

Trade Union activities - guidelines

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1. Objectives

To inform, advise or consult with employees and Trade Unions on proposed changes in order to:

- Promote good employee relations and to avoid conflict or differences
- Implement new/amended employment policies, practices and procedures
- Ensure employees are aware of what is happening in response to Central Government initiatives and items being considered by Cabinet/Council
- Identify problems with any proposals under discussion and to examine solutions
- Obtain commitment to new ways of working and hopefully mediation may remedy some employee issues

2. Scope

The requirement to consult applies specifically to proposals which will have a direct impact on employees, examples are:

- Service reorganisations and restructures
- Changes which may affect an employees pay grading
- New working patterns
- Redundancies
- New employment policies
- Changes affecting contractual conditions of employment

3. Procedure

3.1 Responsibility to initiate consultation

Service issues

Consultation should be initiated by a manager at an appropriate level. This will be determined by the number of employees involved and the range and depth of the changes proposed.

Where a change affects two or more services, the relevant Assistant Director should agree with Human Resources (HR) Team Leader how the consultation is to be handled. To avoid any misunderstanding, it is recommended that the arrangements are confirmed in writing.

The HR Team Leader must be involved throughout the consultation process, particularly in meetings with Trade Union representatives.

Corporate issues

Consultation on corporate employment policies will be initiated by the HR Team Leader.

3.2 Who to consult

Formal union consultation will take place with Trade Union representatives and this would normally be at service unit level.

If the issue is one affecting large numbers of employees, or if there is no available Trade Union representative, the Branch Secretary (or nominee) will be contacted.

Employees affected by changes should be consulted as a matter of course. The discussions with union representatives are in addition to the consultation process rather than a substitute for direct discussions.

Recognised Trade Unions will need to ensure that HR is provided with an up to date list of elected members.

3.3 Timing of consultation

Meaningful consultation with employees and/or the unions should be carried out in such a way so that, if at all possible, an agreement can be reached on the proposals. Therefore, it is important that any proposals affecting groups of employees should be discussed with Trade Union representatives as soon as possible.

Representatives should be informed about the purpose and scope of the proposals and asked for any comments, alternative ideas or suggestions. Any response received should be carefully considered and, where it is not possible to agree to any alternative ideas or suggestions, the reasons why should be communicated to the employee representatives. In relation to proposals which require the approval of Cabinet, the report to Cabinet should set out the consultation process followed, any comments, ideas or suggestions received and management's response.

It is management's responsibility to inform employees of proposed changes, but it is recommended that management inform Trade Union representatives prior to informing employees. The emphasis at this stage

is on giving information rather than entering into detailed discussions about the content of the information.

As the proposals progress, discussions should be maintained with Trade Union representatives to explain progress and how plans are evolving. The relevant employees and Trade Union representatives should be consulted on Cabinet reports which cover the areas listed below. The list is not exhaustive and in no way diminishes the need for sensitive consideration of proposals which may affect the individual or the workforce and consultation at the appropriate level within the service:

- Changes in organisational structure
- Changes to pay and conditions
- Health and safety and general working conditions
- Changes to or new employment policies
- Council budget

3.4 Consultation on corporate employment policies

All employment policies should be sent to all recognised Trade Unions for written comments. The HR Team Leader will respond to the comments and a copy of the response will be included in the Cabinet report.

4. The responsibilities of employers and Trade Unions

Employers, managers and union representatives should work together to ensure that time off for union duties, including training, to operate effectively, efficiently and for mutual benefit. Union representatives need to be able to communicate with management, each other, their trade union and employees. To do this, they must be able to use appropriate communication and other facilities when needed.

5. General considerations

- The amount and frequency of time off should be reasonable in all circumstances. Wherever practical, trade union duties should not stop an employee from still fulfilling their normal role at Dacorum Borough Council. If a case is expected to go on for an extended period, it may also be pertinent for a trade union rep to advise and liaise with their line manager, so measures can be arranged. Agreeing arrangements for time off could be for the following reasons:
- Dependant on the size of the organisation and the number of workers

- The need to maintain a public services
- The need for safety, health and security at all times

6. Time off for Trade Union duties and activities

To operate effectively, trade unions need active participation of its members, and the role can be demanding and complex. The role is multi-faceted and can involve collective bargaining, working with management, communication with union members, liaising with their trade union and handling individual disciplinaries and grievances.

It can be in the employers interest that the participation is assured and support is given to promote communication between trade union representatives and employees in the workplace.

An employee who is also a member of the trade union is permitted to have reasonable time off during working hours to take part in any trade union activities, this includes time off for the purposes of accessing the services of a Union Learning Representative (providing those services are for which the Union Learning Representative is entitled to time off).

UNISON can send up to three representatives on occasions of official union business with paid leave.

7. Time off for Union meetings in working hours

Meetings with Staff Side and the Branch Executive Committee may be held in office hours, with a suggested start of either 9am to 10am or 3pm onwards, subject to the following conditions:

1. Authority is given for a 9am or post 3pm start for up to four Staff Side meetings each year and for up to twelve Executive Committee meetings each year.
2. Each representative eligible to attend such meetings must establish with the head of Service that bearing in mind the needs of the service, it is convenient to attend.
3. Any request to meet during office hours for meetings in addition to those referred to at (1) above, will be considered by the the Human Resources Team Leader on their merits.

UNISON meetings

Shop Stewards' meetings may be held in working hours, up to twelve a year, subject to the following conditions:

1. The meetings will start at 3 pm or soon after, with a maximum travelling time allowance of an hour, to be held in a Committee Room in the Civic Centre.
2. Each Shop Steward eligible to attend the meetings must establish with his/her manager that, bearing in mind the needs of the service, it is convenient for them to attend.
3. The Shop Stewards will record on their time sheets the time spent attending the meetings. No extra payments above the normal day's pay will be made.

Joint Union meetings

Meetings of representatives of the four manual worker unions may be held no more than once a month, starting at 3 pm or soon after. It is understood that, in normal circumstances no more than one representative should attend from each union. The recognised manual trade unions are: UNISON, UCATT, GMB and UNITE.

Members should:

- Ensure that they are aware of what is encompassed in their union role
- Ensure that any union representatives receive appropriate written credentials promptly
- Ensure that employers receive advanced details where they carry out special duties or functions
- Trade union officials who are involved in meetings with management on union business beyond normal working hours will be paid overtime or if applicable will be credited with the time under the flexitime scheme.

Managers should:

- Ensure that, wherever possible, work cover or work load reductions are arranged when time off is required for a union representative. This can include the allocation of duties to other employees, re-arranging the representatives priorities or a reduction the union representatives workload
- Wherever practical, make facilities available to union representatives, to ensure the representative can perform their duties effectively and communicate with union members, other union representatives and full time officers. Resources should include:
- Accommodation for meetings, which could include provision for Union Learning Representatives and Union Member meetings to discuss relevant training matters
- Access to a telephone or other forms of electronic communication media, which is allowed in the workplace

- The use of noticeboards to show Unison leaflets or posters
- Confidential space (eg: the use of a meeting room) so that confidential matters involving employees , such as pending disciplinaries and grievance cases can be discussed
- Ensure that the union representative is able to visit employees at different work sites

8. Requesting time off

When requesting time off to perform union activities, representatives should provide their line manager with as much notice as possible concerning:

- The purpose of the time off (but preserving the confidential information relating to the grievance or disciplinary case)
- The intended location and time on each occasion where time out is required
- The duration of time off required in each instance
- If they wish to take time off to attend training courses, then at least 3 weeks notice should be given. The contents and the objectives of attending he training course must also be provided to the manager.

The union representative should minimise business disruption by being as flexible as possible in seeking to take time off, as this may make it difficult for managers to provide work cover in their absence.

There is not always a guarantee that requested time off for union duties will be granted. It does depend on the staff cover for the requested date and time. Managers should always try to agree mutually convenient time off for union representatives, which minimises the effect of delivering potentially reduced council services.

9. Examples of Trade Union duties

The following are examples of Trade Union Activities, although this is not exhaustive:

- Attending workplace meetings to discuss and vote on the outcome of negotiations with the employer
- Meeting full time officers to discuss issues relevant to the workplace
- Voting in union elections
- Having access to services provided by a Union Learning Representative (a U.L.R is a member of an independent trade union recognised by DBC, and they can:
 - * Analyse learning and training needs, provide
 - * Provide information and advice about learning/training matters

* Arrange learning or training and promote its value

* Consulting the employer about carrying on any such activities, preparation to carry out any of the above activities, undergoing relevant training

Where the employee is acting as a representative of a recognised union, activities can be:

- Branch, area/regional meetings of the union where the business of the union is under discussion
- Meetings of official policy, making bodies such as the executive committee or annual conference
- Meetings with full time officers to discuss issues relevant to the workplace

Sometimes the issues revolve around pay, contractual terms and conditions, holidays, sickness absence, equality and diversity, etc.....

For examples of all trade union activities that are considered appropriate, please refer to the "Time Off For Trade Union Duties and Activities-Section 3" on the following link: <http://www.acas.org.uk/index.aspx?articleid=2818>

Although there is no statutory requirement that union members or representatives be paid for time off taken on trade union activities, Dacorum Borough Council will still continue to pay the employee at their normal hourly rate.

Note-There is no right to time off for Trade Union activities which themselves consist of industrial action.

10. Agreement and recording

Trade union activities which take the trade union representative away from the workplace, eg Depot or Civic Centre, and which do not include the immediate manager, should be recorded. In these circumstances a form Time Off for Trade Union Activities (see Appendix 1) must be completed by the trade union official and handed to their manager for agreement as far as possible in advance (or at least 48 hours before). On completion of the meeting the form should be signed by the Manager holding the meeting and returned to the official's manager.

In cases of urgency, verbal agreement may be given by the manager, but this must be confirmed as soon as possible by completing the form.

Trade Union Members

Members must follow the same procedure as for officials. However, where the request for time off is on behalf of a large number of members jointly (eg attending a full union meeting) the necessary arrangements should be discussed in advance by the trade union official with managers

concerned. In this case one form should be submitted by a trade union official on behalf of the members as a whole.

Record form : time off for Trade Union activities

Part A to be completed by Union Representative and signed by their Group Manager.

Part B to be completed by Union Representative and signed by the Manager holding the meeting.

Part A

| | |
|---|-------------------------------------|
| Name: | Department: |
| Business to be Conducted: | |
| Date of Business: | |
| Where Held: | |
| With Whom: | |
| Estimated Start Time : _____ | Estimated Finish Time: _____ |
| Paid/Unpaid Time Off (delete as appropriate) | |

Signed: _____ **(Service Mgr) Date:** _____

Part B

| |
|---|
| Signed: _____ (Mgr holding meeting) Date: _____ |
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