**The following should be copied and pasted and sent to all employees using the school’s letterhead or email.**

Date of Circulation

Dear xxxxx

**Strike Action by the National Education Union (NEU)**

The National Education Union (NEU) has announced that they will hold six days of strike action with **four days affecting our region as follows**:

The NEU has announced national and regional action in England on the following dates:

* Wednesday 1st February 2023: National Strike Day
* Tuesday 28th February 2023: Regional Strike Day
* Wednesday 15th March 2023: National Strike Day
* Thursday 16th March 2023: National Strike Day

The strikes are being held in relation to a dispute over Teacher’s workload, pay and conditions. The strike will last throughout the day and your place of work could be affected. **Only Teaching Colleagues have been called out on strike**, however, as you may be uncertain how the industrial action could affect you this letter sets out key information.

**General Points**

1. **Teachers:** Whether or not you are in a union, you must either work normally or not at all on the strike day. As going on strike is a breach of an employee’s contract of employment, for every day that you are on strike a deduction of salary will be calculated at a daily or part-daily rate based on the day’s salary being 1/365th of a yearin accordance with the Conditions of Service for School Teachers in England and Wales (the Burgundy Book). The deduction will be taken from your salary payment as soon as practical after the strike.
2. You should work normally even if it means crossing a picket line to get into work.
3. If you attend work on the Teacher strike day, the onus is on you to inform your Headteacher/School Leader that you are at work so your attendance can be recorded in the usual way. Failure to do so may result in the deduction of pay (as detailed in point 1 above.)
4. If you wish to attend work, your School, Governing Body or Board of Trustees will endeavour to support you. If you have any concerns about this, please contact your Headteacher / School Leader before the Teacher strike day to discuss this in confidence. If the school (or other place of work) is closed and you would otherwise have been available to work, your management will inform you of how to register that you are available for work.
5. “Working at home” and “from home” are not arrangements to be used to enable employees to avoid difficulty crossing a picket line. It will only be acceptable if these arrangements are part of your normal working week, and you must notify your Headteacher / School Leader of your intentions.
6. If you fall sick on a strike day, you will need a Doctor’s Fit to Work Note stating that you are unwell to work for a single day’s absence; otherwise, in terms of pay, you will be treated as being on strike. You must also telephone in to your workplace as usual in accordance with your School’s normal sickness absence reporting rules.

**Pension Contributions**

8. There is no provision within the TPS to ‘buy back’ strike days. If you go on strike and lose pay, you will also lose the benefit of any pension contributions for the period you are on strike. Further information regarding Pensions can be found here: [Industrial Action | Life Events | Advising Members | Teachers' Pensions (teacherspensions.co.uk)](https://www.teacherspensions.co.uk/employers/advising-members/life-events/industrial-action.aspx)

**Communication with the Media:**

9. Employeesshould refrain from making comments to the media which could be construed as speaking on behalf of the school. You should ensure that you follow your School / Trust Media Policy at all times.

10. Employees are reminded about the school’s policy on the personal use of electronic communications equipment. It is not acceptable to use the school’s email, intranet, website, telephones or other electronic communications for any activities involving the furtherance of the industrial action.

11. Further questions and answers regarding the industrial action can be found in the attached Frequently Asked Questions Appendix.

School Sign off

**INDUSTRIAL ACTION – FREQUENTLY ASKED QUESTIONS**

**Q1: I want to attend work, but don’t want to cross the picket line. What should I**

**do?**

**A:**  **Teachers:** Whether you are a member of a union or not, the choice is yours. If you don’t cross the picket line then you will be regarded as being on strike for pay purposes and for every day on strike, a deduction of salary will be calculated at a daily or part-daily rate based on the day’s salary being 1/365th of a yearin accordance with the Conditions of Service for School Teachers in England and Wales (the Burgundy Book) for teachers.

**Q2: I’m worried that the pickets will prevent me from coming into work. What can I do?**

**A:** Trade Unions have the right to picket peacefully in an attempt to explain the reason for the industrial action and to persuade you not to attend work. This does not mean that crossing the picket line will be easy – emotions are often heightened during industrial action. However, Trade Unions will seek to maintain behaviour that is not damaging or disruptive to positive industrial relations and if you refuse to join the picket line you will forego any further attempts at persuasion.

**Q3: If I go on strike will I be paid?**

**A:**  No. If you chose not to work, then the deduction from your pay will be calculated at a daily or part-daily rate based on the day’s salary being 1/365th of a year.

**Q4: I work part time and the strike day is NOT one of my normal working days. What do I do and what will happen?**

**A:**  You need to tell your Headteacher / Manager that you will not be on strike and then no deduction will be made from your pay.

**Q5: I work part time and I intend to strike. What will be deducted from my pay for the strike?**

**A:** The deduction for part time employees will be equivalent to 1/365th of your pro rata annual salary.

If you are contracted to work other than the normal hours shown above, then deductions will be calculated in relation to your contracted work hours.

**Q6: When will the deduction from my pay take place?**

**A:** The deduction from your pay will be taken from the next available pay date, as soon as is practical after the strike.

**Q7: What do I do if I report to work but my place of work is closed?**

**A:** You should check with your Headteacher / School Leader the afternoon before the strike day to see whether your place of work will be open, and if not, what you should do. It is your responsibility to find out any alternative working arrangements that may have been put in place.

**Q8: Only a few members of staff are going to be at work during the strike – is this safe?**

**A:** The Headteacher / School Leader of your place of work should undertake a risk

assessment to ensure that it is safe for staff to work.

**Q9: Can I work from home on the strike day?**

**A:**  No, not unless working at home on that day is part of your normal working arrangement – in which case you need to notify your Manager of your intention.

**Q10: What if I am sick on the strike day?**

**A:** You must obtain a Fit to Work Note stating that you are unfit to work from a Doctor and you must also telephone in to your work place as usual in accordance with your School’s normal sickness absence reporting rules.

**Q11: I have been notified that the school(s) that my child(ren) attend(s) may not be open due to the strike. Can I take a day’s parental leave to look after them?**

**A:** There should be sufficient time for you to make alternative childcare arrangements. However, in exceptional circumstances, parental leave without pay may be granted at the discretion of the Governing Body / Board of Trustees in cases where a school or nursery closure means that you are obliged to be off work in order to care for your child(ren) when you would otherwise have been available for work.

**Q12: Can I work for another employer on the day of the strike?**

**A:** If you are on strike you do not have permission to work for another employer on the day of the strike unless you have a second job and would normally work those hours in that second job.

**Q13: If I wish to pay pension contributions for the period of the strike what should I do?**

**A:** There is no provision in the TPS for Teachers to ‘buy back’ strike days. The strike days will not be recorded as reckonable service and therefore will not be used in any calculation for pension purposes. For further information regarding Teachers Pensions, please follow this link: [Industrial Action | Life Events | Advising Members | Teachers' Pensions (teacherspensions.co.uk)](https://www.teacherspensions.co.uk/employers/advising-members/life-events/industrial-action.aspx)

**Q14: Do I get paid if I am prepared to work but the school or place of work is closed?**

**A**: Yes, provided that you have notified your Headteacher / School Leader that you are available to work. Your management will advise you on how you should register your availability to work in the event that the school or place of work is closed.

**Q15: Will the strike break my continuity of service?**

**A**: If you strike, your current period of “continuous service” will not be broken for the

purpose of reckoning your holiday, sickness, maternity and redundancy pay

entitlements.