New Part-Time Hourly Paid Academic Staff Contract – Guidance Notes for Recruiting Managers

What’s New?

The University has introduced a new contract for part-time hourly paid lecturing staff, following agreement with the academic Trade Union. The new contract is called the “Part-Time Hourly Paid Academic Staff” (PTHPAS) contract and replaces the “blue” contract (“Contract of Employment for Fixed Term, Part-Time, Hourly Paid Lecturers”).

The contract was reviewed following the implementation of the National Framework Agreement and in accordance with employment legislation.

The new PTHPAS contract is modelled on the Academic pro rata contract and incorporates the following features:-

- An explicit statement about how holiday pay (which is included in the hourly rate) is calculated.
- Sick pay and contract termination provisions consistent with other academic contracts.
- Addresses patent and inventions, copyright and confidential information.
- The obligation to participate in ADRs.
- A probationary period of an academic year.

When Should the New PTHPAS Contract Be Used?

The new contract is available for all hourly paid academic staff from September 2009. It can be used for an indefinite period or where objectively justified, for a fixed term in line with the Collective Agreement regarding the use of Fixed Term Contracts for Academic Staff. The new contract will also be used for all renewals of existing “blue” contracts.

Many PTHPAS contracts will be issued on an indefinite basis (see review below).

A PTHPAS contract on a fixed term basis requires objective justification for example:

- Maternity/adoption cover.
- To cover a sabbatical or other substantial period of planned unpaid leave.

When Should the Casual Part Time Lecturer CPTL Contract Be Used?

The casual CPTL contract (formally referred to as a “white” contract) should be used for casual employment needs for example:-

- Where Faculties require a “bank” of staff who may be offered work “as and when required” – this means that there is no obligation to offer the work and there is no obligation on the Lecturer to accept the work.
- Emergency cover e.g. to cover sickness absence which may be long term.
• Other short term employment needs (typically for no more than 3 months) where the intention at the outset is that the contract will not be renewed e.g. short term vacancy cover, or to work with students on short projects.

What If the Nature of the Work Changes?

If a casual contract is used and the nature of the employment need subsequently changes, consideration should be given to changing the contract to a PTHPAS contract.

Workload

As part of the national framework agreement, the PTHPAS role was assimilated to bottom of the Academic role profile level 2 (grade F - Lecturer) on the basis that they could be asked to carry out a subset of this role profile (nationally it was agreed that the Post 1992 Universities would not have “teaching only contracts”).

Whilst the Faculty’s needs for each individual hourly paid lecturer will differ and may be limited to the preparation, teaching and marking, staff employed on PTHPAS contracts can be asked to perform duties such as tutorial guidance, research and other forms of scholarly activity (to be construed in the light of the common understanding of the phrase in higher education), examining, curriculum development, administration and related activities.

Training and Development

The ADR process should be used for all staff employed on PTHPAS contracts which should include offering appropriate developmental training.

Hourly Rate

• The hourly rate for staff employed on PTHPAS and CPTL contracts is based on spinal point 31.
• There is no automatic entitlement to annual increments.

Annual Review

The annual collective consultation process for reviewing the hours worked under PTHPAS contracts will continue. The contract provides that the hours of formal scheduled teaching specified in the first year of the contract and in subsequent years, will not vary without agreement by more than 25% above or below this base figure.

Any possible redundancies will be reviewed with reference to the appropriate pool of relevant post holders.
Conversion to an Academic Pro-Rata Contract

On an annual basis, the line manager in conjunction with the HR Adviser will review PTHPAS contracts issued for an indefinite period (since September 2009), to determine whether a recommendation could be made to the Dean for individuals to transfer to a pro rata Academic contract using the following guidelines and principles:

- The PTHPAS member would normally have been employed on a basis of at least 190 hours for each of the previous 3 academic years (since September 2009).
- The work undertaken by the PTHPAS member is work which will be undertaken by DMU in the following academic year and which will require a similar or greater number of staff hours in the following academic year (within this context, similar means more or less hours within a 25% variance).
- The PTHPAS member must have been undertaking an appropriate subset of the Academic role profile level 2.
- The PTHPAS member will be able to demonstrate that s/he has actively engaged in training and development opportunities offered by the University and participated in the Achievement and Development Review process for academic staff.

HR will produce an annual report for Faculties identifying the PTHPAS contracts where the designated hours are equal to or greater than 190, for a period of 3 academic years with effect from September 2009.

Next Steps

- Review all staff currently employed on “blue” contracts and transfer them to the new PTHPAS contracts on an indefinite or fixed term basis – using the new HR paperwork provided – objective justification should be provided for a fixed term contract.

- Ensure that new staff employed on a casual basis, are identified as “casual staff” so that the CPTL contract is issued – clear rational for the use of a casual staff should be provided.

- Ensure that all new PTHPAS and CPTL staff are employed using the “Procedure for Part-Time (Hourly Paid) Lecturers”.

- Ensure that staff employed on PTHPAS contracts are appropriately managed, with consideration to the allocation of work and hours and the eligibility for conversion in 2012.

- Ensure that all PTHPAS staff engage in the processes of probation and ADR.

- In the event that a PTHPAS member requests to transfer to a pro-rata Academic contract, prior to the agreed timescale or 3 years from September 2009, to review the request sympathetically in conjunction with the HR Advisor and in line the above principles.
Further Information

If you have any queries about the new process, please refer them to your HR Advisor or Senior HR Assistant.