



Fighting Fund applications – disputes in Higher Education commencing in November 2022: Guidance for branch officers and applicants

Introduction

In support of industrial action, the National Officers of UCU have the discretion to agree that compensatory payments can be made from the UCU Fighting Fund to those members who have been deducted pay for participating in industrial action following national aggregated ballots in Higher Education. Strike action commenced on 24 November 2022.

The union endeavours to give priority of payment to members most in need.

Summary

In order to receive a payment from the Fighting Fund members need to:

- be paying subscriptions at the correct rate (if any subscription is payable);
- have participated in official strike action or action short of strike action (including the Marking & Assessment Boycott) for which officers have agreed to make funds available; and,
- provide evidence of deduction from their salary or loss of earnings for strike action.

Payment is made:

- in the sum of £50 for the second and subsequent days of strike action taken by members earning £30,000 gross or more per annum (this is subject to a cap of 11 days for action taken up to the end of April 2023); and,

- in the sum of up to £75 for the second and subsequent days of strike action taken by members earning less than £30,000 gross per annum (this is subject to a cap of 11 days for action taken up to the end of April 2023).

The Fund will also make payments at the same rate as set out above for action taken after 1 May 2023. The same eligibility criteria apply.

For action taken after 1 May 2023, whether for strike action or action short of strike (“ASOS”) where the employer has deducted a full day’s pay for partial performance, the Fund will pay up to an additional 9 days’ pay at the appropriate rate. In these circumstances the overall cap will rise to 20 days comprising 11 days of strike action prior to 30 April and 9 days strike or action short of strike after 1 May 2023.

Partial deduction

For action taken after 1 May 2023, where the employer has deducted between 50% and 99% of daily pay for partial performance, the Fund will pay the following:

- £30 for each day of ASOS taken by members earning £30,000 gross or more per annum; and,
- up to £45 for each day of ASOS taken by members earning less than £30,000 gross per annum.

This is subject to a cap of 9 days.

In these circumstances the overall cap will be 20 days (11 days of strike action prior to 30 April and 9 days strike or action short of strike after 1 May 2023).

In no case can payments be made in excess of the actual loss, and members should seek support from their local hardship arrangements before approaching the national fund.

Employers may spread the deductions from salary for strike action over several months. Should this occur you can either make several claims or a single one once all the deductions have been made.

Members will be eligible to claim from the Fighting Fund for up to a year after the deduction was made from their salary.

Eligibility

To be eligible to make a claim from the Fund, you must meet the following criteria:

- be a current and fully paid up member (if any subscription is due);
- have taken part in the relevant industrial action called by the union;

- for each day of action taken to have lost pay; and,
- be able to supply a scanned copy, or photocopy, of your complete and unredacted pay slip(s) showing the gross amount of pay deducted for participation in the action, or other evidence that you suffered a deduction from your earnings as a consequence of having participated in the action.

When you make your application, you will be asked to confirm that you are paying the correct level of subscription (if any is due) according to your earnings. Please ensure that you are paying subscriptions at the correct rate and that you are not in arrears because, if so, you may be ineligible to receive payment from the Fighting Fund.

Those members who are not required to pay a subscription fee are eligible to apply to the Fighting Fund.

How can claims be submitted?

To submit a claim please log in here, click on the Fighting Fund tab and then follow the prompts. Once a claim has been submitted you will receive an email confirming receipt of your application and providing a claim reference number. If you do not receive an email confirming receipt of your application, please check your junk and/or spam folders. Please do not make a further application until you have received confirmation that we have not received your application. You can check this by contacting us on fightingfund@ucu.org.uk.

If you need to contact us about any aspect of your claim, please email us at fightingfund@ucu.org.uk. Please remember to quote the claim number in the body and subject line of the email.

Please do not telephone us during this busy period. We will try to answer all email enquiries as quickly as we can.

What evidence is needed to support a claim for compensation?

Applications to the Fighting Fund must be accompanied by evidence of pay deduction, i.e. copies of the relevant complete and unredacted pay slip from the institution/employer concerned, or other evidence.

We recognise that there may be circumstances in which deductions do not show on your pay slip. In these circumstances we suggest that you provide a copy of the relevant pay slip and copies of some or all of the following (this list is not exhaustive): a copy of your contract, correspondence concerning work to be undertaken at a particular time, your timetable or a letter/email from the employer setting out your teaching times, or informing you of cancelled classes, any form or schedule which you completed in order to receive payment for the relevant strike period etc. We will also need to know the rate of pay which

you were to receive for those hours. In addition, please provide a recent pay slip for a period unaffected by strike action.

If you do not receive a pay slip for the work you undertake, please provide copies of the evidence sought in the preceding paragraph as well as a copy of a recent invoice you sent the institution/employer for a period in which there was no strike action.

This evidence is essential to avoid liability for tax on the compensation paid. **Claims cannot be paid without evidence.** However, we can assure you that your pay slip and all evidence you provide will be treated in a strictly confidential manner. Scanned pay slips should be submitted in PDF format.¹

In what circumstances might claims be rejected?

Claims not accompanied by the evidence of pay slip(s) showing deductions for strike action will be rejected. In those circumstances you will need to send us the relevant pay slip(s) and/or additional evidence before your claim can be processed.

Claims from

- non-members;
- members in arrears of their subscription payments; or
- members not paying the correct UCU subscription according to their annual earnings,

will not be paid.

All claims are at the discretion of the union – UCU reserves the right not to meet a claim if it is not satisfied about the eligibility of the claimant, the details of the claim itself or the supporting evidence.

How will successful claims be paid?

Payment will be made by BACs to the bank account which you either confirm or provide at the time of making the claim. If you do provide bank details, please ensure that you enter these correctly. Please note that all bank accounts have 8 digits and that your 6 digit sort code must be entered without the hyphens.

UCU may not be able to recover any payments sent to an incorrect bank account and, if that occurs, we regret it may not be possible to make a further payment from the Fund in recompense for the mis-directed payment.

Special circumstances

¹ Android and iOS devices can be used to scan your documents using apps such as Evernote Scannable or CamScanner.

If you are in particular need of financial assistance because of deductions for strike action from your salary, for example if you are hourly paid and have lost a significant proportion of your weekly earnings, you will be given priority of payment if you select "yes" to the special circumstances button on the claim form.

In no case can payments be made in excess of your actual loss.

Will I need to refund UCU if my employer repays the deducted pay?

No, you will not need to repay any payment you receive from the Fighting Fund. However, if your employer does repay you the deducted pay, UCU asks that you consider making a donation to the Fighting Fund to help support members in future industrial action. You can make a donation [here](#) or by sending us a cheque payable to UCU and marking the back of the cheque "donation to UCU Fighting Fund". Please send cheques to UCU, Carlow Street, London NW1 7LH.

How secure is this on-line process?

The online site uses a secure HTTPS site which protects your data. However, you are advised not to use 'public' free wi-fi zones when making your application as these are not secure.

Contacting us

If you need to contact us, please email us at fightingfund@ucu.org.uk and, where appropriate, quote your claim number (if you have one) in the subject line and body of your email, or otherwise your membership number. Please do not telephone us during this busy period. Emails will be answered as quickly as possible.