



UNIVERSITY OF BRISTOL/JOINT TRADE UNIONS

WORKLOAD AGREEMENT

This agreement builds upon an agreement reached by the Joint Negotiating Committee with the (then) AUT and agreed as University policy by Council in 2001. It's application to all staff on Grades J and above are subject to continuing negotiations between the University and the Joint Trades Unions.

1. Preamble

The central purpose of this agreement is to enable the University and staff on grades J and above to achieve the following objectives, in line with the University's Positive Work Environment agenda:

- a) to maintain and enhance the quality of the work carried out and the services delivered by the University and its staff;
- b) to preserve, in so far as this is possible, the flexibility of the contractual framework and the professional autonomy of staff on these grades;
- c) to ensure that members of staff on these grades are able to observe their contractual requirements, pursue their careers and undertake their day to day duties without unfair and unreasonable requirements being placed on them in relation to those duties, and with sufficient time to enjoy a personal life;
- d) to protect and enhance the collegial structures of the University;
- e) to ensure that the University as employer complies with its legal obligations and operates within the spirit of the Working Time Regulations (see Section 2).

2. Working Time Regulations

2.1. The Working Time Regulations 1998 (as amended) cover five main areas:

- * minimum daily and weekly rest periods
- * rest breaks
- * paid annual holiday
- * limits on the average number of hours which can be worked in one week
- * restrictions on hours worked at night.

2.2. The University and the Joint Trade Unions accept that the Regulations provide minimum standards of employment and that good employers may improve on these minimum standards. They also agree that, in circumstances where the precise monitoring of working time is difficult, the spirit of the Regulations will nevertheless apply.

3. Principles

3.1. The University accepts and acknowledges that staff on grades J and above have the right to:

- i) reasonable workloads;
- ii) a fair distribution of work within the University between departments and colleagues;
- iii) contain employer driven work within socially acceptable working hours;
- iv) regular daily, weekly and annual breaks from work;
- v) challenge and dispute unfair or unreasonable distribution or volume of work;
- vi) enjoy other rights as specified in contractual terms and conditions and in other agreements without pressure to rescind or restrict these rights.

3.2. Fundamental to this agreement are four entitlements applying to all staff:

- i) That workloads will continue to be managed in an open, fair and equitable way at the departmental/school level and that it is recognised that staff are able to challenge unfair and/or unreasonable distribution of workload.
- ii) That workloads will be such that contractual duties can normally be completed within an acceptable number of hours. Actual work patterns may vary to meet the needs of the department and if appropriate, the individual but will not involve regular working during unsocial hours except by agreement.
- iii) Staff are entitled to a break of a minimum of 30 minutes in the middle of each working day and should take a one hour break wherever possible.
- iv) Where an employee and their head of department fail to reach agreement on any of the above, in the first instance, the employee may refer the matter to the relevant Dean or Divisional Head. The employee shall be entitled to be accompanied by a trade union representative or friend at such a meeting. Where the matter remains unresolved, the employee may either resort to the normal Grievance Procedure or (for trade union members only) refer the difference to a Dispute Resolution Panel (see Appendix 1).

4. Managing Workload

4.1. Excessive workload at unit/departmental level can come from two sources:

- i) demands placed on the unit/department to absorb increased levels of activity;
- ii) unfair or unreasonable distribution of work within the department.

This agreement provides for a mechanism to control and manage the total workload placed on a unit and to ensure fair distribution of work between departments and members of departments.

4.2. Each unit/department will, therefore, establish agreed and open procedures in order to consider the overall allocation of work which can reasonably be managed within the resources available and without threat to the contractual rights and entitlements of members of staff. Where a unit/department believes it needs to challenge its overall allocation of work, in the first instance, it may refer the matter to the relevant Dean or Divisional Head. Where the matter remains unresolved, the department

may refer the difference to a Dispute Resolution Panel (see Appendix 1).

4.3. Each unit/department shall establish a workable and transparent mechanism for distributing work fairly between staff members. The agreed distribution of work between staff will be made available to all staff in the unit. Heads of Departments are required to take account of the advice on Workload of Staff issued by the then Vice-Chancellor in 1996 and attached as appendix 2. The University and Joint Trade Unions will jointly offer some further guidance on good practice in workload distribution schemes.

4.4. Where at unit/departmental level it has not been possible to find an agreed workable mechanism the issue may be referred by the Head of Department and/or the Joint Trade Unions to a Dispute Resolution Panel (see Appendix 1).

5. Models of Application

This agreement acknowledges that staff on grades J and above are autonomous professionals. The University does not, therefore, normally insist that staff have to account routinely for their movements or be present at a particular place of work where this is not necessary. However, such staff have an obligation to deliver acceptable performance which includes being available for consultation by colleagues and students.

5.1 Academic staff (Pathways 1, 2 and 3)

a) The undergraduate teaching and examining year is determined by Senate and Council. Academic Staff with undergraduate teaching responsibilities are expected to be available for attendance at the University during the undergraduate teaching terms except where alternative arrangements are agreed. This includes being available for student consultation within departmental tutorial guidelines. Academic staff who have agreed to teach on other courses outside term time will be expected to be available for scheduled duties and student consultation while those courses are running.

b) The normal working time during which teaching, marking, student related and administrative duties are carried out is Monday to Friday. Duties outside these days will be by agreement with the individual (see Appendix 2 for further guidance).

c) Academic staff with undergraduate teaching responsibilities will not, without the Head of Department's agreement, take annual leave during term time. Academic staff who have agreed to teach other courses outside term time will not take annual leave during the period of the courses on which they teach. All absences from the University during such teaching periods should be notified to the Department through the agreed procedures. All absences of more than three consecutive normal working days in any one week must be with the agreement of the Head of Department.

d) In accordance with 3.2.i) and 4.3, Heads of Departments will establish a workload management system that is open and acceptable to the department as a whole. Allocation of work should be based on the total workload of the staff concerned and should cover:-

- * the number of teaching contact hours per year for each member of staff
- * the number of students, both undergraduate and postgraduate, for whom each

member of staff has personal responsibility

- * the marking load for each member of staff

- * arrangements to share equitably the necessary management and administration tasks of the department requiring academic staff time

- * arrangements for covering funded research and for the protection of core time available for research and scholarship

- * arrangements to take account of the contribution of each member of staff to such other activities identified (and agreed) within the department as necessary for its success and the success of the university

In any model, the overarching principle should be an equitable distribution of work among the members of the department (taking into account a fair distribution of more or less popular tasks).

Where no agreement can be reached the Head of Department shall allocate workloads and staff are free to pursue the procedure for dispute resolution set out in paragraph 4.4.

e) During the initial service review period, staff will be given lighter than average workloads in order to allow the necessary time for development.

f) Workloads will be managed in such a way as to ensure that adequate time is available to enable members of academic staff who are required to undertake research and/or scholarship to ensure that this core activity is not consigned to evenings and weekends.

g) Heads of Departments will aim to enable each member of the academic staff on Pathway 1 to achieve periods totalling ten weeks per year, not including annual leave, uninterrupted as far as is reasonably possible by scheduled activities, to be set aside for research and/or scholarship. Where requested by a member of staff, and operationally possible, these ten weeks shall be agreed as a single period.

h) Heads of Departments will aim to enable at least 10 days per year to be used for professional development.

i) Heads of Departments should also aim to enable time to undertake consultancy in accordance with University Regulations on outside work.

j) In the case of Pathway 2 staff working on externally funded research projects, providing satisfactory progress is being achieved by the member of staff there will be an allocation of time agreed by the grant holder in consultation with the Heads of Departments, during which the employee may pursue personal research.

5.2 Other staff on Grades J and above

a) Workload will be managed in such a way as to ensure that adequate time is available to enable staff to broaden their range of experience in different areas of activity and for professional development and to ensure that these core activities are not consigned to evenings and weekends. Duties will be clearly defined and prioritised by agreement.

b) Except where other agreements are in operation, the normal working time during

which duties are carried out are Monday to Friday. It is recognised that student and operational support takes place over 7 days per week. Therefore, some staff may work shifts or rotas to meet the needs of student and/or operational services.

c) Managers will aim to enable at least 10 days per year to be used for the purposes of professional development, to be taken in consultation with the Head of Department.

6. General

This agreement is subject to further negotiation between the University and the Joint Trade Unions to ensure it covers all staff in Grade J and above appropriately. When the agreement is finalised it will include arrangements for reviewing its operation.

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DISPUTE RESOLUTION PANEL

Where there is a failure to agree on a unit/departmental workload (para 4.2), a workload distribution mechanism (para 4.4) or an individual's workload (paragraph 3.iv), the matter may be referred to a Dispute Resolution Panel. A Dispute Resolution Panel will consist of the relevant Dean or Divisional Head, the Personnel Director (or her/his nominee) and two Joint Trades Union officers.

The Panel will arrange a dispute resolution meeting with the Head of Department and a trade union representative for the member(s) of staff involved. Where an individual member of staff is involved s/he has the right to be present and where a group of staff is involved they may nominate up to two people to attend the meeting. The Panel will encourage a consensus method of working and seek to reach an agreed solution. Where the parties cannot reach an agreement, the Panel will retire and see if it can decide upon an agreed solution to the dispute.

Where a Dispute Resolution Panel cannot reach an agreed solution, the matter may be referred to the local disputes procedure and the relevant University/trade union negotiating body.

(In relation to individual workload issues, this panel procedure is restricted to trade union members. The appropriate grievance procedure is available to all staff who have an individual grievance.)

Workload of Staff

The University of Bristol, as a good employer, has a responsibility to ensure that it promotes healthy and congenial working conditions for all its staff. This responsibility derives from legislation (e.g. various health and Safety Acts, Working Time Directive), but is also one to which the University is committed beyond mere conformance with the legislation. The workloads of staff can be a factor in inducing stress-related illness, with a consequent reduction in effectiveness of performance. The increase in work of other staff can lead to further overload and an expanding cycle of increasing stress can result. Similarly any lack of clarity over the allocation of duties can give rise to stress and a perceived disparity in workload can be a source of complaint and grievance. The allocation and control of workloads and the monitoring of the effect is the responsibility of Heads of Departments. It is important that each department has in place suitable and appropriate procedures for allocating duties and the attached Guidelines set out principles and good practices which Heads of Departments should follow.

Each department should have open and agreed procedures for the allocation of duties. A mechanism for appeal against perceived excessive or unfair loads should be in place and known to all staff. Normally this will be to the Head of Department, with referral to the Dean of Faculty in unresolved cases. However, it is important that the advantages of good practice are recognised and implemented, to the benefit of staff and the work of departments.

Principles

1. Duties should be allocated in a fair and open manner and performance monitored so that all staff are seen to be contributing fully to the activities of the University.
2. Methods of allocating work should be based on the total workload of the staff concerned. Heads of Departments should ensure that overall levels of workload are monitored.
3. Members of staff who are employed to do certain kinds of work should, as far as possible, be given the time and resources to perform their work satisfactorily.
4. Where hours of work are not fixed, individuals should not be required to work excessive hours for sustained periods and should have regular breaks from work on a daily weekly and annual basis.
5. All staff are dependent for their continued effectiveness on renewing and updating their expertise and knowledge. Professional development should, therefore, be considered a normal part of the work of staff and an allowance should be made for it in workload allocation.

Practices

1. Heads of Departments should produce a mechanism whereby the relative values of the different tasks performed by members of the department are determined.

2. Each Head of Department should produce an operational plan outlining the duties to be allocated to each member of staff, taking account of the absolute and relative size of each staff member's workload. Where staff are part-time, care must be taken to ensure they do not carry a proportionately higher workload. The plan should be produced after consideration of staff members' preferences and their commitments to work in the University outside the department.
3. Such plans should normally be presented to a departmental meeting well before the start of the academic year for information and discussion. The plan should include means for monitoring the overall level of workloads. In producing the plan, Heads of Departments should bear in mind the need to respond to unforeseen circumstances such as sickness.
4. In the case of Contract Research Staff, the day to day management responsibility lies largely with the Grantholder. Heads of Department should ensure that Grantholders take appropriate action to monitor the workloads of their staff.
5. In all Departments there are popular and unpopular tasks. Heads of Department should ensure that as far as possible tasks should be shared among staff.
6. Heads of Department should ensure that timetables are devised to ensure that no member of staff should be required to teach more than two consecutive fifty minute lectures or more than four hours in a practical session All staff should take a mid-day break for refreshment, fresh air and/or exercise.
7. Heads of Department are reminded that Senate has decided that:
 - a) Teaching should not normally take place between 13.00 and 14.00.
 - b) Every attempt will be made to keep full time undergraduate teaching within 9.00 - 13.00 and 14.00 - 18.00 on Monday, Tuesday, Thursday and Friday, and 9.00 - 13.00 on Wednesday, with the 17.00 to 18.00 period used only as a last resort.
8. In assessing workload, Heads of Department should take account of individuals' obligations to undertake research, and allow reasonable time free from teaching and other duties for this to take place. Time allocated for research should take account of the nature and style of research (e.g. an extended block of time e.g. several weeks, or regular shorter periods of, say, a day a week).
9. Probationary staff should be given lighter than average teaching and administrative loads in order to allow the necessary time for development.
10. Heads of Department are reminded that all teaching staff who have a contractual obligation to undertake research are eligible to apply for study leave. Other academic and related staff are entitled to professional development leave. Senate requires each Department to have a policy on study leave and that this leave should be readily available to all relevant staff.
11. Heads of Department are reminded of the legal requirement to allow reasonable time off for trade union duties and the University's agreement to allow reasonable time off for public duties.

Guidelines issued by Vice-Chancellor (December 1996)
after consultation with Bristol AUT

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