

**Trade Union Representation and Time Off  
For Trade Union Duties, Training and  
Activities**

## **Introduction.**

It is recognised that it is in the mutual interest of Glasgow Life and its employees that the employees be members of an appropriate recognised independent trade union which means that consultations and negotiations can be conducted on a fully representative and authoritative basis.

The guide takes account of the statutory obligations under the Safety Representatives & Safety Committees Regulations 1977, Trade Union and Labour Relations (Consolidation) Act 1992, Health and Safety Consultation with Employees Regulations 1996, the Employment Relations Act 1999, the Employment Act 2002 and the Transfer of Undertakings (Protection of Employment) Regulations 2006 on employers to: -

Give reasonable paid time off from work to Trade Union representatives, including Trade Union Learning Representatives(TULR's), to carry out Trade Union duties including health and safety functions and to undertake training

To give reasonable time off without pay for Trade Union activities

Give reasonable time off with pay to allow Trade Union representatives to make arrangements for the provision of accommodation, and to undertake tasks e.g. purchase equipment, office supplies or progress other administrative tasks.

## **1. Notification of Election/Appointment of Representatives.**

Trade Unions must notify Glasgow Life HR of newly elected/appointed representatives, including TULRs, together with the workplace / workgroup / Service to which they have been elected/appointed. HR will subsequently notify the line manager and senior management of these details.

Glasgow Life retains the right to reject this nomination if it is considered by management & HR that the trade union is adequately represented within that particular workplace/work group/Service. In this event discussions will take place between local management, HR and the union full-time officer.

In order to avoid unnecessary duplication and service disruption it is recommended that attendance at meetings is by the union representative or TULR whose constituency/workgroup is affected by the meeting in question. In situations where there are a large number of representatives/TULRs in a constituency/workgroup the managers and TU should attempt to seek agreement regarding arrangements for consultation/learning discussions.

The recommended ratio of representatives to members is 1 representative to 50 members (or part thereof) but due to factors such as work locations, shift patterns etc managers can approve larger or smaller constituencies in consultation with the Trade Union and HR. Representatives/TULRs will not be permitted to represent non Glasgow Life employees.

Trade Unions will notify Glasgow Life HR when a representative/TULRA ceases to carry out this role. HR will subsequently notify the line manager and senior management of this.

## **2. Facilities available to Trade Union Representatives.**

Accredited representatives/TULRs will have the following facilities available to them:

- Reasonable use of notice boards at each location for the posting of information from the TUs.
- Access to a telephone for internal calls, calls to the local TU office and external calls/faxes in relation to TU duties concerning Glasgow Life.
- Access to the internal mail system for the use of distributing mail in relation to Glasgow Life trade union duties and learning opportunities.
- A secure place in which to keep union papers/records.
- Access to computer equipment with email facilities, intranet and internet access.

When necessary and wherever practicable, management will make available a private room to enable the representative/TULR to meet members on a confidential basis.

## **3. Time off for Trade Union duties and training.**

Legislation states that accredited TU representatives/TULRs must be granted reasonable paid time off during working hours for such purposes as set out in the ACAS Code of Practice on Time Off for Trade Union Duties and Activities, that is, duties concerned with consultations, negotiations or other functions involving the conduct of the employee relations business of Glasgow Life.

TULR's must also be granted reasonable paid time off for training in relevant aspects of employment relations as approved by the Trade Union or the Trade Union Council. Health and Safety Representatives must be granted reasonable paid time off to perform their function and undertake training as set out in the Health and Safety Executive Code and Guidance 'Consulting workers on health and safety'.

Payment for approved time off will be either the amount that the employee would have earned had they worked during the time off taken or, where earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do.

Representatives/TULRs are not paid extra to undertake duties/training outside their normal hours. However, where such out of hours working is at the specific request of management, flexitime/time off in lieu or in exceptional circumstances additional payment (paid at plain time) will be approved.

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When necessary and wherever practicable, management will make available a private room to enable the representative/TULR to meet members on a confidential basis.

#### **4. Examples of Trade Union duties are listed below.**

##### **5.1 Participation in recognised Company mechanisms for negotiation or consultation and other procedures.**

This could include the following:-

- Corporate consultation meetings with individual Trade Unions
- Formal joint meetings/committees, e.g., Joint Trade Union Forum and Corporate Health and Safety Committee
- Ad hoc meetings with service management or HR relating to other employee relations matters affecting Trade Union members
- Meetings with full time Union officers concerning negotiations on employee relations matters directly related to the company and its employees
- Attendance at agreed Branch or District meetings of the Trade Union to deal with issues that directly relate to Glasgow Life employee relations matters
- Attendance at agreed meetings with the Board
- Reasonable time to adequately prepare for consultation meetings or representation on behalf of members
- Meetings to communicate with members, to relay or obtain information for consultation meetings, Grievance or Disciplinary procedures etc.

##### **5.2 Pay, Terms and Conditions of Service, HR Policies and Procedures and discussions on the establishment of machinery for consultation and negotiation purposes**

This could include the following:

- Core Pay
- Hours and patterns of work
- Non Standard Working Patterns/Hours
- Leave provisions: annual leave, sick leave, maternity leave etc.
- Policies and Procedures e.g. Sickness Absence Policy and Procedures, Harassment Policy, Recruitment and Selection Policy

##### **5.3 Disciplinary Issues**

This could include the following:

- Meetings with members to prepare for investigatory, disciplinary/appeal hearings
- Arrangements for representing members at disciplinary/grievance hearings
- Arrangements for representing members at Employment Tribunals

## 5.4 Grievance Issues

This could include the following:

- Meetings with members to prepare for grievance hearings
- Arrangements for representing members at grievance hearings
- Arrangements for representing members at Employment Tribunals

## 5.5 Human Resource Planning/Management

This could include the following:

- Organisational/management review
- Grading review/job evaluation
- Management of redundancy/downsizing/transfer
- Redundancy/redundancy retirement

## 5.6 Trade Union Membership

This could include the following:

- Meetings to agree representational arrangements at both service and organisational level
- Union involvement in the induction of new employees

## 5.7 Learning Representatives

This could include the following:

- Analysing learning and training needs
- Providing information and advice about learning or training matters
- Arranging learning or training
- Promoting the value of learning
- Consultation/representation to Glasgow Life on learning activities

## 5.8 Health & Safety Issues

This could include the following:

- Workplace inspections
- Investigations into potential hazards/dangerous occurrences
- Investigations into employee complaints relating to Health & Safety
- Consultation/representation to Glasgow Life on general matters affecting Health & Safety
- Consultation with Health & Safety Executive and any other enforcing authorities

## **Time off for Trade Union activities.**

To operate effectively and democratically, trade unions need the active participation of members. Trade Union activities are tasks, events, meetings or conferences which allow such matters as the business of the trade union to be progressed, policy to be discussed/formulated and information to be conveyed to Trade Union members.

Reasonable time off without pay taking account of the operational needs of the service will be granted during working hours to representatives to participate in trade union activities.

Time off with pay or part payment may be considered where the conference etc. is directly related to issues affecting Glasgow Life:

Examples of Trade Union activities are listed below: -

- Branch, district or regional meetings of the Union where it is the business of the Union that is primarily under discussion.
- Meetings of official union policy-making bodies such as executive committees, regional or national conferences and other committees or conferences on specific policy areas e.g. LGBT issues, political funding etc.
- Tutor training and/or provision of training

The above lists are not exhaustive and all requests should be considered on their own merits. Additional guidance should be sought from HR if required.

## **Authorising time off for Trade Union Training and activities.**

The amount of time off granted for Trade Union duties, training and activities should be reasonable. It is for the representative's/TULR's line manager to determine whether or not the representative/TULR can be released to undertake trade union work (paid or unpaid).

Representatives/TULRs must obtain prior approval from their line manager, giving reasonable notice. On each occasion, before leaving the workplace, representatives must complete the attached form, detailing the purpose, intended location and anticipated time/duration of the time off.

Generally, a line manager can refuse to grant specific time off if granting that time off would have a substantial adverse effect on the services provided by that team.

Each request will be considered on its own merits and an assessment made with the main considerations including: -

The impact on service delivery

Period of notice given

- Time off already given to other trade union representatives in the Service/workplace for duties, training and activities
- Can the duty, training or activity be undertaken out with normal working hours to minimise disruption?
- Is the duty, training or activity relevant to the role of the representative?

## **Managers must contact HR before refusing a request for time off.**