

TIME OFF AND FACILITIES FOR TRADES UNION ACTIVITIES PROCEDURE

Parties to the Agreement

- Management: The Oxford Radcliffe Hospitals NHS Trust
- Staff: The recognised Trades Unions

Statement of intent

This agreement has been reached in recognition of the importance of the role of Trades Union workplace representatives in assisting with maintaining good employee relations.

Notification of Trades Union workplace representatives/Shop Stewards

Trades Union representatives/Shop Stewards, who will be employees of the Trust representing members of staff employed by the Trust, shall be elected according to the rules of their Trades Union to represent constituencies. Accreditation forms will be signed by the Director of Personnel and Administration. The procedure for recognition of these Trades Union workplace representatives/Shop Stewards is detailed in Appendix 1.

Facilities

APPLICATION OF THE AGREEMENTS IN THIS PARAGRAPH ARE SUBJECT TO THE NEEDS OF THE SERVICE

Time off with pay (i.e. not annual leave)

- **Members**

Time off without loss of earnings (including bonus, overtime and all enhancements) should be granted to Trades Union members to enable them to take part in constituency elections normally on an annual basis. The meetings for these elections will need to be agreed in advance with the appropriate Manager. Such agreement will not be unreasonably withheld. The Director of Personnel and Administration is the final arbiter in deciding individual applications for time off.

- **Representatives**

Reasonable time off, without loss of earnings (including bonus, overtime and all enhancements) and with cover, will be granted to Trades Union representatives, sufficient to enable them to carry out their employee relations role effectively.

Access to Staff

- Management will issue to representatives on a quarterly basis, via the staff side Chair of the JSNCC, lists of new staff, transfers and leavers.
- Representatives shall have the right to recruit staff to membership of their Trades Union and to deal with specific matters with individual members within work time without either the representative or member suffering a loss of pay.

- Reasonable paid time off will be granted for the purpose of representatives meeting together to discuss a matter relating directly to work.
- Permission shall not be unreasonably withheld for representatives and a group of their members to meet in works time in the interest of good employee relations, and to discuss a specific matter relating directly to work. It is expected that reasonable notice be given to the appropriate manager when such meetings are planned.
- Representatives shall have the right of mobility to enable them to carry out their function effectively within the appropriate constituency and Union rules.

Information

- Representatives will be issued with an accreditation document.
- Representatives will be furnished with all copies of local agreements and policies and shall have access to copies of national agreements relevant to their members.
- General manpower, financial and planning information will be made available to representatives on request and with reasonable notice.

Equipment and Accommodation

- Both sites shall have at least one notice board (size to unit requirements) for Trades Unions. More may be provided if appropriate.
- There will be an office with a telephone on both sites to enable Trades Union representatives to carry out their duties, and they will have access to clerical equipment, a fax machine and reprographic facilities for Trades Unions business relevant to the site.
- Representatives will have the use of the internal postal system and access to existing hospital transport systems to enable them to carry out their role.
- Each Trades Union will have access to suitable rooms for meetings with their members and of their committees.

Training

In order to carry out their duties effectively representatives shall receive appropriate training as approved by the TUC and/or their Unions. They will be entitled to undertake such training in working hours without any loss of earnings (including bonus, overtime and all enhancements) subject to the approval of the SDU Manager, and subject to final arbitration by the Director of Personnel and Administration.

Code of Practice

It is expected that the provisions of this agreement will be explicit enough to ensure a uniformity of the provision of time off and facilities for Trade Union activities throughout the Trust in order to avoid misunderstanding, facilitate better planning and ensure fair and reasonable treatment. Should reasonable time off be withheld, a reason must be given and alternatives negotiated. However, it will be necessary for specific local conditions to be taken into account in applying the procedure so that the spirit of the relevant legislation is maintained (Section 23-27 and 28 of the Employment Protection (Consolidation) Act 1978), with particular regard to the need for both management and the Unions to adopt a reasonable approach to the matter.

It will be for both management and the unions to monitor the arrangements. In the case of either party experiencing any difficulty with the application of this procedure, then the following steps should be taken in an attempt to find a mutually acceptable resolution:

- In the first instance informal discussions should take place locally between management and the Union representatives involved and a Personnel Manager in an attempt to resolve the matter.
- In the event of the difficulty not being resolved through informal local discussions, then it will be open to either party to pursue the matter formally using the agreed Grievance Procedure or Collective Disputes Procedure.

The existence of this agreement is without prejudice to any agreements that may be reached nationally, and it will continue to remain in its present form unless or until it is mutually agreed between the Trust and staff side interests to change it.

RECOGNITION OF ACCREDITED TRADE UNION REPRESENTATIVES - PROCEDURE

- Full-time Officers of recognised Trades Unions will hold a supply of the accreditation forms. Further supplies are obtainable from the Personnel Department.
- Two copies of the accreditation form should be completed in full by the full-time Officer and signed in the space provided.
- Both copies of the signed form should be forwarded to the Director of Personnel and Administration.
- On receipt of the two signed accreditation forms, these will be signed by the Director of Personnel and Administration or nominated Deputy.
- One copy will be forwarded to the employee concerned, and one to his/her SDU Clinical Director/Manager for their information.
- The accredited representative should keep this form in a safe place as evidence of recognition by the Trust of his/her accreditation as a Shop Steward.

ACCREDITATION OF TRADES UNION REPRESENTATIVE

Representative's Name.....

Trades Union.....Home Address.....

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Job Title.....Place of Employment.....

Constituency.....

Tel. No. whilst on duty.....Home Tel. No.....

Bleep Nos.....Mobile Tel. No.....

Representative’s period of office:- Name of representative replaced by this appointment (if appropriate)

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Agreed facilities in respect of the above named representative shall be as detailed in the Trust agreement on Time Off and Facilities for Trades Union Activities.

The representative will continue to be a working member of his/her Department.

INDUSTRIAL RELATIONS FUNCTIONS OF REPRESENTATIVES

- to represent the members of their Union within their constituency as defined
- to investigate complaints or expressions of concern which their members raise with them
- to ensure that where possible all agreements between management and Union at all levels are adhered to
- to act as a communicating link between the Union and their members and vice versa. As appropriate to act as a communication link between their members and management
- to keep their members informed of Union policy and decisions
- to represent his/her members in the agreed discipline and grievance procedures at the appropriate level

Signed by the appropriate officer of the Union:

Signed on behalf of the Trust:

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Designation:.....Date:.....

Designation.....Date:.....