

Time off for Trade Union Duties and Activities

This agreement is between:

(1) Buckinghamshire New University

(2) UCU

(3) UNISON



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The agreement relates to recognised trade union representatives only.

1.0 Definitions

- 1.1 The following terms used in this agreement mirror the terms used in the 'Acas code of practice on time off for trade union duties and activities', which is a revised code issued under s.199 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A).
- 1.2 'Union representative' means an employee who has been elected or appointed in accordance with the rules of an independent trade union, to represent all or some of the members within the workplace where the trade union is recognised by the employer for collective bargaining purposes.

2.0 Time off for trade union duties

Buckinghamshire New University (the University) will grant union representatives reasonable time off during working hours to undertake the following duties:

- 2.1 Negotiation in connection with the following matters for which the trade union is recognised for collective bargaining purposes:
- terms and conditions of employment e.g. pay (including sick pay and holiday pay), working hours, holidays, pensions, sickness absence arrangements, notice periods, training, learning, equality and diversity;
 - physical conditions in the workplace e.g. workplace environment and operation of electronic equipment or machinery;
 - appointment (or failure to appoint) and termination or suspension of one or more employees, e.g. policies on recruitment and selection, arrangements for redundancy and dismissal;
 - allocation of work or duties e.g. flexible working arrangements, work-life balance issues, job evaluation and grading;
 - disciplinary matters e.g. disciplinary procedures, including representing or accompanying workers during the disciplinary process and acting as a witness before agreed appeal bodies or tribunals;
 - membership or non-membership of a trade union e.g. arrangements for representation and trade union involvement in the induction of new employees;

- facilities for union representatives e.g. arrangements for the provision of rooms, equipment, notice boards and use of the intranet; and
- procedures for negotiation and consultation e.g. collective bargaining, grievance procedures, joint consultation arrangements, consulting and communicating with members and consulting and communicating with other union representatives and union full-time officers.
- paid time off will not be given to any union representatives or members where the activity itself consists of industrial action.

2.2 Participating in activities on behalf of employees relating to the matters falling within the above section, which the University has agreed that the trade union may perform.

2.3 Obtaining information from, and consulting with, the University on redundancy (as identified under s.188 of TULR(C)A).

2.4 Receiving information from, and consulting with, the University under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246), and negotiating with the University with a view to entering into an agreement or performing activities relating to an agreement under reg. 9 of the Regulations.

2.5 Accompanying a University employee at a formal disciplinary, capability or grievance hearing.

3.0 Time off for training

3.1 The University will grant union representatives reasonable time off during working hours to undertake training relevant to the carrying out of their duties as a union representative identified in this agreement.

3.2 The training must be approved and funded by UCU or UNISON as appropriate.

4.0 Payment

4.1 The University will pay union representatives for time off to carry out their duties and undergo training taken in accordance with this agreement, and will pay the amount the union representative would have earned had they worked during the time off taken.

4.2 If a union representative undertakes duties or training outside of their normal working hours they will not be paid. Union representatives who work part time will be paid under the same arrangements as if they were full-time employee i.e. if they are engaged in duties or training that require them to attend outside of their normal working hours they will not be paid.

5.0 Procedures for requesting time off

5.1 Union representatives should make requests for time off to undertake their duties or training to their line manager in a timely manner and in the case of training, provide details of the contents of the course.

5.2 Both parties accept the need to be flexible within this process and recognise their duties and obligations to the University. The parties will seek to agree a mutually convenient time for the duties or activities, with minimum disruption to colleagues, students and partners.

6.0 Reasonableness

6.1 Union representatives are entitled to request reasonable time off during working hours to carry out their duties and to undertake training.

6.2 The determination of reasonableness will ultimately depend on the needs of the University at the time of the request. However, the University will give consideration to: the nature and timing of the request; the amount of time off previously granted or planned for the future; and the number of representatives seeking time off within a given period.

6.3 Each application for time off will be assessed on its merits.

7.0 Trade union responsibilities

UCU and UNISON are required to provide up to date lists of trade union representatives and an update on training activities undertaken by the representatives.

8.0 Disputes

If a union representative is aggrieved by a decision to refuse time off to undertake their duties, training or activities, they should raise the matter in accordance with the University's *Procedure for Individual Employee Grievances*.

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