

Unite Executive Council Meeting March 2013

EC Report

Due to the General Secretary Election a number of issues under matters arising from the previous EC meeting minutes was put back to June.

General Secretary's Report

During the period of the election, the General Secretary is taking 21 days unpaid leave.

Since the last Executive meeting the General Secretary reported that he had attended and spoke at numerous public meetings and events, in particular: speaker at International Day of Disabled People event, delivered key note speech as part of the Ralph Miliband Lecture series at the LSE, speaker at Shrewsbury 24 Parliamentary Press Conference with Ricky Tomlinson, presented regional and national awards to activists at Unite Learning Reps Conference and delivered key note speech on Unite education strategy, launch of Unite Welfare campaign held in Parliament including a meeting on the Welfare Benefits Up-rating Bill and the launch of a Unite food bank opposite Parliament, key note speaker at first Unite

The General Secretary also attended the IndustriALL Global Union meeting in Geneva with colleagues from the USW. Unite affiliate to IndustriALL as Workers Uniting Europe and the USW affiliate as Workers Uniting North America. This strategy ensures that Workers Uniting has the potential to use a massive bloke vote at meetings if need be.

In the political front there have been meetings with Ed Milliband and the General Secretary of the Labour Party, Ian McNicol, at which Unite's position on various subjects are put forward. The union must ensure that we are always on the agenda and part of the decision making process with the party.

There was a meeting with Manuel Cortes General Secretary of TSSA. There have been reports that Community have been courting TSSA for a potential merger. As TSSA and Unite are both involved in the transport sector the leadership believed it would be beneficial to make contact to understand how far these talks have went.

The dispute with Amnesty International, in which Unite has 500 members, has been resolved.

Discussion

After the General Secretary's report a discussion take place concerning two issues;

uniteNOW!

- a) TUC Disputes Decision concerning Unite and GMB
- b) Attacks by the Government on the Poor e.g. Bedroom Tax

ADMINISTRATION AND CONSTITUTIONAL ISSUES

Membership of the Council

Nominations closed for the By-election in the Civil Air Transport Industrial Sector which was run as a result of the resignation of Gaynor Worrell on 23rd January. At the close of nominations there was only 1 eligible nominee, Sharon Owens. Sharon was therefore declared elected.

Constitutional Timetable:

Motion 187 remitted to the EC from the Conferences called for the production of a 6 year constitutional timetable for Unite. This is set out below.

2014:

Regional Political Conferences – 1st quarter
Unite Executive Council elections – new EC takes Office May
Policy Conference – June/July

2015:

Elections for Branch Officers and Work Place Representatives – 2nd quarter
Unite National Equalities Conferences – 1st Quarter
Rules Conference – June/July
Regional Industrial Sector Conferences/Regional Equalities Conferences/Area Activists Meetings –
3rd quarter
First meetings of triennial period Regional Committees/National Industrial Sector Committees/National Equalities Committees - Oct/Nov
Unite National Industrial Sector Conferences – 4th quarter

2016:

Unite Policy Conference – June/July

2017:

Regional Political Conferences – 1st quarter
Unite Executive Council elections – new EC takes Office May
Unite National Equalities Conferences – 1st quarter
Unite National Industrial Sector Conferences – 4th quarter

2018:

Elections for Branch Officers and Work Place Representatives – 2nd quarter
Unite Policy Conference – June/July
Regional Industrial Sector Conferences/Regional Equalities Conferences/Area Activists

uniteNOW!

Meetings –

3rd quarter

First meetings of triennial period Regional Committees/National Industrial Sector

Committees/National Equalities Committees - Oct/Nov

Election for General Secretary

2019:

Unite National Equalities Conferences – 1st quarter

Rules Conference – June/July

Unite National Industrial Sector Conferences – 4th quarter

HUMAN RESOURCES AND ORGANISATION DEVELOPMENT

Unite Policies and Procedures

The first set of new Unite policies and procedures for the union's employees has been developed, agreed by the General Secretary and are subject to a full consultation with the respective bargaining unit representatives. A ballot is currently taking place and the outcome should be available in March 2013. It is anticipated the following new policies will be formally introduced shortly thereafter:

- Discipline
- Grievance
- Absence Management
- Recruitment and Selection
- Equal Opportunity Statement
- Flexitime (this is applicable to Staff and not Officers or Organisers).

STRATEGY FOR GROWTH

100% CAMPAIGN

As of 25/02/2013 Cluster No. of Joiners

Manufacturing - 21,258

Services, Energy and Construction - 17,426

Transport and Food - 21,690

TOTAL 60,374

NATIONAL ORGANISING & LEVERAGE REPORT

The report focused on the following areas of the Department's work:

- **Department's planned involvement in the Blacklisting Campaign**

The General Secretary has made it clear in meetings with affected members that tackling

uniteNOW!

'Blacklisting' will be a key objective of the Union. To that end the Department will work together with the AGS, the Sector, the 'rank and file' and the 'Blacklist Support Group' to help deliver a full campaign plan designed to deliver a practical industrial solution to this critical issue.

A key first stage objective will be the creation of a 'Unite Blacklist', designed to 'blacklist' those individuals who are still in employment within the construction industry and have been proved beyond reasonable doubt as being key participants in the operation of the Consulting Association Blacklist. Information left by the former head of the Consulting Association, Ian Kerr, has allowed us to begin the task of identifying where many of those individuals now work. When sufficient information is gathered and checked we will begin to systematically target those individuals and seek to drive them from employment.

- **Unite Leverage**

- Crossrail Dispute – Preparation and planning for Level 1 'directed' campaign
- Howden Joinery / DHL Dispute – Level 3 'assisted' campaign
- Dubai World Ports / Thames Gateway – Preparation of Leverage Report – Level 3 assisted campaign

- **Sectoral Organising**

- Targeting 'Power' - identification of sectors for Organising

- **CAC Wins**

Fowler Welch

In Feb the NEYH Organising team secured a CAC victory in Fowler Welch, Washington following an organising campaign. Fowler Welch is a Warehouse/ Distribution Centre who form part of the Dart Group (Jet2) known to be anti-union. Unite was forced to go down the CAC route for Recognition. The CAC agreed to the employer's demands for a postal rather than a workplace Ballot. Notwithstanding this the turnout was 74%, with a 70% yes vote. Negotiations are now taking place to secure an effective recognition agreement on behalf of our members.

Eddie Stobart

A successful campaign for Unite recognition at the Stobart Warehouse in Runcorn, where we gained union recognition through a CAC ballot in Feb 2012.

Industrial Reports

Manufacturing

The UK economy continued to face further contraction in the last quarter of 2012, with

uniteNOW!

some analysts predicting that the UK faces a triple-dip recession, especially with the loss of the AAA rating. The Coalition Government continues to pursue its austerity measures and the continued cuts are having a significant effect – choking off growth in the manufacturing sector.

In a survey commissioned by the CBI, small and medium sized enterprises (SMEs) are also continuing to feel the negative effects of government policy and domestic and export orders fell in the last quarter of 2012, with production contracting for the third consecutive quarter. This has had a knock on effect for our member's jobs and the number of people employed by SMEs has fallen for the first time in three years.

We have held meetings with various Labour Shadow Ministers covering BIS. Unite has been helpful in proving background and data to Labour MPs taking part in debates on manufacturing, industry, skills etc. We are setting up a series of regular briefings with Labour MPs on manufacturing issues and feeding in to policies. Recently we briefed Labour MPs taking part in debates on manufacturing in the East and West Midlands.

Shipbuilding: A major issue which is causing concerns for our members, is the much anticipated decision by BAE Systems on the future of their shipbuilding business. Whilst we do not yet know how they will shape the business, it is clear that the workload in our UK shipyards is at a peak currently as the two Queen Elizabeth aircraft carriers are completed. However, future work on the Type 26 Global Combat Ship will be at a lower level and there will be consolidation of the UK's shipyards. In the meantime, there is a significant gap between the end of the Carrier programme and the start of Type 26. We are lobbying the government hard to put work into the yards to bridge that gap, or critical skills will be lost.

GRAPHICAL, PAPER & MEDIA: The CPI (Paper Federation) have all now settled in relation to this year's pay awards along with some of the larger companies. There was an issue with DS Smith indicated that they would not be paying the award because of the significant and ongoing losses they were making and that was taken up locally. Despite difficulties, a settlement was achieved for 1.6% which members were satisfied with considering the losses in excess of £20m. For the first time ever the clerical workers were included into the collective agreement regarding pay.

Royal Mail Pay - a pay offer of 2.4% plus a non consolidate lump sum of £200 has been put to members in a ballot with a recommendation to reject the proposal. We have already advised members that if the offer is rejected, in line with the recommendation, we will seek further negotiations with the company, including the involvement of ACAS if necessary, and if this fails to resolve the issue then we will seek a ballot for action short of strike action. The CMA want the 3.5% rise that CWU members got.

Transport & Food

A number of major disputes were reported to the EC from Unite's Transport & Food Sectors, including: **BP Grangemouth Scotland** – in RTCLRD – following the decision that the BP aviation contract would be awarded to DHL, our members campaigned and organised, and following the impact of solid industrial action and serious negotiations, reached agreement with BP to tackle the threats to pay and pensions following the transfer.

Campaign - Agricultural Wages Board – Unite's campaigning has continued in a focussed and strategic way, building alliances, obtaining the best legal advice, and linking up politically. Following the initial success in the House of Lords, the AGS attended meetings in parliament to develop support from across the House, and it was agreed to look more closely at the option of supporting our own amendment, in line with the union's support for modernisation but while retaining protections and the board. The amendment to the government amendment was finally placed on 28 February with cross Party and cross bench support. Intensive lobbying is now being organised. Again a tribute to all involved.

Services

In all but one Sector covered by the Services section the impact of austerity and the global crisis created by 'feral capitalism' is devastating. Jobs, pay and hard fought for conditions of employment are up for grabs. Two examples are shown below:

Community Youth and Not for Profit: We are continuing to see aggressive tactics by management across the sector, with cuts threatened to frontline services, while at the same time the salaries of top managers are protected. Across the sector, we see organisations engaging in a desperate cost-cutting race to the bottom, instead of endeavouring to maintain services to vulnerable clients, resulting in professional jobs in the sector being reduced, and pay and terms and conditions drastically cut.

Government public sector pay policy

The Chancellor confirmed in the 2012 Autumn Statement the Government's policy for average increases in the public sector to be capped at 1 per cent for two years from 2013. This follows a two year pay freeze for public sector workers (three years in local government). There was a commitment that those earning less than £21,000 would receive increases of £250 per year during the freeze, but this was not universally applied, particularly in local government.

uniteNOW!

Equalities

UNITE EQUALITY REPRESENTATIVES – National and Regional Conferences

In line with the union's commitment to strengthen union equality reps in our union, the first National Conference of Unite Equality Reps will take place on 5 March 2013 during the timing of the Executive. The response has been overwhelming with a positive agenda being developed for this important event.

UNITE EQUALITY STRATEGY

Following preparations reported at the last Executive Council, a meeting of Chairs and Vice-Chairs of Unite's National Equalities Committees together with National Officers and the AGS has taken place. In discussion, the importance of the two priority areas: Moving Forward on Equality – No Cutting Back and building Union Equality Reps were strongly advanced. It was also agreed to highlight the importance of a 'yes' vote in the political fund ballot to equalities campaigning. Further suggestions will be drawn together as part of Unite's Equality Strategy for further discussion.

HARASSMENT & DIGNITY AT WORK – new materials and courses available

POLITICAL FUND BALLOT AND EQUALITIES – a specific leaflet to be produced

UNITE EQUALITIES EDUCATION - The importance of clearer procedures for equalities and education has been highlighted and they are now being developed. Courses are now being promoted.

UNITE EQUALITIES CALENDARS 2013 – have been very well received

Political Report

Political Fund Ballot

As a result of representations from members in Northern Ireland it was **agreed** they could participate in the forthcoming ballot to retain a political fund. The timetable for the ballot will be extended for two weeks to allow for final approval from the Certification Officer and revised notice will be issued to branches. The ballot will now close on 14th May.

It is **important** to get a positive result as the ballot is about Unite's political activity **not** about affiliation to the Labour Party as the right-wing Press will try to make out.

uniteNOW!

Selections

The central task of the Political department since the last EC has been to maximise the possibilities of working class and progressive candidates in the Labour Party Parliamentary candidate selection process. As previously reported, because of the collapse of the coalition's gerrymandering boundary review, selections in marginal seats were brought forward. Selections are now commencing in a number of seats – and the rest of the selections in the marginal's will be completed at least by the end of the year.

Parliamentary Group

Four meeting dates have been set through the 2013 Parliamentary calendar for full Unite Parliamentary group meetings to try and improve attendance and engagement of MPs with the group meetings.

The first meeting of the year was held in early February. The main focus was a presentation on Unite's campaign against the welfare cuts and an overview of the research that had been conducted with the unite membership through text message.

International Report

The Prime Minister, David Cameron has now publically pledged to renegotiate the UK's relationship with Europe and to hold an 'in-out' referendum based on the outcome. There is no doubt that the main focus of the Tories will be to take the UK out of the EU employment legislation which would be a devastating blow for UK workers when one considers the importance of directives such as working time, parental leave, part-time work, equal treatment, European Works Councils, information and consultation, etc. Equally as worrying is that there is no vision of where the UK will position itself once outside of the world's largest trading block. The Obama administration wasted no time in making it clear it believed a UK outside the EU would be a weaker and less influential country, and not to expect that the UK would be treated the same way outside the EU as it is inside. An important meeting with UK MEPs was held to discuss strategy and tactics in the run up to the European elections in May 2014.

Global Federations

Unite heavily involved in European and Global Federations in almost every sector the union has representation in. In the manufacturing sector there are occasions Unite and the USW go under the banner of Workers Uniting.

Multinational Companies

EWC & National I&C strategy – Overview: As reported at the last EC, the International

uniteNOW!

department has worked in conjunction with the Education Department, to establish an educational programme aimed at European Works Council members.

The first course was advertised and scheduled to take place in the last week of February, however due to a high demand for places, 2 more courses have already been arranged.

This is the first known Trade Union representative's course where we have requested employers to pay for the course (£999) and also cover all costs for the representatives to attend including travel, and lost time.

UNITE continues to take a proactive approach to the new EWC legislation by terminating a number of the former Article 13 Agreements. Special Negotiating Bodies to negotiating new agreements are being established in HSBC and Compass. Surprisingly GKN agreed not to establish a SNB and moved straight to the default subsidiary requirements under the regulations. This is a positive step in the right direction, but one that is unlikely to be followed by many other companies.

Solidarity Work

Venezuela: The world will watch with interest how the country will deal with the death of Hugo Chavez and if it will have an impact on the socialist direction he has taken the people on.

Venezuela Solidarity Campaign is holding a major conference, Venezuela: Showing There is An Alternative in the 21st Century, on April 27.

Palestine: The first ever UNITE delegation took place on January 13 – 19, jointly with TSSA. The delegation included UNITE lay members Sheila Kettles, Mohamed Malik, Raffiq Moosa and Jim Kelly. The delegation met with many solidarity and protest groups as well as the Palestinian General Federation of Trade Unions. They visited Askar Refugee Camp in Nablus and the town of An Nabi Saleh, where they met with representatives of the local Popular Resistance Committee and participated in the weekly protest. The delegation are putting together a report on their visit and Jim Kelly gave a verbal report to this Executive Council. A further UNITE delegation is being planned for October/November 2013.

Legal Report

Changes affecting Unite Legal services

The Government is implementing changes that will directly affect legal services provided to Unite members. This includes:

- The end of being able to recover self insurance premiums (SIPs) in successful personal injury (PI) cases – from April 2013.

uniteNOW!

- There will be no success fee from employers/insurers to provide a fund for unsuccessful cases and to pay unrecovered disbursements - from April 2013.
- Extending the portal scheme which is currently used for lower value road traffic cases. This will be extended to cover all cases including workplace injury claims up to £25,000 and is designed simply to reduce the costs recoverable from employers/insurers - from April 2013 subject to a short delay.
- A fixed costs scheme for personal injury claims up to £25,000 which do not remain in the portal. Again this is designed to simply reduce the costs recoverable in those cases - from April 2013, potentially subject to a short delay.
- Banning referral fees including union cross subsidy arrangements except where the member's initial case details, eg. name, address, date of accident etc are provided by him/her to the union law firm rather than by the union - from April 2013.

The Government is now consulting on raising the small claims limit to £5,000 for road accident cases. This is serious in itself. If applied to all injury claims that would be catastrophic for union legal services.

EMPLOYMENT TRIBUNAL FEES

From July 2013 ET fees will be:

- Level 1 claims - £160 issue fee; £230 hearing fee
- Level 2 claims - £250 issue fee; £950 hearing fee
- Other fees for appeals, multiple claims etc

Level 1 claims include unpaid wages, payment in lieu of notice and redundancy payments. Level 2 claims include unfair dismissal, discrimination, equal pay etc.

The ET will be able to make an order that fees paid will be reimbursed by the losing party. There will be no presumption that an order would be made.

The key will be to maximise the recovery from employers. This is best done, in cases with reasonable prospects, by providing for the fees to be paid by way of a loan from the union to the member, repayable where the case succeeds. This will:

- prevent employers from arguing that the fees are not recoverable from them as the member has no liability for them.
- provide clarity for the union and members where employers make lump sum offers inclusive of fees – the compensation element in such an offer will be the net figure after deducting the fees.

Financial Report

The preliminary financial picture for Unite for 2012 was satisfactory – on track with the

uniteNOW!

three year financial plan and showing an improvement compared with last year. In particular, income was up and expenditure (while up slightly) was well controlled.

Unite achieved a surplus prior to Pension Deficit Reduction Contributions of £12.3 million in 2012, a result which was £3.9 million better than last year.

Taking everything into account, Unite posted an overall surplus of £2.2 million on a means that the Union remains on track with its three year financial plan.

Remits and Related important Issues

General Strike: A document has been produced to encompass the TUC position on live issues e.g. Jobs, NHS and Pay etc. The General Secretary reported that at this meeting a decision was never going on a General Strike as not all affiliated unions support this option. However Unite can look at Marches, Demonstrations and Festivals. This should be done by linking in with other willing unions, communities and protest groups who want to get involved in some form of resistance.

Unions that have shown opposition to a General Strike raise the legal position as part of their argument. Unite have pushed to have Professor Keith Ewing and John Hendy QC invited to the next meeting to explain their position that it would be legal.

Unite will push for a “Coalition of the Willing”.

Exit Plan for Executive Officer: The General Secretary said this issue would be better getting decided on at the next Executive in June.

Retired Members Plus & Community Voting Rights: The East Midlands Regional Committee requested that the Executive Council applies its power to ‘amend rule’ so that Retired Members Plus and Community membership are able to participate in future nomination and election process for Territorial/Regional Executive Council Member.

The General Secretary asked that rather than vote against this motion, that it is noted and brought back to the next meeting in June.

Unite Now supporters on the Executive would have voted in favour.

Low Pay Members Subscriptions: A study will take place to investigate the impact of having a two tier subscriptions regime, with members making £15K and below being the benchmark for paying less.

uniteNOW!

Future Mergers: a motion was tabled from the National Aerospace & Shipbuilding committee, that unites political strategy should be at the forefront of the unions work over the next 3 years and that only in an exceptional situation – to be assessed and decided upon by the executive council, and in which there are no serious negative financial or political implications for Unite, will there be a merger or transfer of engagements with any other trade union prior to the 2015 General Election. Surprisingly executive officers and a majority of the EC were in opposition! Eventually after debates the motion was noted.

Vacant Seats on the Executive: There are two vacant seats on the Executive, one for the LGBT seat because of a resignation and the other for the London & Eastern Region because an EC member got a Regional Officer's job. The General Secretary recommended because there are only three meetings left and the cost of having the elections would be £750K would it not be better to get London & Eastern to elect an Observer and LGBT to elect an Observer.

The Executive voted to spend a quarter of a million pounds by holding elections for these two positions, with only 12 voting with the recommendation put forward by the General Secretary. Unite Now supporters **voted in favour** with the recommendation. *A future statement on this subject will be published by unitenow.*