

Are the I&C Regulations working – watch this space!

by Tony Burke – Assistant General Secretary, Amicus

In 2007 we will see the scope of the Information and Consultation Regulations change.

In April 2007 companies and organisations with over 100 employees will be covered by the Regulations. And in April 2008 companies and organisations with 50 or more employees will also be covered. These changes will be important for trade unions and our members.

The current law provides for companies with 150 or more employees to set up I&C structures where workers require it. But so far, it would appear that unions have been slow to use the legislation and the law appears not to be working in the way that the TUC had initially hoped.

It was hoped that the I&C Regulations would be used by unions as an organising tool - in every company with over 50 employees, by 2008, unions could use the new laws to begin to recruit and organise. 'Corn Flake' redundancies, (where workers find out about job losses and company closures through the morning news) would be a thing of the past; employees would have to be consulted on a wide range of employment issues including details of the company's

prospects, mergers, acquisitions, training, pensions, health and safety and union officers would be on hand to help workers set up the structures in unionised and non-union companies.

Everyone, including the Government, TUC and the CBI agreed that it was a good thing to talk! But what has been the reality? A glance at the CAC website shows only a small number of claims referred to them – including two involving Amicus – at the multi-national publishers Macmillan's and recently with Field Boxmore, part of the giant Chesapeake packaging corporation.

Could it be that the law is working well and agreements are being reached locally? Well, I doubt it. In Amicus we have secured a number of excellent I&C Agreements, notably in packaging and paper. And we have secured two nationally agreed "off the shelf" model agreements with employer organisations which will be useful to our members and the industry as the regulations kick in.

But we have also had to tackle a number of companies who have tried to "slip through" weak pre-existing agreements

continued...



Unions 21 seminar on Information and Consultation held at Congress House.

In this issue

Unions 21 prides itself on providing an open space for all trade unionists to think about and debate the issues of the day. This issue of Forefront, with its rich and diverse range of contributions, enthusiastically upholds this tradition. It shows that, across a range of industries and sectors, unions are creatively addressing the core challenges of building membership and organisation using both tried-and-tested and innovative approaches. If you would like to comment on any of the articles in this issue - or contribute your own experience to a future Forefront - please contact Sue Ferns, Vice Chair of Unions 21 at sue.ferns@prospect.org.uk

Why counselling and financial advice is a union issue in higher education

by Paula Lanning – Head of Communications and Public Affairs, UCU

In November 2006 a new UK-wide service for the adult, further, and higher education workforce was launched by the Teacher Support Network in partnership with the University and College Union (UCU).

College and University Support Network (CUSN) offers a range of free services including round-the-clock telephone counselling, a website of factsheets, online coaching, money advice and needs-based grants and loans.

CUSN builds upon the successful work of Teacher Support Network, a charity providing confidential and independent telephone support to school teachers since 1999, now reaching over 21,600 teachers a month. Prior to the launch of CUSN lecturers could access support through Teacher Support Network's telephone and online services thanks to a partnership with NATFHE (one of UCU's two predecessor unions).

Key issues raised recently with Teacher Support Network by college and university staff included professional development, harassment and bullying, personal relationships and physical health.

Trade unions improve people's working lives through campaigning, building strong workplace organisation, through representation, bargaining and lobbying. You might wonder therefore why on earth UCU is involved in this initiative. Well we have our strengths and we have our limits.

Sometimes people are so distressed that they can't begin to analyse what's happening, let alone how to tackle it, or they're just facing up to serious illness affecting their work, or panic has set in late at night. That's just where CUSN comes in with its 24/7 confidential telephone helpline, its on-line support, and its professionally accredited counsellors and coaches. And the

huge range of factsheets available on the CUSN web site provide answers on a range of issues and pointers to further back-up including UCU's support.

The personalised support offered through CUSN helps people think through how to address a problem and is particularly useful when people are stressed out. (Because CUSN is staffed by people who understand the service in which our members work it's a lot better than many of the commercial call centre helplines on offer.) UCU helps by providing specialised employment advice, and representation if need be, and by taking up the root causes of many problems, such as heavy workloads, inadequate support, or discrimination.

The advantage for the individual is that whoever they turn to first, the other will be there if needed. And CUSN reinforces what we offer as a union. That is the essence of this partnership. Many contacting CUSN will in fact need UCU or other union support and they will be referred on or encouraged to join a union if they aren't in membership. For UCU reps and officials CUSN will provide important back-up as a resource for members needing a level of personal support that we are not necessarily best equipped to offer.

Of course CUSN costs money to develop and run. The initiative was made possible by the ongoing contributions made to Teacher Support Network by thousands of former NATFHE members alongside their subscription payments and through the former AUT's decision to invest its 'hardship fund' into the project.

UCU will be monitoring closely the types of issues raised with CUSN and using the information generated to inform our own strategies and campaigns and to back up our arguments. We hope that the new partnership with CUSN will strengthen our mutual efforts for high quality working environments and fulfilling working lives for staff - and our members' *raison d'être* - high quality education for their our students.

continued from previous page...

with their workforce, which provide minimal requirements and have "loaded" I&C Committee structures to ensure maximum input by managers and minimal involvement by the majority of the workforce. On more than one occasion we have been lucky that eagle-eyed local union reps have contacted us and poor pre-existing agreements have been rejected.

The reality is that the legislation, which was supposed to enable workers to trigger the regulations and develop I&C structures themselves is complex and needs the support of professional union officers. Amicus has had to refer one case to CAC to seek information on the number of employees and company structures, which they refused to provide to us.

Local union reps or individual workers would not have the wherewithal to even begin this process. We won that case and used the information to grow membership. At one site within the company where we had few members and

no recognition membership grew to 60% of the workforce and we are currently in talks on a union recognition agreement. So the I&C Regulations can provide organising opportunities.

But we still see companies declaring major job losses and closures without prior talks with unions and workforce – witness Peugeot in Ryton and multi-national papermakers M-Real at Sittingbourne.

In the run up to April 2007 unions should watch for companies pushing weak "pre-existing" arrangements. You will know it is happening when human resource commentators start offering free advice on the regulations – and how to get round them! Unions will need to brief stewards and reps on employees rights under the regulations. Be prepared to fight for decent I&C Agreements that will help to provide for the "level playing field" we need if we are to protect "members" jobs.

World's apart – or “nothing succeeds like excess”

by Adrian Askew – General Secretary, Connect

As the season of giving and receiving approached, it was a masterpiece of timing that saw the publication of a report on Directors' Pay. Incomes Data Services (IDS), the highly respected and independent organisation that carried out the research, found that the total earnings of FTSE 100 Chief Executives rose, on average by 43 per cent from £2,014,665 last year to £2,886,324 this year.

Since the year 2000, average FTSE 100 Chief Executive total earnings have increased by a staggering 102.2% while the equivalent rise for all UK full time employees was just over 28%.

The CBI and other employer organisations have tried to defend the indefensible by pointing out that a large part, the greater part, of senior executive earnings are in the form of bonuses and share options. In other words, we are invited to pity the poor, average FTSE 100 Chief Executive who has to struggle by on a salary of £730,796 and assume that the £2,135,438 worth of bonus and options is not real money. Perhaps the CBI would like to suggest that the minimum wage of £5.35 should be trebled by the addition of bonuses - after all, it's not real money is it?

One of the more fascinating insights into the question of senior executive pay is the constant refrain that top companies have to compete in a global talent market which means they have to provide top pay and benefits. Oddly, the effect of the global market on people a bit further down the pay league doesn't seem to work that way. Also, we are told that high salaries are needed to motivate and retain senior executives. Strangely, there are precious few employers who express the same sentiments when responding to pay claims for workers a little lower down the hierarchy.

The Editor of the IDS Executive Compensation Review put it most succinctly when he said "Oscar Wilde may not have had directors' pay in mind when he said 'Moderation is a fatal thing... nothing succeeds like excess' but given our latest survey it seems like remuneration committees have acted on his advice".

Similarly, TUC General Secretary Brendan Barber commented that "It is hard not to conclude that this further huge rise in executive pay is more about greed than performance".

Taken together with the fact that the directors of the UK's top 100 companies have built up a pension pot worth £1 billion providing an average pension of £168,000 a year from age 60, one begins to understand that there are not two classes here – more like two separate planets.



Tomorrow's Unions: From Local to Global

A Unions 21 lunchtime seminar, held on 14 December, featured a keynote speech by International Development Secretary, Hilary Benn. Benn challenged the idea that union membership is in terminal decline. He urged unions to recruit the almost 3 million people in Britain who are not in a union and would like to be, focusing on the practical benefits of union membership. Responding, Mary Boustad ATL General Secretary, noted that unions are needed more than ever to ensure fair treatment for workers faced with stresses such as job insecurity and long working hours. Adrian Askew, General Secretary of Connect, recognised that globalisation presents British workers with many challenges but emphasised that influence over changes affecting the workplace is most effectively asserted through unions' collective strength.



Photography by Richard Mann

Union Modernisation Fund – rounds one and two

by Raj Jethwa, Policy Officer, TUC

The Union Modernisation Fund (UMF) was created by the Government to support innovative union projects to adapt to changes in the labour market. Round One opened in July 2005 and closed at beginning of October 2005.

There were 49 bids from unions and union federations in the first round, of which 32 were successful and 14 were rejected. A further three were successful on re-application. Nineteen successful bids were submitted by unions with less than 50,000 members and 11 successful bids were from unions with more than 50,000 members. Other bids were submitted by trade union federations.

A key element of the selection criteria was the transformational potential of the bid. This is defined as a lasting alteration to the structure, processes, culture or strategy of a union. The UMF will not support bids which involve activities which a union is likely to have undertaken in any case and bids also need to demonstrate how the activities of the project will continue once the period of UMF assistance has come to an end. Projects must also be capable of providing a demonstration effect for other unions more generally, either through the outcomes of the project or through the processes involved in carrying out the project.

In addition, projects in Round One were assessed as to the degree to which they addressed at least one of six priority themes.

One of the recommendations of the Women and Work Commission was that a capacity-building programme be funded through the UMF to support training for equality reps. Equality reps, therefore, feature as a priority theme for Round Two of the UMF.

The other priority themes for Round Two are:

- improving the understanding of modern business practices by full time officers and lay representatives;
- improving two-way communication between unions and their members;
- improving the ability of unions to respond to the increasing diversity of the labour market;
- developing the professional competence of union officers and applying modern management methods to the running of unions, and
- assessing the challenges and opportunities of union restructuring and union mergers.

The timetable for Round Two is as follows:

- 20 April 2007 deadline for submitting application forms
- May 2007 Sift of applications by DTI officials
- June 2007 Sift of applications by Supervisory Board
- July 2007 Recommendations to Ministers
- September 2007 Announcement of winners

Union Modernisation Seminar

The TUC, the Union Ideas Network and Unions 21, will jointly host a seminar on 29 January 2007 at Congress House to look at progress so far on the UMF and to generate ideas about where the UMF process might take unions. The event will highlight some of the projects which have been supported during Round One and provide a broader context for discussions around modernisation

For further information about the UMF or TUC support, please contact Raj on 020 7467 1245 or e-mail rjethwa@tuc.org.uk.



Debbie Coulter (GMB), Jeremy Dear (NUJ) and Jonathan Baume (FDA) give their views on “What are we here for?”

Crossing the borderline

by Owen Tudor - International Secretary, TUC

A British delivery firm recently recruited Eastern European drivers through an employment agency. The existing employees, members of the TGWU, were worried that there wasn't enough work going round, so the union called a meeting. They discovered that the migrant workers were being paid £2 an hour less, and being charged exorbitant rents for overcrowded accommodation.

After just half an hour, the members agreed to get their new colleagues into the meeting. The TGWU forced management to scrap the agency contract, employ the new drivers direct, and pay them the same wages as the existing workforce.

This story is increasingly familiar to trade union officials. Migrant workers face exploitation, existing workers face undercutting. Usually there's an employment agency involved. It makes the case for unionising migrant workers and for the EU Temporary Agency Workers Directive that is still stalled thanks to the British Government's deregulatory agenda.

It's behind the policy the TUC adopted at Congress over the Government's decision to restrict employment for Bulgarian and Romanian workers when their countries joined the EU on 1 January 2007. Yes to freedom of movement for all EU citizens. But yes also to tougher enforcement and improved employment rights.

There is an example of what could be done in Ireland, where the ICTU has negotiated Towards 2016, another impressive agreement with the Irish government and employers. It allowed the social partners to agree to open the labour market to Eastern Europeans, on the basis of better employment regulation and

more tools for enforcement. The TUC has asked the British Government to study what has happened in Ireland and reproduce it here.

Those new employment rights are needed not only by migrant workers, but by other vulnerable workers in Britain today – up to one in five of the workforce according to research produced for the TUC – which is why the TUC is focusing not just on migrant workers but all those who need greater protection in the labour market.

Clearly, however, government action will not be enough. Union organisation and representation is also vital – at a pan-European level.

Cross-border co-operation isn't wholly new (many unions operate in Britain and Ireland, for example) but it is becoming more common. This year, shipping officers' union Numast began to merge with its Dutch equivalent to form Nautilus.

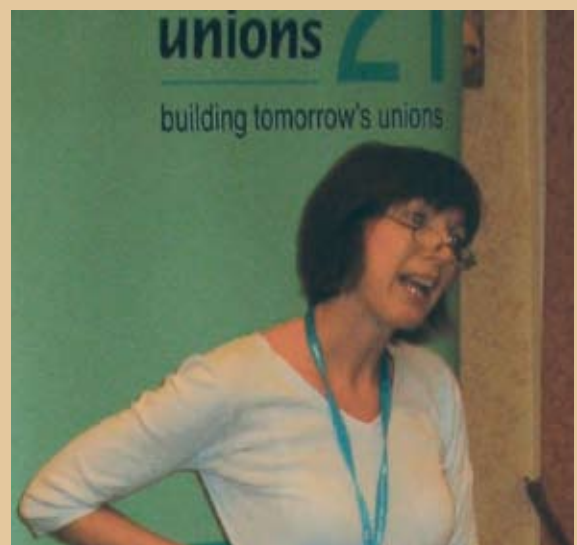
The TUC has a long-standing agreement with the CGTP-IN in Portugal to represent Portuguese workers in Britain, renewed in April this year.

We are negotiating the same with Solidarnosc in Poland, and will shortly launch a joint website giving Polish workers information about their rights at work in Britain. The website will be run from Poland, so that it shows up first in internet searches done in that country.

And we have started discussing with the Bulgarian unions what we can do together, too.

TUC Congress 2006

Unions 21 organised two successful fringe meetings at the TUC. The theme of the first meeting, held on 11 September, was "Who's afraid of globalisation?". Speakers were FCO/DTI Minister Ian McCartney MP and TUC Deputy General Secretary, Frances O'Grady. At the second meeting, on 12 September, Debbie Coulter (Deputy General Secretary GMB), Jeremy Dear (General Secretary NUJ) and Jonathan Baume (General Secretary FDA) tackled the question "What are we here for?".



Ian McCartney and Frances O'Grady speaking at the TUC on "Who's afraid of globalisation?"

Focussing on Growth

by Ged Nichols – General Secretary, Accord

Realities of modern life are that there is never enough time, never enough resources and too many competing priorities to allow space for unions to concentrate on growing membership. What has made Accord - the union for employees of the Halifax Bank of Scotland Group (HBOS), immune from these pressures and enabled it to achieve double-digit net organic growth in 2006?

For the last four years we have maintained our membership at around 25,000 but this apparent stability masks the fact that 20% of our membership have to be recruited each year to 'stand still'. Our challenge late in 2005 was to decide how we could 'up our game' to achieve real and sustainable growth in order to secure our future as a small but active and independent player in the British trade union movement.

All the usual limitations applied:

- We could not simply shift key people from servicing' to 'organising' and risk reputational damage with existing members, who, after all, would be funding the new activities.
- We did not have historical financial assets or significant non-subscription income to sustain us.

But Accord's Executive Council was forward looking and brave. It appreciated that if we were going to grow, we would have to invest in more people, new technology and re-energising the existing workplace reps structure, growing it and building upon it.

The Executive Council accepted that the union's finances would head south towards deficit but agreed that this could quickly be recovered by carefully targeting 'quick wins' from infill recruit-

ment campaigns. These 'quick wins' started to build a momentum and confidence in achieving our aims. Cost savings were also needed and this led to a radical re-think of the role of the union's headquarters and how it was staffed.

Accord Activate is a strategy that emerged from research among existing workplace reps and is made up of three components:

- Re-organisation, using the results of its research to better fit the needs of the workplace representatives;
- Re-defining, investing in new programmes; and
- Re-energising through strategic planning and long-term relationship-building.

These were translated into three tactical projects:

- To boost 'infill' recruitment by re-energising and refocusing existing workplace reps and, where there were no reps, visits by members of the union's new Recruitment and Organising team.
- To introduce new, tightly-managed procedures to ensure that all new company employees were contacted by the union.
- To carry out new research into why the perception of the union's offer in certain locations and functions was unattractive, then re-positioning it to meet the specific needs of those target groups.

Accord's membership is at its highest ever level and expected to reach 30,000 early in 2007, yet the Activate campaign is still in its infancy. Nonetheless, at the 2006 Congress TUC General Secretary, Brendan Barber, said: "The best protection of all is trade union membership. If every union could match Accord's impressive growth we would all be so much stronger."



A social perspective on employee engagement

by Robert Stevens - Research and Information Manager, IPA

The future of employee relations is often set up as a duel between direct employee involvement and collective forms of representation. So how does a relatively new concept like employee engagement contribute to our understanding of employee relations?

The employee engagement survey appears to have been adopted by employers with enthusiasm in recent years. The process of collecting information from employees in the form of annual or more frequent pulse surveys is an example of direct employee involvement.

In contrast, the case for collective representation through a trade union or employee forum appears to many to have been less persuasive. Ironically, many employers believe that the outcome of surveying is actually more representative than either trade union or employee bodies. They also suggest that the benefits of surveying may be more easily attributed to specific improvements in employee engagement and business performance.

'Is it sufficient to ensure employees are fully engaged in open debate?'

Understanding what employees collectively want from the employment relationship is increasingly seen as the first step to improving performance. Organisations like the Royal Bank of Scotland and Nationwide believe that they can measure the effectiveness of their offering to employees and link employee attitudes, behaviours and business performance. A key component in this, the employee engagement survey is seen as important in creating a robust employment proposition or employer brand and in defining an organisation as an employer of choice.

The employee engagement survey is becoming more and more important in the mix of involvement techniques used by practitioners. Consequently, one might expect improvement in the general state of employment relations. However, at a national level employee dissatisfaction and stress at work appear to be growing phenomena and absenteeism is reputed to cost British businesses £12.2 billion a year. New institutions are needed and employee engagement fills a gap in the capability of organisations to understand the views of employees. But is it sufficient to ensure that the employees are fully engaged in an open debate and involved at work?

The IPA's belief is that working directly with individuals and teams and consulting with representatives are complementary and mutually reinforcing. This matters because as the latest Workplace Employee Relations Survey indicates, there is little sign that high performance work practices are becoming more prevalent. The survey also suggests that managers may

actually be less prepared now than in the past to share financial information and autonomous team working is still only available to a minority of employees.

High performance in employee relations requires that organisations develop their social capital. This makes it a priority to encourage a mixture of formal and informal mechanisms for communication and dialogue within the workplace. It also requires something subtler.

'It is important to build a consensus with line management'

That is the need for a broader social agenda, in addition to the traditional business or legal compliance arguments around which workplace change is often discussed. As the Work Foundation puts it, there needs to be "a broader and stronger case for voice rooted in a particular understanding of what individuals need to flourish in the world of work."

It is important to build a consensus that engages senior and line management. This is why the business case in particular is so pervasive. Alongside this, there also needs to be a collective consensus around the employee proposition that takes into account both the needs of individuals and the collective capacity of the organisation to meet them.

This is something that requires the involvement of the workforce, though dialogue on a broad range of issues, including: workplace culture, work organisation, work-life balance, equal opportunities, leadership and development. Achieving this requires not only a broad range of mechanisms for communicating, but space for dialogue at every level of the organisation.

'How can we give individuals choice within a collective framework?'

Being an employer of choice requires employee relations practices that recognise the benefits of both individual and collective dialogue. As Keith Sisson says: "Organisations that maintain a 'Berlin Wall' between the individual and the collective dimension of ER/HR shouldn't be surprised if they have problems with engagement." In addition, the challenge for employee relations practitioners is to promote a collective as well as individual understanding of the employment proposition. Jim McAuslan general secretary of the airline pilots association; Balpa neatly summarised the challenge in a recent article, when he said, "How can we give individuals choice... within a collective framework that everyone can subscribe to?"



Unions 21 Trade Union Week: 5 – 10 March 2007

Changing Unions in a Changing World

From 5 March, Unions 21 will be on the road again running events across the UK for our Trade Union Week 2007.

The theme of the week is “Changing Unions in a Changing World” as we will be looking at some of the big debates that are affecting the British union movement in today’s globalised environment.

On Monday 5 March we will be in Scotland for a seminar on migration and immigration. Scotland holds a unique position in the immigration debate as it is faced with the economic and social challenges of depopulation. This seminar will look at how this affects the workplace examining issues such as skills and organising migrant workers.

We will move on to Manchester, where Tuesday’s debate will ask “Whatever happened to partnership?”. Partnership was one of the great ideas of the nineties and this seminar will take a critical look at how partnership has evolved over the past decade. What effect has it had on trade unions? Has it changed the world of industrial relations? And how are the alternatives faring?

With the pace of economic and social change apparently rapidly increasing, Wednesday’s seminar in Cardiff will examine the challenges for unions to organise in new industries and the new economy. We will hear about how the Welsh economy has developed and examine how trade unions have responded. What are the union success stories? What challenges remain?

Our roadshow arrives in Leicester in time for International Women’s Day on 8 March. What better day to discuss the latest developments on the equalities agenda? We will look at the continuing role for trade unions as a ‘sword of justice’ in the workplace and where equalities fit in with current union priorities.

The week’s events will culminate with our annual conference in London. Last year we heard from the Prime Minister and this year we hope to hear from another senior member of the government. This year’s event should be even bigger with more chance to get involved in the debates about “Changing Unions in a Changing World”.

For the latest information and speaker line-ups visit our website www.unions21.org.uk.

Unions21

contact details

**Matt Ball, Unions 21 Director at
info@unions21.org.uk**

Tel: 0207 239 1224

Web: www.unions21.org.uk