

# Ph.d./Information Flyer

## Member of DM or another organisation with a collective agreement

### WHAT DOES STRIKE AND LOCKOUT MEAN TO ME?

All public collective agreements expire at the end of March 2018. The collective bargaining process has currently collapsed as the organisations representing employers and employees, respectively, have not been able to reach agreement regarding a number of important issues such as:

- Preservation of the Danish model, by withdrawing the law intervening with the teachers' working time rules.
- Guarantee of paid lunch breaks.
- A genuine wage regulation that ensures equal wage development on the private and the public labour markets.

Therefore, the professional organisations have submitted notification of strike for 10-15% of their members. These members have been selected strategically to ensure that the strike will be as effective as possible.

The strike has been notified for 4 April, however, NO strike notification has been submitted for universities, including PhDs and other VIP staff.

The employer's side has responded by submitting notification of lockout for 10 April. The employer's side has chosen to submit notification of lockout for 440,000 public employees. All employees, including PhD students, are included in the lockout.

As a member of DM, you will be continuously informed of your options and duties during the notified lockout.

### WHAT DOES LOCKOUT MEAN?

When a lockout has been notified and becomes effective, this starts what is called a (mass) conflict. It means that the public sector is closing down. Once the conflict has begun, it may end in one of two ways:

- The parties reach agreement – typically by means of a mediation proposal from the conciliation board.
- The government intervenes and stops the conflict by law.

Once a strike and lockout has been notified, the conciliation board enters as a mediating third party. It is the task of the conciliation board to mediate between the conflicting parties before the conflict becomes effective in an attempt to reach agreement and thus prevent the conflict from becoming effective.

The conciliation board may postpone the conflict by 2 x 14 days while seeking a solution. When a mediation proposal has been prepared, the professional organisations will vote on it. Normally, there is a three-week voting period.

If the mediation proposal is adopted, the conflict notifications will be lifted. If the mediation proposal is rejected, the notified conflict may become effective five days after the end of the voting period.

This means that the notified lockout may potentially be postponed until the end of May – or entirely stopped in case the parties reach agreement through the conciliation board.

As a member of DM, you will be regularly informed about the situation, the time frame and the negotiations.

## **WHAT WILL HAPPEN DURING THE LOCKOUT?**

When the lockout becomes effective, it means that the employment relationship for members of a collective organisation such as DM in principle is terminated.

This means that as a member of DM, you may not access your workplace during the lockout period. Also, you may not use work computers, work mail and work phones. It is very important that you do NOT work during this period.

This also means that during the lockout period you may not receive supervision, both because the supervision is part of your work under the collective agreement and because your supervisor(s) are locked out and hence need to stop working.

During the lockout period, you may not teach, supervise students, conduct examinations, work on your dissertation or otherwise perform any type of work-related tasks.

In short: lockout means work stoppage! It is important that you and your colleagues comply with the requirement not to work. Instead, you must participate in the activities that DM initiates during the lockout period. You are also most welcome to propose local actions and activities that will render the work stoppage as effective as possible and thus positively influence the negotiations.

It is very important that you support the activities that DM initiates during the strike. Only by standing together can we make sure that the strike is effective and thus felt by the employer.

When the conflict is over, you will be reinstated in the same employment relationship as before the conflict. Thus, your employment is only suspended during the conflict period.

## **NO WAGES, BUT CONFLICT LOAN**

As your employment is suspended during the lockout period, it means that you do not receive wages from your workplace. In return, you can get a conflict loan through DM, corresponding to your regular income.

DM has chosen a loan model – by mutual agreement with the other AC organisations (organisations under the Danish Confederation of Professional Associations) – because it is cheaper for both the individual members and for the community, the reason being that the conflict loan is exempt from taxation.

You may borrow an amount equalling your wages after tax. After the conflict, your DM membership fee will be reduced during the loan payback period because it is the goal to ensure that you receive full compensation.

Payment of your salary will not stop until April, as the conflict cannot become effective until 4 April at the earliest.

## **I AM SCHEDULED TO HAND IN MY DISSERTATION DURING A CONFLICT, WHAT DO I DO? + MY RESEARCH WILL BE DELAYED, WHAT DO I DO?**

If you are a PhD student employed at a university (covered by Appendix 5 of the collective agreement), you are entitled to apply for extension of your enrolment at the PhD school in connection with long-term illness and parental leave. In DM's opinion, this also applies in case of conflict, i.e. you may subsequently apply for extension of your enrolment. If the PhD school refuses to extend your enrolment, please contact DM.

If you are a PhD student employed at e.g. a university college (not included in Appendix 5 of the collective agreement), you are NOT entitled to apply for extension of your enrolment at the PhD school. However, we recommend that you try to strike a similar agreement as described above. If you experience any problems, please contact DM.

## **I NEED TO DEFEND MY PHD DISSERTATION DURING THE CONFLICT, WHAT WILL HAPPEN?**

When most PhD students are ready to defend their dissertation, they are likely no longer employed at the university. If you receive unemployment benefits, you are not covered by the lockout.

On the other hand, your supervisors and the representatives of your assessment committee that are employed at a Danish university are covered. This means that your defence cannot take place as planned as your assessors and supervisor are not able to work during the conflict. After the lockout you must find a new date for your defence in cooperation with the PhD school.

## **I AM CURRENTLY ABROAD, WHAT SHOULD I DO?**

PhD students who are abroad in accordance with their study plan are excluded from the lockout. This means that if you are abroad as part of such plan, you may continue to work as usual.

The same applies to PhD students enrolled at the European University Institute in Florence and PhD students enrolled at a foreign institution throughout their entire education.

## **I AM PLANNING TO PARTICIPATE IN A CONFERENCE DURING THE CONFLICT PERIOD, WHAT WILL HAPPEN?**

When you are affected by a lockout, you are excluded from your workplace during the conflict period and must stop your usual work.

However, members who are to participate in already scheduled courses taking place at the beginning of the conflict/during the conflict should clarify with both their member organisation and their employer whether it will be possible for them to participate.

## **VACATION**

If you are included in the conflict, you will unfortunately not be able to proceed with your planned vacation during the conflict. In case you have already begun your vacation by the initiation of the conflict, your vacation will not be considered as covered by the conflict, and you will receive wages as usual.

## **Not a member of DM or other organisations with a collective agreement**

### **I AM NOT ORGANISED (NOT A MEMBER OF A TRADE UNION), WHAT WILL HAPPEN?**

As a non-union employee, you are not part of the conflict. Thus, you will not be affected by the lockout – conversely, you will not be supporting the fight for better pay and working conditions!

When your colleagues fight for better pay and working conditions for everyone – including you – you are not giving your backing to this fight. This means that while your colleagues take action and demonstrate during the lockout period, you will still have to go to work.

You are not permitted to accept work affected by conflict. This means that you should only perform your own work tasks. If your employer asks/instructs you to perform tasks that are usually carried out by colleagues affected by lockout – such as teaching and examinations – you need to decline and immediately contact DM.