

18 May 2022

Dear Colleague

Industrial Action

I am writing to advise you that UCU has notified the University of further industrial action short of strike (ASOS) in relation to their ongoing dispute. This will involve a boycott of marking and assessment processes from 23 May 2022 with the ballot effective until 7 October 2022. This is in addition to the [various forms of ASOS already in place](#).

You will understand that the University is not party to personal information pertaining to UCU membership therefore please forgive me for writing to everyone employed across the job families for whom UCU is the recognised trade union.

The University is disappointed that further action has been called and, while respecting the right of members to participate in industrial action, we respectfully ask colleagues to consider the potential impact on students and to continue working as normal.

As colleagues will be aware from earlier correspondence, the University fundamentally rejects partial performance of contract and reserves the right to retain up to 100% pay in response. Failure to perform marking and assessment duties is considered partial performance of contract. Where colleagues are not prepared to perform their full duties, then any work actually performed will be considered to be undertaken on a voluntary basis. In recognition that colleagues will continue to volunteer their time to perform other duties and as a gesture of goodwill, the University will withhold up to 30% of pay from those who fail to perform marking and assessment duties. Pay will be withheld from the first occasion on which a member of staff does not carry out assessment duties until such time as they resume the full performance of their contract.

This further action has the potential to seriously impact on our responsibilities to students and we will therefore take all reasonable steps to ensure that we meet our duty to students. All colleagues who have responsibility for marking or other assessment-related duties are kindly asked to declare whether they are taking part in the marking and assessment boycott. I seek your support in completing this declaration.

Pay will be withheld from colleagues who participate in the marking and assessment boycott as follows:

- Where a colleague declares they are participating in the assessment/marketing boycott, 30% of pay will be withheld from the day following the date the first set of marks were due to be returned. This will remain the case until the colleague submits the required assessment/marketing outcomes or the end of the legal industrial action. The University will not issue scripts to those who have declared they are participating and may require the immediate return of scripts which were issued prior to the start of the boycott.
- Where a colleague declares they are not participating and undertakes to mark and return material but does not do so, 30% of pay will be withheld from the day following the date the first set of marks were due to be returned. This will remain the case until the colleague

submits the required assessment/marking outcomes or the end of the legal industrial action. The University may require the immediate return of scripts.

- Where a colleague refuses to participate in other assessment-related activities, reasonably required of them, 30% of pay will be withheld from the first date on which this occurs. This will remain the case until the colleague informs the University that they are no longer taking part in the boycott and resumes their full responsibilities, or the end of the legal industrial action.
- Where a colleague refuses to declare whether they are taking part, it will be assumed that they are taking part in the action and 30% of pay will be withheld from the day following the date the first set of marks were due to be returned. This will remain the case until the colleague submits the required assessment/marking outcomes or the end of the legal industrial action. The University may require the immediate return of scripts.
- There will be no reimbursement of withheld pay to a colleague after they cease participating in industrial action, including where duties not carried out during the industrial action are completed after returning to normal working.
- Colleagues will be aware that the University is not obliged to make pension contributions for any scheme member when not attending work due to action short of a strike. However, as a gesture of goodwill, the University will continue to pay employer contributions for participating scheme members and, employee pension contributions will be deducted as normal irrespective of any reduction in salary as a consequence of participation in industrial action. This will ensure continuity of pension scheme membership and life assurance benefits.

I kindly request that colleagues notify their Head of School, Director of Research Institute, Director of Professional Services or Head of Service of their intentions by completing and returning the form below **no later than Wednesday 25 May 2022**.

Whilst the University regrets this call for industrial action, please be assured that the University strives to maintain positive working relations and dialogue with the UCU at a local level throughout the dispute. Further information, including the University's Industrial Action Policy and FAQs, can be found on the [Human Resources – Industrial action webpage](#).

If you have any queries about this letter, please contact your [College or University Services HR team](#).

Kind regards

Christine Barr

Christine Barr
Executive Director of People & Organisational Development

NOTIFICATION OF PARTICIPATION IN MARKING & ASSESSMENT BOYCOTT

To minimise the impact of the boycott on our students, we seek your support in confirming if you are participating in the boycott by completing this declaration. The potential effect on students is serious so **completion of this declaration is mandatory** for colleagues who have responsibility for marking and assessment activities.

Non-Participation in the Assessment Boycott

If you are not participating in the boycott you are asked to confirm this and your commitment to returning marked scripts by the given deadline(s). If you do not sign and return the declaration below, scripts will not be issued to you (where applicable), the University will consider that you are participating in the assessment boycott and 30% of pay will be withheld from the day following the date the first set of marks were due to be returned. This will remain the case until you submit the required assessment/marketing outcomes or the end of the legal industrial action.

Participation in the Assessment Boycott

If you are participating in the boycott, you are required to confirm this by signing the declaration below.

Pay will be withheld from colleagues who participate in the assessment boycott as outlined in the issued letter to staff and on our [Industrial Action webpages](#).

DECLARATION

Name: _____

Employee Number: _____

Area/Subject: _____

School/RI: _____

I am not taking part in the assessment boycott and undertake to return all examination scripts assigned to me by the specified dates and to undertake other assessment-related activities reasonably required of me. I understand that if I do not return marked scripts or do not carry out other assessment-related activities without a valid reason I will be considered to be taking part in the marking boycott and 30% of my pay will be withheld from the first date on which I received scripts during the period of the boycott or the first occasion on which I refuse to carry out an assessment-related activity.

Signed _____

Date _____

OR

I am taking part in legal industrial action in the form of an assessment boycott as notified to the University by UCU. I understand that 30% of my pay will be withheld from the day following the first date on which any marks were due to be returned by me during the period of the boycott or the first occasion on which I refuse to carry out an assessment-related activity.

Signed _____

Date _____

This declaration form must be returned to your Head of School / Director of Research Institute by 5 pm on Wednesday 25 May 2022. If for any reason you are unable to return the form by the deadline you should contact your Head of School/DRI immediately.