



UNISON Scotland Further Education Industrial Action 2023 – FAQs

Why are we taking strike action?

Strike action is a last resort and follows almost a year of unsuccessful negotiations with employers who have offered us a pay increase below the rate of inflation, during a cost-of-living crisis.

In March/ April this year, we balloted members to ask if you were willing to take strike action on the pay offer from employers of 2%. 93% of you who voted told us you wanted to strike. Since then, negotiations have continued and we have had a revised offer of £2000 for last year and £1,500 for next year, but with the threat of compulsory redundancy. You confirmed in our recent consultation that you would not accept this revised offer and that we move to the final stage of the disputes process and meet with ACAS and the employers as well as seek another meeting with the Minister. Action will take place if there is no movement from the employer.

If the employers agree to the £2,000 pay rise for 22/23 before the agreed strike dates, will we still be striking for the 23/24 year and Job Evaluation etc?

The members have told us they wish to strike if the offer of compulsory redundancy isn't removed. Our proposal based on your feedback was to propose suspending the strike if the employer offers the same deal for year one (£2,000) and agrees to a timetable of talks to address the threat of redundancy for 2023/2024.

When are FE members likely to take action?

Legally, employers must be notified of any period of strike action 14 days in advance. The branch is working on plans for effective strike action across colleges. We are in talks with other unions including the EIS on how we can maximise the impact of any action which is likely to take place in early September.

How will the strikes take place? In all colleges over the same days or spread out?

How long will the strikes last?

We are considering various strategies to work on maximum impact. This could include a mixture of all out action and college by college action. We will communicate our plans to the membership as soon as the laws on strike action allow us to.

What happens at the picket line?

A picket line is a group of striking workers located at or near their place of work who meet to increase awareness and support for their cause. Picketing members may tell other workers about the dispute between them and their employer.

During a picket line striking members are allowed to persuade workers, including agency workers and delivery people, to stop interacting with the business. This must be done peacefully, as criminal law applies to picket lines. Striking members mustn't use threatening

behaviour or force to prevent others from attending work, cause criminal damage, or prevent police officers from carrying out their duties.

Picket lines can be a fun way of getting our message across and we encourage members to come along, bring dogs, children and friends, snacks, weather dependent clothes and get involved, help us make a visible impact and make a noise!

Will I put my job at risk if I strike?

It is automatically unfair to dismiss someone who has taken part in any lawful industrial action within 12 weeks of the action. Based on our experience across a range of sectors, it is also extremely unlikely that anyone will face detriment for taking lawful strike action in a Scottish public sector employer. If this were to occur, there are a range of impactful political, legal and industrial tactics UNISON can use to protect its members.

Can an employer deduct your wages for taking part in industrial action?

Yes, this is a normal part of strike action – you will not get paid for days you are on strike. UNISON will mitigate this with national **strike pay** (up to £50 per day from day one) and a £20 per-day top-up from branch funds (which was recently agreed at FE Branch Committee).

How do I claim strike pay? How long will this take?

Full details of how to claim will be sent to you by the branch ahead of action – you will be asked to provide proof you have taken industrial action, along with other details necessary to transfer payment to you.

Is strike pay pro-rata?

The £70 a day is not pro-rata; however, you will not be able to claim more than you would normally be paid. For example, if you are paid £40 a day, you will receive £40.

What if I am nearing pension age?

In some strikes, particularly short ones, employers may not withhold superannuation contributions – so taking in strike action has not generally affected pensions though this is a possibility. If your employer decides to dock your pay for the day of action, the employers do not have to pay pension contributions during that period and you will not have paid your portion of contribution for that day.

The impact on your final pension would be extremely small but you might want to consider replacing the lost contribution. It is possible, with your employer's agreement, to pay a sum equal to the employee and employer contribution and receive full credit for the day's absence and continue to have full cover.

Any member wishing to do this must inform their employer in writing before the absence takes place.

Will taking strike action affect my maternity pay?

It will affect maternity pay if the strike takes place during the period of calculation.

What if I am about to leave on V.S.?

Although you will lose pay from your employer on the day of the strikes taken, it should not affect your VS amount as this is usually based on the salary of your last year of work. Speak to your local steward to confirm this with HR.

What happens if strike action takes place on my day off?

If this is the case, your pay will not be affected by the strike. You will not be able to apply for the strike fund, as you won't be losing pay, but we still encourage you to come to the picket line if possible and join your colleagues.

What happens if I have already put in for annual leave on the day a strike is called? Can I still take the holiday? How do I ensure that HR don't mark me as being on strike?

Your annual leave should not be affected, but you could contact HR in advance of the strike to confirm your position on that day. You can still take strike action on the other days that you are not on annual leave or cancel your annual leave and join us on the picket line.

What happens if I voted No to strike action, or don't want to anymore?

The majority of members in the FE branch balloted voted Yes and a strike was called. Although you are not under any obligation, we would hope you would join your trade union colleagues by participating fully in the industrial action, in line with UNISON's democratic decision-making process. Members on strike will appreciate the solidarity.

Will staff that receive the Real Living Wage be entitled to the same £2000 increase, or the RLW increase?

Staff who are employed by the college and receive the Real Living Wage are subject to the same negotiations, so they will receive the same increase as the other college employees. In this example the real living wage increase and the normal pay rise should amount to £2,000 together.