

Industrial action: Correcting misinformation – September 2023

Unfortunately, some misinformation is circulating relating to the current industrial action at Queen Mary. Much of this misinformation is being issued by the trade union UCU.

This document is part of a fuller FAQ on industrial action for either [staff](#) or [students](#).

The Queen Mary UCU branch and the University reached an agreement in [August 2022](#), as a result of which UCU called off its marketing and assessment boycott. Another agreement was reached in [March 2023](#).

Misinformation	Fact
Queen Mary pays women and BAME staff less than men and white staff.	All staff – no matter what gender or ethnicity they are – are paid the same for equal work. This is the law in the UK. Across the higher education and most other sectors, there is an unequal distribution of men and women, and staff of different ethnicities, at different levels and pay grades within the organisation. This leads to pay gaps. We are working hard to close these gaps, and are significantly ahead of the sector in terms of closing our gender and ethnicity bonus pay gaps.
Queen Mary will withhold pay indefinitely for staff refusing to make up missed educational activities	We will only deduct pay for strike action and where there is partial performance and a breach of contract. If staff cancel an educational activity when they were taking strike action, they will be enabled to prioritise education, and stop all other activities, when they return to work in order that any missed education can be made up. If a member of staff refuses the request to make up the missed education, this is partial performance and a breach of contract. Pay will be withheld for the period of partial performance.
Changes to the USS pension scheme mean staff are losing an average of £240k in retirement.	UCU's calculations are not accurate, are misleading and are a significant over-estimate. See USS for more accurate information.
University staff work an average 51 hour working week	The University has not seen the data this estimate has been drawn from, or what sample size was used. We are working with the trade unions to develop principles regarding workload allocation (link to statement here). UCU and other unions are campaigning for a standard 35 hour week in terms of contracted hours across the HE sector. In contracts where working hours are specified, Queen Mary already operates a 35 hour week.
44% of staff are on temporary contracts	87% of our academic staff are on open ended contracts. There are staff across the University on fixed-term contracts for example to cover maternity/parental leave, or because they are on contracts associated with time-limited external funding etc.

	<p>In addition, PhD students currently have the opportunity to teach alongside their research, which we continue to review to ensure that this is appropriate going forward.</p> <p>We have already commenced joint work with our trade unions to review the use of fixed-term, part-time and hourly paid contracts, to ensure such contracts are being used appropriately.</p>
Filling in a missed teaching form means the student won't get a refund	<p>The purpose of the form is to ensure any missed education is made up.</p> <p>If a student wishes to raise a complaint, then the University's normal complaints procedure should be used (please see FAQs).</p>
Queen Mary called the police to a peaceful protest	<p>We fully respect the right to peaceful protest. However, there was one instance where a member of our staff was injured during the protest, resulting in the police being called by the Security team to ensure no further injury to anyone present.</p>
UCU misinformation about pay	<p>The median pay across the entire Higher Education sector for academics is £52,524 plus 21.6% pension contribution (total £63,869). The increase in pay within the Higher Education, together with a comparison with other sectors, is shown here Pay in HE - 2022 edition [PDF 78KB].</p> <p>At Queen Mary our pay is higher than the sector, with the median pay being £69,114 (as at August 2023) plus USS 21.6% pension contribution (total £84,043).</p> <p>For Professors the median pay for non-clinical staff is £92,352 plus 21.6% (total £112,300).</p>
Queen Mary's position of saying they will make 100% deductions over partial performance is 'punitive'.	<p>Queen Mary's position is in place to mitigate the impact of industrial action on students, and also to ensure we comply with our regulator's requirements. The position is in line with sector guidance and consistent with UCU's own advice on pay deductions to its members.</p> <p>As published by UCU, many universities have either declared they will take 100% of pay deductions for partial performance, or are reserving the right to do so.</p>
What is ASOS (action short of a strike)? UCU has advised its members that the following actions constitute ASOS:	<p>ASOS should not be confused with 'working to contract'.</p> <p>Points 1 and 2 do not constitute partial performance, are not a breach of contract and are 'working to contract', hence no pay would be deducted.</p>

<ol style="list-style-type: none"> 1. Working to contract 2. Not undertaking any voluntary activities 3. Not covering for absent colleagues 4. Not rescheduling lectures or classes cancelled due to strike action 5. Removing uploaded materials related to, and/or not sharing materials related to, lectures or classes that will be or have been cancelled as a result of strike action 	<p>Points 3-5 constitute partial performance, are a breach of contract, and would be eligible for pay deductions. UCU's own advice to its members highlights that points 3-5 are breach of contract and employers can deduct pay accordingly.</p> <p>The University has confirmed that we will make deductions for partial performance and breach of contract related to failing to make up lost learning as a result of strike action. To support colleagues to make up lost learning, other activities can be deprioritised, and time has been provided to make up the lost learning.</p>
<p>You do not have to tell your employer if you have taken strike action</p>	<p>UCU's FAQ section is clear, "Once you are back to work following the strike action, you should respond truthfully to any query from your employer as to whether you have taken or are taking industrial action."</p> <p>You are not legally entitled to pay for days when you have participated in strike action, and hence Queen Mary needs to know which days you have taken strike action, so the relevant pay deductions can be made and to ensure you do not receive pay for which you are not entitled.</p>