

Dr Whiterod
Chief Executive
Tyne Coast College

via email only to Lindsey.Whiterod@tynecoast.ac.uk

Tuesday 6 June 2023

Dear Lindsey

Deduction to pay for taking strike action June 2023

I am writing regarding your communication to staff in a letter dated 26 May 2023.

By reply, I responded and stated:

"Your decision to deduct at 1/260th is draconian and punitive. It sets the College apart from others, and not in a positive way."

To elaborate, recent industrial action at other colleges across the northern region have deducted at 1/365th. The same calculation is being used in other parts of the country. While I am sure you might find other employers who are taking the same hardline stance, I would suggest such an approach is not conducive to good industrial relations. **Please consider this as a collective issue between UCU and the College where we are in dispute.** This may also develop into an issue where we advise our members to take individual action against the college, with our support. For these reasons alone, I ask you to re-consider the College's position.

However, there are legal reasons why you should also look at the methodology you are using to deduct from our members' pay. We trust that you are aware of the decision about deductions in *Hartley v King Edward VI College* [2017] UKSC 39, which specifies how deductions should be calculated, as well as how the provisions in the 1870 Apportionment Act would apply to our members.

I also need to alert you to potential problems where your letter stipulates that *"Part-time employees will have a deduction made at an appropriate rate with reference to the proportion of their working week that they were due to work on the day of industrial action."* Where either we (or one of our members) consider a deduction to not be proportionate, the college should expect to be challenged.

I suggest we add this to the agenda for our meeting on Thursday.

Yours sincerely,



Jon Bryan
Regional Support Official