Strike Action on 10 July 2014 – Schools Employee FAQs

Background

Further to the ballot of Unison and GMB members in relation to industrial action in a dispute over pay, the Unison ballot has concluded and the Council is waiting to be informed of the Unions actions. The GMB ballot is still on-going. Unite Trade Union have informed the Council that they have not balloted CBC members.

The NUT (National Union of Teachers) have announced they will be taking strike action on 10th July 2014 to coincide with strike action that may be taken by other unions.

The NJC employers have offered a pay increase of 1%, with a proposal to increase the bottom six spine points by between 1.25% and 4.66% to recognise the position of our lowest paid employees.

The Local Government Association have outlined the following:-

“In making their offer, the Employers recognised that local government workers are affected by the difficult economic climate and its impact on councils and how hard our employees are working to maintain the high quality services of which the sector is rightly proud. However, the economic climate and resultant budget cuts also explain our final offer of 1.0% which we believe is fair and at the limit of what we can afford. That said, our offer does include the proposal to increase the bottom six pay points by between 1.25% and 4.66% to recognise the position of our lowest-paid employees.

The Employers made their full and final pay offer at the earliest opportunity in order to ensure that employees would receive their pay increase as quickly as possible in the new financial year. Strike action will not change the Employers’ offer but will instead delay by some months extra money getting into employees’ pockets.

Employees should think carefully about the financial implications of taking strike action. For each day on strike they will lose one-fifth of a week’s pay”.

The unions have declared a day of proposed strike action on Thursday 10th July, should a mandate for strike action be achieved, the following FAQs have been developed to provide employees with information regarding the possible strike action.
Frequently Asked Questions

When is the strike action due to happen?
Thursday 10th July 2014.

How long is the strike action due to last?
24 hours.

Who is able to take strike action?

Should we receive a detailed notice of strike action from Unison, GMB and NUT for strike action on 10th July, Union members can legitimately take strike action.

Although Unite are also balloting members nationally CBC have been informed that they have taken a decision not to ballot members within Central Bedfordshire. Should Unite take action on a national basis members within Central Bedfordshire Council would not have a legitimate reason for taking strike action and therefore should report for work as usual. Any action by Unite members would be ‘unofficial’ strike action.

Will employees taking part in strike action be paid for that day?
An employee taking strike action has no entitlement to pay during the periods in which the action occurs.

How will a days pay be calculated?
Guidance for calculating a days pay will be provided prior to any strike action that may occur.

Will any allowances an employee receives also be deducted for that day?
Employees have no rights to conditions of service benefits or allowances (e.g. recruitment and retention, additional duties) when they are on strike.

When will the days pay be deducted?
Schools engage their own payroll provider, therefore you should check with your Headteacher when a pay deduction following strike action will be made.

How will the strike impact on pensions?
For employees contributing to the Local Government Pension Scheme, absence due to a strike for a day or more will not count as Pensionable service. The lost pension can be purchased through an APC (Additional Pension Contributions) contract at a later date. Guidance will be issued to members who participate in strike action.
For members of the Teachers' Pension Scheme absence due to a strike for one day or more will not count as pensionable service and there is no provision for teachers to buy back strike days. Further information can be found on the Teachers’ Pensions website here: https://www.teacherspensions.co.uk/employers/employer-faqs.aspx

What if an employee is unable to attend work because of School closures and they have children to care for?

Should the strike action result in a decision to close schools it may have a direct impact on employees who are unable to make childcare arrangements at short notice. Employees should refer to the ‘Leave Of Absence For All Schools Staff’ policy available from the school.

Parents and carers are able to check whether a Central Bedfordshire school is open using the Schools Open System on Central Bedfordshire Council’s website http://www.centralbedfordshire.gov.uk/webapps/sos/. Schools can update the Schools Open System from 5pm onwards from 9th July 2014. You may also receive separate communication from your child’s school.

What if an employee is on sick leave on the day of the strike?

Employees who are absent on account of sickness before industrial action starts will be assumed to be on sick leave, providing that the necessary certification is produced, e.g. self certification or a fit note from their GP.

Should an employee that hasn’t previously been absent from work call in sick on 10th July this should be supported by a fit note from their GP. The School will pay for any charge made by the doctor.

Will employees continue to receive statutory sick pay during the strike?

Employees who are absent from work through illness before a stoppage of work retain their right to statutory sick pay (SSP) during the period of industrial action. Where, however, an employee is away from work because of a trade dispute when their sickness begins, they are excluded from SSP.

If an employee returns to work after industrial action and then goes off sick, the average earnings for SSP purposes will reflect the lower earnings during the action, as eligibility for SSP is based on earnings during the previous eight weeks of employment.

What if an employee has keys to a School building or other School equipment?

Employees who retain School equipment essential to undertake the duties of their role e.g. employees who hold keys to School buildings or vehicles, should return the property before they take industrial action. Laptops, mobile phones etc do not need to be returned.
What is picketing?

Picketing occurs when a group of people gathers outside a workplace to try and persuade others, such as non-strikers, substitute workers or suppliers, to take some form of industrial action. If the ballot results in a vote for strike action it is possible that picketing may occur.

Industrial action and picket lines – what about the relationship between striking and non-striking employees?

Those taking part in a picket line usually tell other workers about the industrial action being taken. They may also try to peacefully persuade other employees to support the industrial action by not crossing the picket line. Any employee joining a picket line would be considered to be on strike. Any employee who chooses not to cross the picket line would also be deemed to be on strike.

It is the right of every employee to choose whether to strike or not.

There may be some members of school who decide to support the strike and there will be others who choose to work. It is important that everyone accepts this as a personal decision and this does not impact on the working relationships within the team.

It is important that everyone behaves appropriately with respect for their colleagues regardless of the action they have chosen to take.