



UNISON Scotland Further Education Industrial Action 2024 - 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 together with a threat of compulsory redundancy.

In March/ April last year, we balloted members to ask if you were willing to take strike action. 93% of you who voted told us you wanted to strike. Since then, negotiations have continued with a revised offer of £2000 for 2022 / 2023 and £1,500 for this year, but with the threat of compulsory redundancy. You confirmed in the summer consultation that you would not accept this revised offer and we embarked on strike action in September and October of 2023. A third year followed (£1,500) which reduced the average pay offer from £1,750 over two years to £1,666 over three years but with the same or in our view increased risk of compulsory redundancy due to the doubts over funding and the employer's failure to work with us to provide us with a guarantee. Our ballot for Industrial Action in November 2023 returned 81.3% in favour of Industrial Action.

Have UNISON made any proposals to end the dispute?

We have made at least three. Firstly, during ACAS talks (where the employers presented nothing new) we offered to end the dispute and to agree a one-year deal. We then followed this up with an offer to recommend acceptance of the two-year deal but with a guarantee of no compulsory redundancy for the duration of the deal. Our 3rd and most recent offer was to suspend the strikes in return for an advance of £2,000 and to agree to jointly meet the Scottish Government to seek the creation of a job security fund to protect jobs and to agree an avoidance of redundancy policy/procedure in line with the Minister's guidance. The employers waited for two months before rejecting our recent offer without so much as an explanation on what they did and didn't find acceptable. This, despite feedback from colleges that the offer was, apparently, met with no opposition from the college leaders themselves.

When are FE members likely to take action?

We have agreed one day of action on the 29th of February, and we are consulting you about the best days to take in every college in Scotland which will have the maximum impact. Legally, employers must be notified of any period of strike action 14 days in advance.

When will the strikes take place and how long will they last? In all colleges over the same days or spread out?

We are considering various strategies to maximise impact. This could include a mixture of all out action and/or college by college action. We will communicate our plans to the membership as soon as possible, keeping in mind laws on notice periods for employers.

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.

What happens at the picket line?

A picket line is a group of striking workers located at or near their place of work who congregate 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, wear weather appropriate clothing and get involved. Help us make a visible impact and make a noise!

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 £70 per day for day one).

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 Voluntary Severance (VS)?

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 and join your colleagues. Their fight is your fight!

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 time does striking begin and end on days which are announced?

From 12 am to 12 am.

What happens if I voted No to strike action, or no longer wish to strike?

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 increases, 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. If the award in year is greater than the living wage increase staff will receive the difference. If the award is less the staff will receive the living wage increase alone.