.

Please pass a copy on to members as well although your local Unite Regional Officer should already have advised you to do this. This Circular is an additional attempt to ensure the information has been circulated as wide as possible.

Yesterday the Unite National Education Industry Committee members held a teleconference to consider the result.

I think there was general disappointment that members had not endorsed the call for strike action. However the members have given their decision and we are bound by it.

The vote did give support for action short of strike. The National Committee members considered what action short of strike to take. There were several firm proposals and today the final decision was to call on Unite members in higher education to take part in action short of strike namely an overtime and working strictly to contract.

Today your Regional Officer will be writing to your Employer giving 7 days notice of commencement of the action starting 00.01 on 30th November 2011. This notice is legally required by law. The proposed action will be continuous until further notice.

In case this is not clear members are being asked to apply the following sanctions under the definition of action short of strike

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#### Overtime Ban

Work strictly to contract.

This will include no flexibility on start or finish times.

Not doing anyone else's work.

No holiday coverage for those on leave

Strict adherence to H&S procedures and not to work in an unsafe place

No training provided to other workers.

No working through lunch breaks.

It has already been raised with your National Committee whether any of the actions are in breach of members contract of employment. It will depend on what the contracts say but in general if you are not contracted to work overtime refusing to work overtime is not a breach. If your contract specifically requires you to work overtime or any of the other actions such as not providing training to others then these may be in breach of contract. To be clear industrial action can be a breach of contract but you are requested to follow the ballot result and union call to apply the actions proposed above even though they may be a breach of contract.

Further advice will be sent to you and I am considering ways of getting further feedback from all higher education institutions where Unite has members. There is a Unite Education Sector Conference next Saturday when these and other matters connected to the dispute will no doubt be raised. One option could be regional briefings to line up with specific Unite meetings that take place anyway such as regional industry sector committees. I am consulting on this aspect and will get back to you shortly.

You may be aware that other Unite members will be taking industrial action on the 30th November about the proposed changes to public sector pensions. You may be faced with picket lines at your place of work. I attach for your information specify information on how to respond to picket lines and others in dispute.

Please follow the union advice, stick together and support the member ballot result.

Yours sincerely



**Mike Robinson**

National Officer

Education