

BOLSOVER DISTRICT COUNCIL

Trade Union Facilities

Local Agreement

September 2011



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اگر آپ کو یہ دستاویز سمجھنے میں مدد کی ضرورت ہو یا یہ بڑے حروف یا ترجمہ کی شکل میں درکار ہو تو برائے مہربانی اس صفحے کے آخر میں دیے گئے نمبر پر ہم سے رابطہ کریں۔

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TRADE UNION FACILITIES AGREEMENT

Introduction

Bolsover District Council and the recognised Trade Unions acknowledge the importance of positive and constructive employee relations in achieving high levels of service to the community. This agreement sets out the framework within which employee relations matters will be managed. The agreement is made with reference to the ACAS Code of Practice on Time-Off for Trade Union Duties and Activities.

Objectives

- To promote effective employee relations
- To support the swift resolution of issues between managers and employees
- To ensure that all parties are aware of the arrangements applying to Time Off for Trade Union Officials facilities.
- To make the most effective use of Officers' and Trade Union Representatives' time by resolving problems, wherever possible, at the lowest level of representation.
- To enable and promote partnership working for the benefit of the community and employees

Parties to the Agreement

The signatory parties to this agreement are Bolsover District Council, UNISON and UNITE.

Employee Relations Matters

In addition to his/her work as an employee, a Trade Union Representative/ Branch Official may have important duties concerned with employee relations. These duties will include:-

- Collective bargaining with the appropriate level of management
- Informing members about negotiations or consultations with management
- Meetings with other Trade Union Representatives or with full-time Officers on matters of concern with employee relations between Bolsover District Council and its employees.
- Interviews with and on behalf of members on grievance and discipline matters concerning them and Bolsover District Council.
- Appearing on behalf of members before an outside body, e.g. an Employment Tribunal.
- Providing support, advice and assistance to members concerning employee relation matters.

Other Trade Union Activities

It is recognised that Trade Union activities are wide and varied. For the purposes of this document they are regarded as issues which are the sole responsibility of Trade Unions and outside the authority of the Council. For example this may include arranging social activities, branch administration and Membership benefits. In these cases, paid time off is not granted and the work should be completed outside of normal working hours.

Definition of a Trade Union Representative

Trade Union Representatives can be classified into two groups, Departmental representatives and Branch Officials. Branch Officials for this purpose are considered to be The Chair, The Secretary/Senior Steward, Health & Safety Representative, Equalities Officer and Union Learning Representative.

The duties of Trade Union Representatives are detailed at Appendix 1.

Number of Trade Union Representatives

At the time of producing this document trade union membership for each recognised Trade Union stands at:

UNISON	43%
UNITE	15%

In order to ensure that the number of representatives for each Trade Union is proportionate to the number of members, the number of Departmental Representatives will not exceed a ratio of ONE to every 25 members. Based on current membership levels this will mean:

UNISON	No more than 11 departmental representatives
UNITE	No more than 4 departmental representatives

Entitlement to Time Off

Approval will be given for time-off with pay for Trade Union representatives to take part in union activities as follows:-

- Union Employee Consultation Committee or any other negotiating meeting
- Pre-Agenda meetings concerned with the above
- Safety Committee meetings
- Job Evaluation Scoring Panels and Consistency Check Group Meetings
- Branch Executive Meetings – one meeting per month of no more than 2 hours duration

In respect of the above meetings attendance lists will be maintained by the meeting organiser. It will not be necessary for the attendees to complete the application for time off form at Appendix 2.

Approval **will be** given for up to 5 days time-off per financial year with pay for ONE Branch Official from each union to attend the following:

- National Conference
- Local Government Conference
- Regional Committees and Forums
- District Committees

In recognition of the additional workload associated with the most senior positions in each trade union the UNISON Branch Secretary, UNISON Branch Chair and the UNITE Senior Steward will each be granted one day of time off with pay. Departmental Representatives will be granted reasonable time-off with pay to attend to employee relations matters which are directly related to their office. It is accepted that Branch Officials may require more time-off for consultation, etc. than Departmental Representatives. This will be taken into account when considering granting time-off.

Union Learning Representatives

Reasonable time-off to undertake duties of a Union Learning Representative will be provided subject to the following:

Notification being provided in writing that the official is a learning representative and that the training condition is met.

The functions for which time off as a Learning Representative will be given are:

- Analysing learning or training needs
- Providing information and advice about learning or training matters.
- Arranging learning or training
- Promoting the value of learning or training
- Consulting the Council about carrying on any such activities
- Undergoing relevant training

Time-Off for Trade Union Training

Any requests for training of officials/representatives of a Trade Union shall be made in writing, using the form at Appendix 2, no later than 21 days prior to the commencement of the training, stating:

- Details of the training to be undertaken
- At the end of the training the official/representative will be able to undertake the identified role.
- Providing a copy of the syllabus or prospectus indicating the contents of the course.

Bolsover District Council will notify the relevant Trade Union of their decision to release at least 10 days in advance of the commencement of any course.

Normally, in total, officials/representatives will request no more than 10 days of paid release training in any one financial year. However, in exceptional circumstances, and especially for Health & Safety representatives where regulations dictate, more training may be required.

Training should be in aspects of employee relations relevant to their duties

Industrial Action

Where an official is not taking part in industrial action, but represents members who are involved, normal arrangements for time-off with pay should apply. However, there is no right to time-off for trade union activities which, themselves, consist of industrial action.

Requesting Time-Off

For time-off arrangements to work satisfactorily, both the Trade Unions and the employer should ensure that its officers and representatives are fully aware of their role, responsibilities and functions.

The Unions will normally give 14 days notice in respect of requests for time-off. However, there may be circumstances where less than 14 days notice will be accepted. Whilst it is the responsibility of the employer to maintain services to the public, the Trade Union Representatives should bear in mind the problem of discharging these responsibilities and should ensure that every request for time off is notified to the relevant Head of Service as far in advance as is reasonable in the circumstances.

Subject to the exceptions set out under 'Entitlement to Time Off' all requests for time-off are to be made in writing to the relevant Head of Service, using the form at Appendix 2. The Trade Union Representative should indicate the general nature of the business for which time-off is required, the intended location and the expected period of absence, although the confidential nature of certain requests must be respected and need not be revealed.

Each application should be considered on its merits and no reasonable request should be refused. However, Managers may request that time-off be deferred or refused because of operational reasons, e.g. problems of office cover or safety which would result if time-off were taken at a particular time. The grounds for postponement/refusal should be made clear and parties should endeavour to agree on an alternative time for the time-off. In considering postponement, both parties should weigh the urgency of the matter for which time-off is required against the consequences of granting the time-off. It may also be necessary to ask for alternative union representatives to be available to employees, in the event that absence of a preferred union representative is likely to have a major impact on work.

Managers should be willing to consider urgent requests for time-off in response to emergencies. For example, in cases where immediate consultation with the employer is needed on issues involving restructuring, redundancies and re-deployment, where representation at disciplinary proceedings or in grievance cases is required or where potential disputes require immediate attention.

On occasions representatives may be called on to represent Union members who work in other departments and/or locations.

Where workplace meetings are requested, consideration should be given to holding them towards the end of a shift/working day, or before/after a meal break.

Conditions Relating to Time-Off

Annually, on the 1st April, the Trade Unions must provide the Head of Human Resources and Payroll with a written list of Branch Officials/Departmental Representatives. Any changes that occur to this list, during the year, should be provided in writing as soon as possible. The Head of Human Resources and Payroll will ensure that the relevant Head of Service is notified of Branch Officials/Departmental Representatives in their Department. No request for time-off shall be agreed for any employee where the Trade Union has not notified the Head of Human Resources and Payroll of their Trade Union role.

The principle of time-off, whether for full or part-time employees, is one of time-off during the employee's working hours. However, part-time representatives attending a full-time union course will be paid for all hours spent on the training course.

Where there is evidence of abuse of the system by either party, the matter should be referred to the relevant Director. If the Director is unable to deal with the matter, it should be referred to the Chief Executive Officer who will seek to resolve the issue.

Facilities for Trade Union Representatives

The Council shall make available the following facilities necessary for Trade Union Representatives to perform their duties efficiently and to communicate effectively with members, other representatives and full-time officers:

- The use of a room as an office, where available, at the representative's normal place of work.
- The provision of facilities at the representative's workplace for secure filing of Union documents.
- Reasonable access to a telephone.
- Where available, the use of notice boards, photocopying and PC equipment.
- The use of a room for Branch Executive meetings.

Whilst it will not be possible to provide these facilities at all offices and depots, the Council has agreed to endeavour to provide suitable Trade Union accommodation wherever possible and will provide the above facilities at Riverside, Doe Lea.

Duration

This Agreement will be reviewed after 3 years but may be revised at any time before then by initially raising the matter at Union Employee Consultation Committee.

APPENDIX 1

Duties – Corporate Representative

1. Participate in corporate consultation and negotiation procedures
2. Assist departmental representatives in resolving employee relations problems where normal procedures have been exhausted or where there are significant cross-service implications.
3. Communicate effectively to the various parties and groups concerned the wishes and views of trade union members.
4. Co-ordinate the work of Departmental representatives providing advice and leadership on employee relations. Brief departmental representatives on corporate developments and negotiations.
5. Provide cover for departmental representatives as appropriate.
6. Be responsible for maintaining accurate lists of accredited trade union representatives, and providing such lists on an annual basis, and as necessary to the Head of Human Resources and Payroll.
7. Inform the Head of Human Resources and Payroll of any potential employee relations problems as necessary.

Duties – Departmental Representative

1. To undertake negotiations at a departmental level and refer problems to the corporate representative where he/she is unable to resolve issues at that level.
2. Identify and refer to a corporate representative any problems associated with departmental employee relations and procedures.
3. Inform the corporate representative of any service issues, which may have corporate implications.
4. Communicate effectively to the various parties and groups concerned the wishes and views of trade union members.

APPENDIX 2

APPLICATION FOR TIME OFF FOR TRADE UNION DUTIES AND ACTIVITIES

I request *paid/unpaid time off from work for the reason shown.

Name _____	Trade Union _____	
Date of Duties: _____	Location of Duties _____	
Purpose of Time Off: _____		

Time Start : _____	Time Finish if known: _____	Total Time: _____
Signature: _____	Date: _____	

* delete as appropriate

Approved/Not Approved*

Reason Not Approved

This form should be given to your Head of Service to give the maximum possible notice and if possible at least 14 days prior to the date on which time-off is requested. In the case of a union training course 21 days prior notice must be given, and your Head of Service will provide a response at least 10 days prior to commencement of the course. A copy of the form will be returned to you. **This form cannot be authorised by another union member.**