

National Sector Conferences 2011

IT and Communications

Hilton Brighton Metropole Hotel

Contents of Agenda Book

1. Formal Agenda
2. Motions from National Industrial Sector Committee and Regional Industrial Sector Committee
3. Report of the National Officer
4. Report of the 2009 National Industrial Sector Conference
5. Standing Orders for the National Industrial Sector Conferences 2011

**IT and Communications Sector
National Industrial Sector Conference
Hilton Brighton Metropole Hotel
1st December 2011**

AGENDA

Plenary Session

This will take place in the Oxford Suite, Hilton Brighton Metropole Hotel at 9 a.m. (see enclosed plan) and will be chaired by Tony Woodhouse Chair Unite Executive Council. The business for this session will include:

1. General Secretary's Report
2. Assistant General Secretary's Report
3. Contributions on organising and from the mothers of the Miami 5.
4. Nominations for the SOC for the 2013 National Industrial Sector Conference will also be taken at this session.

Following the plenary session each conference will adjourn to its own room and follow the agenda set out below:

**IT & Communications Sector
National Industrial Sector Conference
Hilton Brighton Metropole Hotel**

The conference will be chaired by the National Industrial Sector Committee Chair

5. Apologies, Introductions and National Officers welcome
6. National Reports. Kevin O'Gallagher
7. Consideration of Regional Sector Motions
8. Consideration of National Sector Motions
9. Guest Speakers
 - (a) IMF to speak on Mode 4
 - (b) Unite Research Department to speak on Agency & Temporary Workers Regulations
 - (c) Unite Pensions Department to speak on Auto Enrolment
 - (d) Assistant General Secretary to speak on 100% Campaign
 - (e) Rosalba Gaviria, Executive Member of FENSUAGRO, Colombian Agricultural Workers Trade Union and Unite's sister union in Colombia
10. Open debate on Unite's profile within the Sector (See National Officer's Report)
11. Elections:
 - (a) Unite delegation to the 2012 TUC (Brighton)
 - (b) Unite delegation to the 2013 TUC

The exact order of business may be amended to accommodate guest speakers.

Delegate List

SECTOR	REGION	FORENAME	SURNAME	Delegate no.
IT & Communications	East Midlands	Jo	Culverhouse	1
IT & Communications	East Midlands	Grahame	Finch	2
IT & Communications	East Midlands	Richard	Milner	3
IT & Communications	East Midlands	Sally	Pirrie	4
IT & Communications	London & Eastern	Peter	Gillard	5
IT & Communications	London & Eastern	Shaun	Rossiter	6
IT & Communications	Eastern	Matthew	Whaley	7
IT & Communications	NEY&H	John	Garvani	8
IT & Communications	North West	Ian	Allinson	9
IT & Communications	North West	Pauline	Bradburn	10
IT & Communications	North West	Dean	Burn	11
IT & Communications	North West	Isabel	Hey	12
IT & Communications	South East	Jonathan	Rennison	13
IT & Communications	South West	Peter	Bright	14
IT & Communications	West Midlands	Sergio	Requena- Rueda	15

IT and COMMUNICATIONS

SECTOR MOTIONS

1 Mode 4

This IT & Comms NISC notes the EU is negotiating a multibillion pound free trade agreement with the Indian Government that includes World Trade Organisation Mode 4 provisions, which will allow transnational companies to bring in local labour to work temporarily inside the EU, including the UK.

The Information Technology industries are particularly vulnerable to these proposed provisions.

This NISC is alarmed Mode 4 will mean it will be almost impossible to enforce employment rights for Indian workers because they may be employed by “companies of convenience” with their employment contracts registered in India, outside the jurisdiction of UK courts.

Moved by: Pete Gillard
Seconded by: Matthew Whaley
National Industrial Sector Committee

2 Home Workers

“ With the ever-expanding facility of home working within ITC it is becoming commonplace for employers to seek to reduce their costs not only by reducing office accommodation of their own but, also on the customer sites their staff are allocated to, without carrying out the full or proper workplace assessment..

Too often members are expected to work at unreasonable times in unsuitable conditions whilst the employer “spies” on them with screen prints or key stroke counters, but failing to ensure the appropriateness of conditions or even hours worked.

This Conference calls upon the NISC and Executive Council to put into place guidance for individuals within the IT & Communications Sector who are compelled to be home workers.

Once the proper standards are established and guidance provided to IT home workers, this NISC calls upon the National Officer to seek agreement to these basic entitlements along with the institution of best practice on an industry-wide basis.”

Moved by: Peter Bright
Seconded by: Phillipa Instone
National Industrial Sector Committee

3 Pay Transparency

The conference welcomes the organising campaign focussed on fair pay and benefits in the IT sector and calls on Unite to push for pay transparency throughout the IT and communications sector.

This conference believes that our members in this sector are being disadvantaged through employers controlling information on pay and grading. It is common practice for pay to be determined through market rates and these are ultimately controlled by the employers. Pay transparency will give our members the opportunity to actually see where they are rather than believe their employers who invariably will aim for the lowest paid.

This conference believes that the secrecy over pay rates should be abolished and calls on all reps in the sector to actively share their pay data so that a database of pay rates, progression and increases can be created by Unite for the use of reps in negotiations

Moved by: Richard Milner
Seconded by: Jo Culverhouse
East Midlands

4 Organising in the IT & Communications Industry

This IT & Comms Conference congratulates the NISC over the initiative UNITE for Fair and Transparent Pay and Benefits in IT Services as a step forward in promoting the Sector as a union lobbying voice for Industry workers .

This Conference believes that Unite is best placed to become the union for Information Technology and Communications workers. This Conference notes, however, that UNITE's profile in the industry does not reflect this potential.

Conference considers it is of fundamental importance that the Sector develops and implements an organising strategy with both sufficient resources and support and realistic targets for the next five years.

We believe that such a strategy must be under constant review and needs to draw upon knowledge and ideas from appropriate activists both within and without the Sector as many IT/Comms workers have been outsourced from unionised employers. IT workers in particular exist in every Industry and Service Sector if they are in the union and whilst they are not part of this Sector they still possess valuable experience we can utilise.

Most members currently joining are as individuals and in workplaces where collectivism does not exist. If they have workplace issues requiring support, it can divert scarce officer resource away from helping to build self-sustaining organised workforces.

To help our organising efforts we need to create a database of employers that have signed up to the UN Global Compact Agreement and use their OWN commitment to it by ensuring every UK worker has the right to be organised and participate in collective bargaining. This should be an integral part of any company organising campaign across the IT sector.

Therefore we call upon the NISC to adopt (including supporting referrals to the EC if required) the following action points:

1. All individual members (unless willing to be an activist) joining from unorganised workplaces without a rep in the IT Sector must be informed that they will only automatically qualify for telephone advice or support from a lay companion, if available. The planned introduction of a UNITE call centre will assist manage the demands of such members.
2. Continued support for strengthening organisation and recruitment in larger companies where we already have a base of membership: this to include training, organiser resource, and materials to support activists on the ground.
3. Support for activists at smaller companies where the enthusiasm of the activists, and the issues around which we can organise, indicate a potential for significant recruitment and/or recognition in the short to medium term.
4. All other sectors' RISCs should be asked through their NISCs for reports of any outsourcing or joint activity with IT workers in their workplaces.
5. Exploit opportunities using social networking media as well as trade magazines and industry specific websites - especially those advertising employment.
6. Increased public profile through IT & Comms website that takes up industry issues and allows feedback (and recruitment), and through article/letter/press release placements in industry publications/websites, to demonstrate the union's relevance to workers in the industry.
7. Investigate if a separate website aimed at Industry workers would be of use such as for example www.workinIT.com.
8. Increased coordination of activity through the Sector RISCs with each RISC receiving stats on membership changes, Industry significant developments and collective bargaining data.
9. Support informal IT & Communications Forums across Sectors if relevant to generate ideas and share information.
10. Provide training and awareness sessions around the International Labour Standards and the Employers Corporate Social Responsibility Policies.

Moved by: Matthew Whaley
Seconded by: Peter Gillard
London & Eastern

5 Public Sector ICT cost cutting

This Conference notes that the Cabinet Office has been pressing suppliers of ICT services to the public sector to cut the costs of their services as part of the general attack, by the Government on public sector expenditure.

Conference further notes that this has led some suppliers in our industry to attack their ICT workers in order to protect their profit margins following contract renegotiations. Staff have faced attacks on terms and conditions, redundancies and off-shoring.

Conference does not believe that workers in our industry should be forced to pay, any more than public sector workers should, for an economic crisis caused by the top bankers and others who control the global economy. We do not accept any divide between public and private sector workers in this respect.

Conference therefore resolves that the IT & Communications NISC should give full support to all members in our sector who need to take action to protect their jobs, terms, and conditions in the face of demands from the Government to reduce contract costs.

Moved by: Pete Gillard
Seconded by: Colin Brennan
London & Eastern

6 Solidarity

This conference recognises that as more of the jobs in our industries become increasingly commoditised and employers put more downward pressure on terms and conditions, and as union organisation grows, members in IT & Comms are increasingly likely to take industrial action in defence of their interests.

This conference recognises that members moving jobs between employers in the sector, whether voluntarily or through TUPE transfers, encourages them to see the connection between issues in different companies.

This conference believes that solidarity helps union organisation for both the givers and the receivers. Givers have the opportunity to discuss and organise around issues they might not currently face, allowing them to learn and draw inspiration from campaigns in other parts of the industry or beyond. Givers can have their confidence raised by contributing to successes elsewhere. Receivers gain practical benefits from solidarity as well as having their confidence boosted.

This conference resolves that the tradition of solidarity should be strengthened by:

- 1) Encouraging reps and members to participate in campaigning and solidarity activities beyond their own workplace
- 2) Including details of how to give solidarity in sector newsletters
- 3) Encouraging reps to publicise disputes and campaigns amongst their members
- 4) Encouraging reps and members to send messages of support to disputes in other workplaces
- 5) Encouraging reps to organise collections for disputes
- 6) Encouraging members to participate in their branches and other Unite structures to raise the profile of disputes and deliver solidarity
- 7) Encouraging members to become delegates to local Trades Union Councils

Moved by: Alan Jenney
Seconded by: Pauline Bradburn
North West

7 Sector Structures

We note that IT & Comms has been one of the sectors where Regional Industrial Sector Committees (RISCs) have not consistently functioned well.

We note that the Rules Conference decided that the Executive Council shall *“Determine one or more constitutional committees of lay members to which each officer employed by the Union shall report and be accountable and ensure that the list of these allocations is available to members”*.

We resolve that the names of the officers responsible for each of the IT & Communications RISCs should be displayed on the IT & Comms area of the Unite web site, along with the dates, times and venues for forthcoming Regional Industrial Sector Conferences and Committee meetings.

We resolve that our National Officer, in consultation with the National Industrial Sector Committee, should email or write to all accountable representatives of workers in the sector explaining the role and importance of the sector structures and encouraging them to participate in the next round of Regional Industrial Sector Conferences.

We resolve that reps in each company should seek to encourage participation in the Regional Industrial Sector Conferences around the country.

Moved by: Pauline Bradburn
Seconded by: Alan Jenney
North West

NATIONAL OFFICERS REPORT TO CONFERENCE 2011

Since taking up the responsibility for this Sector in February of this year it has become apparent that whilst Unite has through the sterling efforts of our elected lay representatives with the support of Officers of the Union managed to strengthen and improve the position of our members this has been against a backdrop of very low density of membership which has had the effect of allowing the vast majority of employers within the Sector to play off our members against their colleagues, with an underlying threat that if they don't get their own way more work will be off shored.

Much time has been spent by the National Officer supported by the reps, in dealing with company-specific issues which is dealt with later in this report.

The industry currently employs over half a million people of which only a proportion work for IT specific companies with approximately 50% of that number being employed in every other industry across the country with primary areas including finance and insurance. This in the terms of Unite is requiring joint strategies between different industrial sectors to maintain equitability for IT specialists.

Our Communication members tend to fall into the two main categories of telecommunications and TV, radio. All of the above areas in the Sector have suffered as a result of cheaper imports whether through labour or goods.

Looking towards the companies it is clear that the economic recession of 2008 and the current Government's strategy of applying austerity measures is having a major impact on employment and the terms and conditions our members enjoy.

Within IT&C we have embarked upon a number of campaigns with a view to improving our members' positions within their companies and, indeed, in maintaining their companies in the first instance.

Fair Pay Campaign:

With the assistance of the Organising Department and the strong discipline of the Sector's EC member our campaign went live for the main IT companies to identify what we believe to be pay inequality not only within each company but across the whole of the industry. At the time of writing, we have one month left in this campaign to access enough results so that if our views are confirmed decisive action can be taken against the companies and industry – if necessary – through the use of the European Courts.

Save The Cheque Campaign:

After many months of campaigning and brining together all interested parties, including many that under normal circumstances would not have associated themselves with trade union principles, I am pleased to advise that the Government, through the Pay Council, were compelled to reverse the decision that cheques should be withdrawn. It is unfortunate that whilst this campaign was a victory not only for cheque users but also for the in excess of 5,000 people employed in processing cheques the banks' decision to withdraw the cheque guarantee card is likely to negate many of our efforts. It is the National Officer's intention

and indeed some work has already been done to find a mechanism whereby the value of the cheque and its usage will be re-vitalised.

IT Worker's Passport:

The National Officer is working along with international colleagues through the good offices of Uni-Global for the production of a passport showing trade union membership and levels of competence to ensure that when workers are posted internationally they still have coverage from the relevant trade union in the hosting country and are not further exploited by their employers.

Unite in IT&C Profile:

The National Officer working with Tony Burke, Assistant General Secretary for Manufacturing, have commenced a project of profile enhancing for the Union within the industry. There has been a meeting of an ad hoc group from the South East and London to identify possible methods which can be utilised and the National Industrial Sector Committee have given the matter some consideration. The National Officer would welcome delegates at this Conference debating the matter and assisting in producing not only a policy for the industry but also an implementation group.

With regard to the main companies within the Sector, it has been an interesting period where the core aspirations of the Union and its members have been tested to the extreme. We have suffered almost every conceivable attack from some of the worst employers where through their own incapability have passed responsibilities on to their employees or, indeed, have attempted to simply bypass their employees entitlements.

BBC:

The Corporation, through its negotiations with Government over the freezing of the Licence Fee, has found itself now having to meet income reduction in real terms, meaning we are now involved in balloting for industrial action to protect our members' jobs. This is against a backdrop of reduced severance terms to save money in 2010. Action is due to commence subject to a positive ballot result on 7th December.

The above cost-cutting exercise included much regionalisation with the migration to media city in Manchester.

Computer Science Corporation (CSC):

Since the last Conference, CSC has continued to reduce its workforce rarely by formal redundancies but commonly through the use of individual compromise agreements. The level of losses have been difficult to equate due to the well recognised industry merry-go-round where the overall employee population remains fairly static but, of course, many jobs have been imported through TUPE.

In 2010 the Company closed its defined benefit pension scheme in favour of a group pension plan providing all employees who had been members of one of their main schemes with a minimum pay award of 3% which would be taken into account for the calculation of their

employees DB pension benefits. The Union is pursuing a claim (subject to the outcome of Unite's High Court action against the Government) for compensation for the additional loss to members in the change from RPI to CPI.

The year 2011 has brought about a number of challenges with the Company losing significant contracts or customer decline of service requirements. For example, BAE Systems yet again, the Company has sought to balance its books through cost reductions which are directly impacting our members.

Notwithstanding that we work with the Company through a Partnership Agreement, the Union has defended vigorously the rights of its members including where necessary pursuing matters through the Courts. The National Officer has made it clear to the employer that partnership can only work where we are equal and that the Union will not be used to rubber stamp poor management decisions.

Ericsson:

This employer has created many problems for the Union and our members throughout the last two years by their adoption of global sourcing which has seen not only a reduction in jobs in the UK but also a significant decrease in future developments.

Ansty Research and Development site was the first casualty in early 2010 when the Company announced that it would be reducing the workforce by some 1,100 employees, most of whom were cutting edge R&D professionals in both soft and hardware. After extensive negotiations with Unite, over 400 jobs were saved within the UK with the remainder being off shored predominantly to China, with a small number going to Italy.

Our members who left the Company did, however, receive substantially better severance terms than those historically given the terms of which now form the basis for any future redundancy payments within the bargaining group. By way of comparison, bargaining group members will receive a package capped at 80 weeks pay plus notice if not worked, whereas the Company standard in Europe is some 52 weeks cap.

There is also the ability now for additional payments to assist anyone being made redundant for items such as re-training, or starting your own business.

During 2011, having achieved for the second year an across the board pay award, considerable work has been done in bringing pay levels towards a common median which has seen a number of our members gain pay increases in excess of 30% per annum.

The good news above has, unfortunately, been tempered by yet another 'jumping on the band wagon' of closing to all staff the DB pension scheme and replacing it with a DC scheme. The National Officer is pleased to advise that with the unequivocal support of the reps and members within Ericsson. Our members will enjoy far better terms under the DC scheme than was originally within the Company's thinking.

Fujitsu:

To quote one of our representatives when the National Officer uttered words of disbelief at the way the Company acted toward the Union and its members over even the most straightforward matters "**welcome to our world!**" and a world of its own it is.

I am sure all delegates will know of the manner in which this Company has treated and attacked our representatives throughout the year. Our representative, Alan Jenney, was dismissed in our belief simply because of his trade union activities, which included being the vice-chair of the Fujitsu Combine.

The Company has resisted providing adequate information to ensure that the agreements it has reached with Unite can be measured and monitored. It has refused to comply with the agreements that it has reached with the Union in some instances even before the agreement has reached its first anniversary.

It has been necessary to conduct industrial action in both its Manchester and Crewe sites in pursuance of legitimate trade disputes which a resolution was finally found using the good offices of ACAS to mediate between the parties (the National Officer will verbally expand on this matter as it is still a working progress).

The National Officer wishes to place on record that had it not been for the devotion and organisation of all lay representatives within the Company, both our members and the Union would have been far worse off.

Hewlett Packard (HP):

Like all IT companies deal in part with public sector work, the ongoing Government cost-cutting of 20% in most areas has done little but produce redundancies where each quarter a fresh HR1 is sent indicating that losses of several hundred roles each time. To date, the majority of these role reductions have been achieved either through the removal of temporary, agency and contract staff or the non-filling of vacant posts.

The HP Combine has successfully held off many of these redundancies and where this has been impossible, has ensured enhanced redundancy terms.

ITV:

The National Officer has had little involvement with this Company beyond the annual pay negotiations in 2011 which are ongoing.

We have suffered with an attack on our membership by BECTU which has been resolved through the National Officer dealing with the matter along with BECTU's Assistant General Secretary.

IPSL:

IPSL has benefitted from the aforementioned Safe the Cheque Campaign where the Company, of itself, could not be seen to be disagreeing with the banks who are its major customers.

The Union has negotiated in 2011 an extension to the recognition agreement taking away the restrictions of only recognised in sites existing within the Company pre 2007 to now including all current and new locations from which the Company may operate.

Industry Wide:

The industrial trends are still to move to low cost centres around the world or where there is a developing market, meaning many jobs will continue to migrate to both India and China. The industry clearly demonstrates that wherever possible, the cheapest and most profitable route will be taken with little long-term planning that extends beyond the next dividend payment.

The National Officer, along with the NISC, has determined that the UK and Ireland should remain centres of excellence for the provision of services in both soft and hardware supply and support.

We will be working along with our global partners including Uni Global, EMF and IMF to maintain high standards within the industry where they have already been achieved and to raise the standards in the developing world for the benefit of all.

I look forward to working with all colleagues utilising Unite's facilities through political, national and international networks into the future so that we may achieve the goals of our members.

KEVIN O'GALLAGHER
NATIONAL OFFICER
IT & COMMUNICATIONS SECTOR

1. General Secretary's Report

I. Winning the Battles that Face Us

Good morning. Colleagues, this is a day that I have been looking forward to for a long time when we bring together our industrial strength in the sector conferences. What is so vital about sector conferences is it gives you the individual right within your sector to determine your policies. It is not going to be determined by anyone else. It will be determined by you. There is no other lay democratic process anywhere at all than what you are doing now, and you are doing it within the bounds of Unite. And why? Because as individual sectors, we would not have the strength to win the battles that face us.

We knew this when we first discussed bringing together Amicus with four recently merged unions, and Tony with the T&G bringing those together. This is the only merger in the history of the movement that I can recall, that is not based on the fact that one or other partner were a lame duck; financially or in membership difficulties. It has been brought together for a strategic reason. There is an obvious reason: strength in the workplace, strength in your workplaces. We could spend our time fighting together instead of fighting each other: who is going to get the membership? Who is going to get the single union agreement? We do not have to worry about that now.

There are still some areas where old histories will take a while to die away, but we can spend the time much more productively fighting on behalf of all our members to improve terms and conditions and build our membership through organising, through the 100% Campaign and trying to stem the decline in union membership due to the economic problems that we currently exist in. That is great and that is wonderful, and that alone would be worth doing. But if that is all we did – if that was the limit of it – then it is all about winning in the workplace. Under the present set-up, we will ultimately lose a much bigger and greater battle.

We will fight to try and repeal the anti-union laws. We will fight to try and allow solidarity actions which are illegal under those anti-union laws. We will support our colleagues who, for example, if you recall the refinery workers and the construction workers challenged by the law because of solidarity action. We did not get the law used against us, maybe because we have a Labour government. Maybe they held back because they did not want to expose an open sewer. But, sooner or later, unless we change the law we will not be able to have that solidarity action win it back.

II. Changing Politics

So, there is a greater battle to fight than the next wage claim, or regrettably, the fight to protect jobs as people are threatened with redundancy. That greater fight is one of the three reasons why we merged T&G and Amicus together. It is to change politics. Tony referred to it: we want people in Parliament that represent us. I do not want people in Parliament representing us; I want us in Parliament representing us.

Deleted: ¶
Peter Skyte National Officer¶
Ian Allinson (EC) Delegate
Chair¶
¶
¶
Agenda¶
¶
¶
¶
¶

Formatted: Left

Deleted: Hilton Brighton
Metropole Hotel¶
¶
¶
¶

-----Page Break-----

¶
IT and Communications¶

Formatted: Font: 14 pt

Formatted: Font: 14 pt, Bold

Formatted: Font: (Default)
Arial, 14 pt, Bold

Formatted: Font: Calibri, 11
pt, Font color: Light Blue

Formatted: Font: (Default)
Calibri, 11 pt, Font color: Light
Blue

Formatted: Bullets and
Numbering

Formatted: Bullets and
Numbering

I go around on regional tours and I say to people, 'Why? Why aren't people in this room MPs? Why not?' Many of us do not believe we have it in us. Somehow or other we believe it is something special to be a MP. Crikey, if you look at some of them you cannot believe that for much longer, can you? We need people in Parliament that represent us. Back to the traditional roots of the party we created. The Labour Party did not create the trade union movement; it was the other way around. We created the Labour Party and it is time – long past time in fact – that it was back to that tradition and back to representing our interests. We would not be low in the polls. We would not be as concerned, disillusioned, or disappointed if we had a party that was our party. It is time to take it back and we need a big, strong union to do it. That is us. There is not another union that can do it. There is not another union with the breadth and strength to do it. Quite frankly, I wonder if there is any other union with the intelligence to do it.

Let us look at some of them. Our friends in the Rail, Maritime and Transport (RMT) Union. One of our National Officers told me that in the transport sector, in real terms, there is something like 60% unorganised, so what is the RMT's answer to recruiting their 60%? They go down to Heathrow and pinch our taxi drivers. They go into the old North Sea and to the oil rigs to do that. It is time they got on the bloody railways and organise them; an indication that a single specialised union cannot survive. We cannot survive unless we have this kind of a conference because everybody in a big, powerful union will say, 'This union does not represent me'. You will have unions saying, 'Join us because your union is too big and broad and they are not interested in you'. Well, this is the answer. The sectors give you the right to determine your own policy, but within a union big enough to make a difference.

Let us assume for example, we change the law, we win Parliament, we win the Labour Party back and we get shot of the anti-union laws. There is a bigger battle still to fight, and what is tragic about it is that most people do not actually know it because we are concerned about today's problems.

We have just applauded two good colleagues, John and David from Canada. Vale Inco, a Brazilian company intent on world domination. They want to buy up all the mineral resources so that one company can control almost life itself; become so powerful it can dictate to governments. They are in a four month strike because they are up against a powerful conglomerate. We referred the crisis of capitalism. Do not believe for one minute that that crisis of capitalism was a crisis of the capitalists. They are still there, they are still powerful, they control fortunes, they dictate to governments. It is fairy stories, you know, the faceless ones, you do not see them. Not the G8, not the G20, the faceless ones; the ones that can pull strings, bring governments down, start wars, stop wars, create crises in energy, and move petrol prices around so that the rest of us suffer as a consequence. Those people are still there and they operate on a global scale. How do we as working people expect to contend when they are more powerful than the government that we could create?

III. Our Challenge

We have to have a plan. We have to have a plan that builds an international union strong enough to take on the strongest of the conglomerates. A union that anyone who works anywhere in the world for any particular company can join. A union that can, for example, bridge the dilemma that we just experienced at General Motors; where the Germans tried to screw everybody else with that Magna contract. Until the intervention of ourselves, and particularly Tony, which got our government galvanised, and they think those in Germany who scuppered the deal, and Tony is very popular in Germany now apparently. When we have got back to GM, what were the Germans saying? 'Ah, you will be all right in Britain but

Formatted: Bullets and Numbering

in a few months you won't be'. There is still that competition, and that is what happens in global federations, quite frankly. We all sit around and have great ideas and then we all go back and look after our own backyards; a bit like we could be if we are not careful. We sit around and talk about our policies and then go back to our own backyards.

It is time to think outside the box. It is time not just to think about how we win terms and conditions or even how we change the laws to make it easier for us to win terms and conditions. It is about how we are going to survive in the future if we do not have a union capable of fighting on the international front, that can stand solidly with Vale Inco colleagues because we have plants over here that belong to that conglomerate. We should be in a position to fight across the board.

That is the challenge, so why did we come together? Because you cannot build an international union if you cannot build a UK union, or a German union, or an Australian union, or an American union. That is why we stand in with the United Steelworkers (USW) and with Workers United. It is a beginning perhaps, but hopefully a successful beginning that will go on to build that international union.

IV. Conclusion

Colleagues, when we talk about building a union where there is no place for fear, fear this: unless we change politics and ultimately build an international union we need to be very afraid. That is the task and only this union can do it in this country; no other union can. That is the challenge to you. I am delighted, absolutely delighted, that we have been brought together in this way. Whatever we do in the future, whoever we elect as General Secretary, and whoever we elect as our Executive, needs to keep one thing clearly in mind: strong workplaces are no better than shuffling deck chairs on the Titanic if we do not have a political and international strategy. If some colleagues, and I have read some of them, now change their leaflets to reflect that they will get my support. Thanks.

Formatted: Bullets and Numbering

2. Apologies, Introductions and National Officer's welcome Peter Skyte, IT & Communications National Officer.

Peter Skyte, National Officer, welcomed delegates to the conference.

He reported the following apologies:

Elaine Roper – London and Eastern
Dave Seymour – London and Eastern

3. National Report: Peter Skyte, National Officer

Peter Skyte, National Officer, said that this was a new union and a new sector. It was not Amicus Mark 2 or TGWU Mark 2, but Unite Mark 1. It was very much representative of the union that Unite now comprises, covering blue collar and white collar, private and public sector, and manufacturing and services, Besides IT and Communications companies, it also included broadcasting organisations such as BBC, ITV and others.

He then highlighted particular aspects of the written report which had been circulated to delegates, and responded to questions from delegates.

Deleted: [To be inserted by Conference office]¶

Formatted: Indent: Left: 0 cm

Deleted: -

Overview of Sector and membership

IT & Telecoms is central to the UK economy and a key source of competitiveness for all sectors; opening up new markets, increasing performance and driving productivity. The UK's IT industry alone produces an annual GVA of £30.6 billion, 3% of the total UK economy with the continued adoption and exploitation of ICT having the capacity to generate an additional £35 billion of GVA to the UK economy over the next five to seven years.

According to e-skills UK, the Sector Skills Council covering IT and Telecoms, its recent employment forecasts work in partnership with Experian, identified that there is a need for an average of around 141,000 new entrants a year into IT and Telecoms professional job roles through to 2012, with a minimum of around 27,000 (19%) needing to be filled by people joining from education

Membership

The IT and Communications Sector of Unite currently comprises at the time of preparing this report around 13,000 members, of whom just over 10,000 are men and around 2,700 are women. Whilst the sector largely comprises over 12,000 members from the former Amicus union, there are around 700 members from the former TGWU union.

The sector covers members working for IT, Communications including Telecommunications, and Broadcasting organisations.

The largest employers are

FUJITSU PLC
HP/EDS
CSC
IBM
ERICSSON
STERIA
TELENT
Entertainment UK
CINRAM

The combination of attacks by employers on pay, pensions and terms and conditions of employment has led to a huge upsurge in membership in some companies in the sector over the past 12 months, notably HP/EDS, Fujitsu and IBM.

Organising

The IT and Communications Sector must be one of the sectors in Unite where the NEC looks to for membership growth, given that despite the current downturn the sector is still forecast by most commentators and analysts to grow in employment numbers in the next few years.

To date this year the sector has grown by over 2000 members, with substantial increases in our membership in IBM, Fujitsu and HP in particular. This has been largely as a result of

attacks on jobs, pay and pensions by companies which remain hugely profitable and not struggling or failing.

In October we were assisted by the Organising Support Unit as part of an assisted organising campaign in holding a weekend workshop on organising for reps/stewards from the five largest workplaces where we have membership in CSC, HP, Fujitsu, IBM and Steria. Four further workshops are being organised for reps from these companies in November/December.

Labour market

The latest quarterly labour market figures for the period April to June 2009 show that unemployment reached 2,435,000 - this is 220,000 higher than the January - March quarter and 750,000 higher than the same quarter last year.

The unemployment rate for the economy as a whole rose from 6.4 to 7.3% in the quarter. For the ICT industry workforce it rose from 3.7% to 4.8% and for ICT professionals it rose from 2.4% to 3.4%.

In the ICT sector, 7,000 people reported being made redundant from the sector in the quarter to June 2009.

There were around 1,058,000 people working in ICT in June 2009, which was down by 2% on the previous quarter but actually up by 4% on the previous year. Of this, 550,000 were in IT services, 166,000 in IT manufacturing, 52,000 in IT wholesale and retail, 52,000 in telecoms services, 44,000 in telecoms manufacturing, and 22,000 in telecoms wholesale and retail.

There has also been a decline in the number of jobs advertised (27% fewer than last year). There was a steeper than average fall in vacancies amongst ICT staff in this quarter – 26% for permanent and 32% for contract staff, compared with 16% across the economy as a whole. However, this was starting from a higher base (due to skills shortages) so the vacancy rate is now broadly comparable in ICT to other sectors (1).

Business confidence has just begun to pick up in the UK economy as a whole, at time of writing, but the IT sector was the first sector to report increased business confidence in the first quarter of 2009. This was also reflected in a reduced number of ICT companies going into liquidation, compared to the economy as a whole, but we expect the situation to be volatile, insecure and uncertain for some time to come.

Outsourcing and offshoring

Rather than turning outsourcing to solve short-term skills and economic issues, businesses should be looking at the root causes and re-evaluate their buying decisions and reliance on legacy systems which require expensive consultants.

¹ E-skills quarterly review of the IT labour market

As businesses grow, merge and re-shape themselves, they will need new IT skills internally if they aren't going to have to outsource.

A year ago, a study by Leslie Willcocks, Professor of Technology, Work and Globalisation at the London School of Economics, claimed that organisations which prioritise short-term cost reductions over retaining in-house IT skills will face long term problems with outsourced IT projects, which will inevitably impact the bottom line.

Skills

The sector continues to have considerable skills shortages and vacancies that are hard to fill. In March 2009, 21% of all recruiters reporting difficulty filling IT positions, though this was down considerably from 30% the previous year. Skill shortages have fluctuated over previous years from 15% to 35% but last year they were only 15% (2). The areas with the highest skills shortages were systems development, IT/telecoms management, programming, and systems design (in that order).

Software is constantly changing so there will always be a demand for new skills, both in new areas such as open source, Web 2.0 and cloud computing technologies, and for legacy systems as the "baby boomer" generation retires, leaving a gap in support..

However, despite ICT skills shortages, there is some evidence that employers are cutting training for ICT staff more than in other sectors, with training cut from around the national average (of 27% of staff receiving training in the economy as whole) down to 25% of ICT staff and 22% of industry workers.

IT employers need to stop using the 'skills shortage' as an excuse to justify sending skilled work to less expensive regions, and nurture and develop IT staff through the economic downturn, with training programmes designed to keep them innovating and ahead of the technology curve.

Undoubtedly the proposed "skills shortage" needs to be tracked right back to education, with falling numbers of students in the UK, for example, taking computing or ICT courses, so the industry needs to work with government on programmes such as the National Skills Academy, due to launch next year, to ensure that the UK has the right IT skills to help it grow.

Campaigning issues in the IT and Communications Sector

- **Pay**

The latest earnings data from ONS (3) are for the three months to the end of June 2009, and across the economy as a whole the average increase excluding bonuses is 2.5 per cent. After showing negative growth of -0.3 per cent in the three months to March 2009, after the

² e-skills ICT enquiry

³ ONS's Annual Earnings Index (AEI) June 2009

collapse of city bonuses, earnings including bonuses have been showing a year on year increase for the last three months.

Average earnings growth remains stronger in services than manufacturing, although rates of increase in earnings in both sectors have declined during the recession. In the ICT sector, the story is somewhat better. The ONS figures show that (full time) salaries have increased by 1% in the last quarter and by 4% year on year, to an average of £730pw. For IT professionals, the figure is £920 pw.

These figures are backed up by the latest analysis from IDS (4) covers the three months to the end of June, which shows that the median pay settlement remains at 2 per cent - the same as the last two months. The distribution of settlements shows that while a third are for freezes, half are worth 2 per cent or more. This has led IDS to conclude that this level is becoming the floor for pay rises. Their pay report notes that the latest EEF survey has shown similar findings, with companies either freezing pay or paying rises of 2 per cent or over.

IT remains crucially important to the economy with a combined turnover of £34.8bn in Q1 2009.

Using the background of the recession and the economic and financial crisis, many employers who could afford to pay have sought to impose pay freezes, sometimes after pay offers being made and accepted. Details of some of the campaigns being mounted by our members are set out in this report.

- **Pensions**

A sharp rise in share prices in July meant the combined deficit of the UK's private sector final salary pension schemes shrank from £200bn at the end of June to £158bn at the end of July, according to Pension Protection Fund (PPF) figures which cover 7,400 pension schemes (5). 85% of schemes are still in deficit, however these figures do not include further steep share price rises (both in the UK and globally) in August, which will have shrunk the pension deficit still further.

This should be positive news for pension schemes. The level of volatility in the stock market shows how wrong it is for employers including Fujitsu and IBM to use a snapshot of share values to justify the closure of final salary pension schemes.

A separate report from Aon showed that the value of assets in employees' defined-contribution (DC) pension funds had, by July this year, recovered to levels last seen in September 2008, with the combined value now standing at £451bn. Again this does not include August rises.

Since spring 2009, it seems that some companies have jumped on a bandwagon to announce proposals to close their final salary and/or defined benefit pension schemes to existing members. Further details of some of the companies are set out later in this report. The tendency of other companies to follow the herd mentality will need to be resisted strongly.

⁴ IDS Pay Report, August 2009, 1030.

⁵ Pension Protection Fund, <http://www.pensionprotectionfund.org.uk/index.htm>

- **Job Security**

The impact of the recession has been felt in the sector, with numerous redundancy announcements through out the year. Whilst some companies are in long term or temporary difficulty, some of the IT companies are undoubtedly using the background of the economic and financial crisis as cloak to secure unwarranted job cuts.

- **Offshoring and Outsourcing**

We have continued to campaign, and maintained a high profile in the media and been invited to present the Unite view at various conferences and seminars.

- **Equalities and diversity**

Gender imbalance in both the ICT industry and in ICT occupations occurs in many other countries, with female representation levels in the ICT industry greatest in Italy and Ireland (30%), but the UK is noticeably lower (21%).

Each year (2001-2008) and across all age groups, female IT professionals have consistently earned less than male IT professionals. In 2008 female IT professionals earned 13% less than their male equivalents.⁶

Unite has continued to work with the Intellect Women in IT Group. There is however a need for the Sector to further develop its strategy to include increasing the proportion of women in the workforce and using the forthcoming Equalities Act to ensure greater transparency and openness in pay and conditions and equal pay audits, so that secrecy and opaqueness is not used to foster unequal pay.

- **Climate Change and Green ICT**

In recent years IT has been the fastest element of businesses costs, and forecasts based on the current growth of data and associated IT infrastructure translates into a picture of unsustainable power consumption in the long term and power supply capacity issues in the short term.

Therefore businesses are taking steps to to reduce energy use (and therefore greenhouse gas emissions) from their IT. They will have even more impetus to do so in 2010, when a compulsory carbon reduction commitment (CRC) comes into force. At that time, any UK-based company using more than 6,000 megawatts per hour each year across their business will have to demonstrate regular improvements in energy consumption and trade carbon permits if they cannot meet targets for reduction. This will affect around 5000 large companies (the largest energy users are already covered by the EU ETS scheme), and is likely to include most companies operating large and medium sized data centres.

In a recent survey of 620 companies across Europe, the US and Asia-Pacific, more than a third said they expect to spend more than 15 per cent of their IT capital budgets this year on projects they consider to be green IT, largely focused on energy savings.

⁶ Women in IT Scorecard, BCS, e-skills UK and Intellect, with support from BERR, March 2009

Examples include virtualisation projects, where the focus is on replacing multiple and often under-utilised servers with fewer, more energy-efficient, systems. According to Fredrik Sjøstedt, director of products for the EMEA region at VMWare, a virtualisation specialist.

“Most IT organisations are running at a server utilisation rate of about 10 per cent. I’ve seen large telcos that use less than 4 per cent of their available server capacity,” he says. “These organisations desperately need to cut their power consumption. They’re also running out of data centre space and facing constraints on the amount of electricity they are able to access from utility companies. These factors are more important to them than cutting carbon emissions.”

Companies can also do more simple things: such as simply turning up data centre thermostats, says 451 Group’s Mr Lawrence.

“For years, organisations such as Ashrae [the American Association of Heating, Refrigerating and Air-conditioning Engineers] in the US have been ridiculously conservative in their advice to data centre managers on how cool a data centre needs to be, to run effectively.”

In December 2008, Ashrae revised its suggested temperature range from between 68 and 77 degrees Fahrenheit to between 64 and 80 degrees. “For every degree data centre managers turn the thermostat up, they could be saving thousands or even tens of thousands of dollars in energy bills each year,” says Mr Lawrence. IT can also be used to save energy.

- **Work permits**

Unite has been working to raise concerns about the misuse and abuse by employers and the real or apparent displacement or undercutting of pay rates of UK resident workers in the IT sector.

Key figures include:

- There were around 100,000 work permits/certificates of sponsorship issued in 2008 for all skilled occupations, which since November 2008 would come under the Tier 2 skilled worker route. 35,438 of these related to IT occupations, i.e. around 35%
- 60% of all sector Tier 2 work permits/certificates of sponsorship are through intra company transfer, with 32% through the Resident Labour Market Test (RLMT) route and 8% through the shortage occupations route
- 69% of intra company transferees are from India
- 83% of work permits/certificates of sponsorship issued for IT professionals in 2008 were for transfers within companies
- 83% of work permits/certificates of sponsorship issued for IT professionals in 2008 were for workers from India
- the number of intra-company transfers granted went up by 47 per cent between 2004 and 2008, from 33,645 to 49,710 whilst the economy has moved into

recession. This comprises 52% of total work permits/certificates of sponsorship, rising to 60% in 2009

- 29,939 (59%) of intra company transfers were for the IT and Communications sector in 2008, which has risen to 65% for the first half of 2009
- Median earnings for Tier 2 in Nov 2008 to May 2009 were reported to be £35,500, and £39,800 for intra company transfers (Migration Advisory Committee August 2009 report)

As a union we continue to support a policy of managed migration, recognising that migration makes a substantial contribution to economic growth, helps fill gaps in the labour market, including key public services and increases investment, innovation and entrepreneurship in the UK. Where it is not possible to find the necessary skills in the UK, then it is appropriate to seek to obtain those skills from outside the UK but we need to strike the right balance between enabling employers to recruit or transfer skilled people from abroad and protecting job opportunities for resident workers.

Unite submitted evidence to the Migration Advisory Committee review of Tier 2 in respect of the IT and Communications Sector. The report published by the Migration Advisory Committee in August⁷ made a number of references to the Unite evidence and recommended to Ministers a number of changes to the existing system including changes to the points for salary levels which effectively raise the threshold for entry for a graduate skilled worker to £24,000, the increase in the Resident Labour Market Test period from 2 to 4 weeks, and the extension of the intra company transfer scheme minimum service period from 6 to 12 months.

Industrial Issues

Some of the key issues affecting Unite members in specific companies are set out below. This is not a complete record of activity in the sector, but is a summary of some of the areas and companies we have been involved with.

- **Pay and Disputes**

Fujitsu

The company announced in March without any prior notice or discussion that the pay review due to take place on 1st April would not happen. Our members covered by the Manchester bargaining unit had already accepted a company pay offer made earlier which included the promise of a pay review on 1st April.

The company also announced in May the proposed closure of its final salary pension scheme, and in September announced 1200 potential redundancies.

We mounted a vigorous campaign against the actions of the company on jobs, pay and pensions.. An industrial action ballot resulted in a 74% majority in favour of strike action and a 92% majority in favour of action short of strike action.

⁷ <http://www.bia.homeoffice.gov.uk/sitecontent/documents/aboutus/workingwithus/mac/macreports/>

Following notice given to the company of a proposed 3 day strike and further action short of strike action, talks were held with the company. This resulted in an agreement which eased the deadlines facing members of the end of pensions consultation on 14th November and redundancy dismissals on 11th December and the deadline on the company of industrial action.

Steria

Steria originally proposed a 2.15% pay offer and then withdrew that offer, imposing a pay freeze. Following overwhelming votes for industrial action and formal notice being given to the company, negotiations at senior executive level produced a long term pay offer which was accepted by members to resolve the Unite pay claim for 2009/2010 and provides for a 3 Year Pay Review Agreement, with increases above price inflation (RPI)

BBC

Following a meeting between the BBC and BECTU, NUJ, and Unite, members of all unions voted to accept a flat rate pay offer of £450 per person, to take effect on August 1st this year. Staff close to the £60,000 cap will receive less than the full £450, but those near the £25,000 threshold below which high-rate London Weighting is paid have been guaranteed the full increase on top of their current income, and will not lose out even though their London Weighting drops. The BBC agreed that the floors of Bands 2-4 would be increased by £200 as a concession to lower-paid staff.

HP/EDS

HP announced that all 300,000 global employees would have their pay cut by up to 5% later this year, despite the company increasing its revenue and making substantial profits in the first quarter. Following a meeting with the company and a vigorous campaign amongst the workforce against this, including significant increase in membership, the company advised us that any pay reduction would be voluntary in the UK. To our knowledge very few people signed up to the voluntary pay cut.

- **Job security**

Nortel

The Unite campaign continues in response to the decision of Nortel and its administrators Ernst & Young in sacking over 200 people out of its 2000 UK workforce on the spot without consultation or redundancy pay, predominantly in Northern Ireland. This decision came merely a week after the company obtained approval in US and Canadian Courts to pay 92 senior managers more than \$23 million, including bonuses of up to \$7.3m to the eight members of Nortel's senior leadership team.

As part of our campaign to use all available industrial, legal and political avenues to challenge the approach of the company and its administrators, meetings have been held with the remaining workforce at the Monkstown site, with the members dismissed, and as a result protest actions outside the Belfast and London offices of the administrators Ernst & Young are being mounted. In addition, a meeting was held with Northern Ireland

Ministers and with Ministers at BIS through the Chair of the Unite Parliamentary Committee.

ITV

ITV announced that it would be cutting its UK workforce by just under 700 people, following heavy financial losses mainly due to reduced advertising revenues. Included in this was the decision to close the Yorkshire TV studios in Leeds, which has a significant impact on our membership.

HP

The company has had a continual programme of quarterly redundancies across the UK as part of a global programme of 25000 redundancies. We have mounted a campaign against this in conjunction with PCS in the UK and unions across Europe, including a European wide day of protest against the worldwide job cuts with protests and media coverage outside various company sites.

Fujitsu

The company announced 1200 redundancies amounting to 10% of its UK workforce across the UK business in late August. The campaign on this is covered earlier in this report.

- **Recognition**

HP

The CAC has awarded Unite recognition for Collective Bargaining for all Engineers below level of manager, covering around 230 field engineers in one business of the company. Following this, we have negotiated a recognition agreement with the company to provide for bargaining on pay, hours and holidays, grievance and disciplinary matters, training and health and safety.

HP has announced a further 5700 redundancies for the 2010 financial year across Europe, even before the 2009 programme has been finalised.

ICM Business Continuity Services

Following a voluntary ballot organised by ACAS, 90% of the proposed bargaining unit in this subsidiary of the IT services company Phoenix voted in favour of recognition of Unite. By terms of the understanding with the company arrangements will now be made for discussing the details and process of recognition for Unite.

Tata Consultancy Services (TCS)

TCS, the largest Indian headquartered IT company, gave us 6 months notice in December 2008 to terminate a collective agreement with Unite covering members outsourced from Legal & General. Following the threat of media publicity in the UK and the matter

being raised with the parent company, TCS has now withdrawn this notice and agreed to continue to honour the collective agreement.

Telent

The company has initiated the process to establish a SNB to form a European Works Council, following a request from Unite and the German Works Council.

- **Pensions**

Fujitsu

Following on from the company's decision in March to cancel the pay review due to take place from 1 April, the company announced to the workforce that it is proposing to close the final salary pension scheme to future accrual after a 90 day consultation period. The company has extended the consultation period a number of times and this is covered earlier in this report.

IBM

Following the announcement of proposals to close the final salary pension schemes and change early retirement terms, we have organised a number of meetings across the UK and as a result have recruited hundreds of new members in this company which has been notoriously difficult to organise over the past 30 years.

Steria

Steria has announced proposals to close its defined benefit pension schemes and we are involved in ongoing negotiations with the company.

NCR

The company has announced proposals to close its defined benefit pension scheme affecting our customer engineer members. Following the threat of a ballot on strike action, we have reached a tentative agreement on a 2 year 9 % pay award to be paid in 2 instalments on 1st November 2009 and 1st July 2010 to all Customer Service Engineers affected by withdrawal of the final salary pension scheme on 1st July.

We also agreed to changes to the number of Saturdays (in exchange for time off in lieu and safeguarding arrangements) and negotiated increases in call out rates for all engineers and parity in overtime rates for Tier 1 engineers so the total package is worth more than 9% for members.

This is subject to finalising the proposed agreement with the company and a subsequent membership ballot.

CSC

CSC has announced proposals to close its defined benefit pension schemes and negotiations with the company have started.

The national report was accepted

4. Guest Speaker via video link: Karthik Shekhar, General Secretary, UNITES union, India.

Bro Karthik Shekhar spoke to the delegates through a skype video link. After introducing himself and giving a background of his working career and initial involvement with the Unites union in India, he gave a power point presentation. [attached]. Unites has a majority of females and young professionals ranging from engineers to basic training employers. Unions are a rarity in India. Bro Karthik and his colleagues are attempting to change government policies to make it easier for workers to join unions without repercussions.

He pleaded to international unions to pressure company managements to allow unions in India to function and be able to organise. His union aims to encourage respect for the workers and reduce the high level of workplace harassment.

5. Guest Speaker: Bryan Freake, Unite Pensions Officer

Bryan Freake commented that companies in this sector more than others have been attacking pension schemes, although this problem is progressively noticeable in other sectors as well. The economic crisis has played a major part in affecting pension schemes. Legal barriers are preventing progressive changes to pension schemes. There is a need for a change in policies with the aim of incorporating pension schemes in to terms and conditions of employment.

His presentation was followed by a lively and extensive question and answer session.

6. Guest Speaker: Jeanette Sainsbury, Thompsons _____Solicitors

Jeanette Sainsbury gave an update on developments on Transfers of Undertakings (TUPE), a copy of which is attached. This was followed by a lively question and answer session.

7. Composites and Withdrawal of Motions

The Standing Orders Committee recommended that Motions 2 and 3 be withdrawn and replaced by Composite 1 (accepted).

8. Consideration of Sector Motions

1. RETAIN & RE-TRAIN EMPLOYEES

This Conference urges all employers to retain and re-train experienced staff in new skills, as legacy IT systems continue to be decommissioned, this making those employees more relevant and productive to the business whilst at the same time leveraging their experience, reliability and quality of work.

NORTH EAST, YORKSHIRE AND HUMBER

Mover: John Garvani (Delegate 9)

Seconded: Chris Martin (Delegate 15)

Carried

COMPOSITE 1 – PENSIONS

Conference notes the attempts by an increasing range of employers to attack pension provision, and in particular defined benefit pension schemes in the IT and Communications sector. We note that sections of the media and politicians are proclaiming the death of the defined benefit pension and promoting divisions between workers in the private and public sector.

Conference condemns the way in which many companies in the sector are ending their final salary and defined benefit schemes despite being a highly profitable sector.

We note that a threat to pension provision is one of the situations most likely to lead members to support industrial action. We note that UNITE's campaigning in defence of pensions is already leading to significant membership growth in a number of companies.

Given the scale of the attacks now, and the likelihood of them spreading, we call on the IT and Communications National Industrial Sector Committee and the Executive Council to step up UNITE's campaigning on pensions by:

- 1) Allocating more resources to providing specialist pensions advice and support to our officers and reps and to run pension workshops for reps
- 2) Allocating more resources to providing legal advice and support to our officers and reps dealing with attacks on pensions
- 3) Coordinating our campaigning on pensions at regional, sectoral and national level to maximise our impact
- 4) Organising protests and petitions wherever schemes are under threat.
- 5) Working with other unions, pensioner groups etc to maximise our impact
- 6) Involving members who are affected by threats to pensions in lobbying government to act to protect pensions.

- 7) Encouraging members to stand for election as trustees and organise and coordinate UNITE members who are pension trustees
 - 8) Working with Government lobbies to protect pensions under TUPE transfers and arrangements.
- 8) Using all the political channels to pressurise companies closing their schemes.

Moved: Colin Walker (Delegate 3)
Seconded: Sally Pirrie (Delegate 2)
Carried

4. TUPE

A relatively small number of companies dominate the sub-sector offering IT outsourcing services. Employees are often subject to TUPE transfers between these companies as contracts are won and lost. UNITE should strengthen its work around these transfers:

i) Reps should ensure they notify the National Officer when transfers are taking place, so that the National Officer can put them in touch with reps in the other companies involved in the transfer

ii) Reps should ensure membership records are updated when transfers take place

iii) As part of the TUPE consultation, reps often have access to a "matrix" comparing terms and conditions in the companies involved. Reps should provide a copy to the National Officer. The National Officer should use these to produce a master matrix comparing terms and conditions across the sub-sector, which reps can use to assist in collective bargaining and campaigning.

iv) Many of the companies are involved in outsourcing public services. UNITE should organise a workshop for reps in the industry to examine the "Code of Practice on Workforce Matters in Public Sector Service Contracts"

(http://archive.cabinetoffice.gov.uk/opsr/workforce_reform/code_of_practice/index.asp) and the "Cabinet Office Statement of Practice on Staff Transfers in the Public Sector" (<http://www.civilservice.gov.uk/people/employment/codes.aspx>). These documents affect people working on a contract where someone else originally worked in the public sector, not just the original transferees. They could offer ways for employees to exert additional influence over terms and conditions and to extend consultation rights.

v) We should campaign, as part of our wider campaign to strengthen TUPE protection, for the government to strengthen the codes so that employees transferring between companies working on public sector contracts do not suffer detriment, whether or not any of the employees was originally in the public sector, and to strengthen their provisions in relation to pensions.

vi) Where members employed in other sectors TUPE transfer to IT companies their membership record should be updated to show them in the ITC sector.

NORTH WEST

Moved: Jacqueline Cook 13
Seconded: Peter Bright 17
Carried

9. Elections

- a) Unite delegation to the 2010 TUC (13th – 16th September in Manchester)

Delegate: Dean Burn (Delegate 12)
Substitute: John Garvani (Delegate 9)

- b) Unite delegation to the 2011 TUC (Brighton)

Delegate: Pauline Bradburn (Delegate11)
Substitute: John Garvani (Delegate 9)

10. Standing Orders

Emergency motion

5. Ericsson closure of Ansty site, Coventry with the loss of 700 jobs.

This conference deplores the announcement by the Swedish company Ericsson of its intention to close its high-Tech communications facility at Antsy Park, Coventry, with the potential loss of 700 highly skilled jobs.

This conference notes that Ericsson claims to be an 'ethical' employer of choice yet is proposing to effectively close down the Research & Development site at Antsy Park, Coventry. The new site was only opened in May of this year with Gordon Brown in attendance. £50 million pounds of public money has been spent on infrastructure, roads, etc. at the site.

This conference notes that Ericsson did not consult with the EWC or the Union to avoid the closure or to retain R&D staff. The announcement was made without regard to the procedures by denying the exploration of any alternatives to the closure.

This conference notes the Government's reluctance to receive a delegation of the members affected by this proposed closure, despite the importance of the issue and the support given by Unite the Union to the party in Government. This Crisis demands urgent attention and any continuation of the Government's failure to respond appropriately would be unacceptable.

The retention of highly skilled jobs is a priority for Unite the Union and this conference believes that it should also be a priority for the Government if the UK is to have a future in the strategically important telecommunications industry.

This conference notes with dismay the reports that Ericsson are proposing to remove all R&D and Global Competence Centres from the UK and Re-locate to low cost centres with poorer pay and conditions in Eastern Europe and China. Resistance to the Ansty Park closure therefore has national and international significance.

This conference believes that R&D and manufacturing strategy requires a greater involvement by the Government to ensure that companies cannot abuse their responsibilities, particularly when they have received substantial public financial assistance, regardless of where they are based.

1. This conference calls upon Unite the Union to use its influence, established over many years of support to the Labour Party, to demand that the business Secretary, Peter Mandelson, Intervenes to ensure that the Ericsson decision is reversed and take all steps necessary to retain the expertise and skills of the workforce.
2. This conference calls for Unite the union to demand that the government intervenes with the same urgency, attitude, and financial resources, if necessary, that it demonstrated during the Banking crisis. High tech jobs, skills and experience are as important to the UK's future as a stable financial environment.
3. This Conference pledges its support to the legitimate efforts of the workforce to defend their jobs and to resist the transfer of R&D information to any other potential sites.
4. This conference calls for Unite the Union to support a legal challenge over Ericsson's breach of European legislation on consultation, taking the claim to the European Court of justice if necessary. This conference notes that Unite recently won a similar case against the Peugeot closure of Ryton in Coventry.
5. This conference calls for Unite the Union to initiate a high profile national campaign to save these highly skilled jobs. The campaign should include use of the web, exposing the reality behind the Ericsson brand, a public boycott of Ericsson mobile phones and protesting outside sale outlets.

Moved: Ian Allinson (Delegate 10)
Seconded: John Garvani (Delegate 9)
Carried

Standing Orders 2011

STANDING ORDERS – NATIONAL INDUSTRIAL SECTOR (NIS) CONFERENCES

1) Purpose

The National Industrial Sector Conference has the following purposes:

- 1.1 to set industrial policy for the Sector provided that it is not inconsistent with the general policy and objectives of the union.
- 1.2 to consider emergency motions, on matters that are in accordance with 1.1, that could not have been considered by a RISC, which should be submitted in writing to the General Secretary for the attention of the Standing Orders Committee.
- 1.3 to elect representatives to attend the annual TUC Congress
- 1.4 to elect the Standing Orders Committee for the following NIS Conference

2) Composition and Size of NIS Conference

- 2.1 NIS conferences will be comprised of one delegate per 1,000 paying members in the Sector (subject to a minimum of 30 delegates). Regional allocations will be based on paying membership in the region in the sector.

3) Delegates and attendees

- 3.1 The NIS Conference will be open to all accountable representatives of workers elected by Regional and/or National Industrial Sector Committees.
- 3.2 All delegates will be allocated a numbered seat and will retain that for the duration of conference.
- 3.3 Executive Council members, working in or representing the sector but not elected as delegates shall be invited to attend on an *ex officio* basis.

4) Chair

- 4.1 The Conference plenary shall be chaired by the Chair of the Executive Council.
- 4.2 The Sector Conference shall be chaired by the chair of the National Industrial Sector Committee.
- 4.3 The Chair shall only have an ordinary vote on all matters if elected as a delegate.
- 4.4 The Chair shall not have a casting vote.

5) Secretary

- 5.1 The National Official or other employee shall act as Secretary to the conference – advising the chair as appropriate and, assisted by a member of the Research Dept, recording decisions taken and the outcome of the elections.

6) Order of Business

- 6.1 The Order of Business for the Conference shall include:
 - 1. Plenary: General Secretary supported by the Assistant General Secretaries as appropriate
 - 2. Election of delegates to form the SOC for the following NIS Conference
 - 3. Political, international and other speakers
 - 4. National Officers' Introduction and Apologies
 - 5. National Officers Report including national strategy for the Sector
 - 6. Consideration of composites and motions approved by Standing Orders Committee.
 - 7. Election of delegates to the annual TUC Congress for the next two years

7) Conduct of elections

- 7.1.1 All nominees in conference elections shall be individually nominated and seconded. Nominees who do not attend may be elected provided they have given an appropriate apology reported by the National Officer and accepted by conference.
- 7.3.1 Votes shall be cast by a ballot vote or by show of hands from amongst those delegates present at the Conference.

- 7.3.2 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the Conference, then an appeal should in the first be lodged with the Standing Orders Committee which has overall responsibility for the conduct of the elections.
- 7.3.3 In the unlikely event that any such dispute cannot be settled, an appeal against the decision of the Chair can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

8) Conduct of Business

- 8.1.1 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject..
- 8.2 The mover of a motion shall be allowed five minutes and subsequent speakers three minutes each. No delegate shall be allowed to speak more than once on any motion except the mover who shall have the right of reply.
- 8.3 Next business, that the vote be taken or such other procedural motions may be moved and seconded by any delegate who has not previously spoken during the debate. There shall be no speeches on such motions.
- 8.4 Emergency motions shall be put if in writing to the General Secretary for the attention of the Standing Orders Committee. No such motion shall be deemed an 'emergency' that is connected with circumstances which could have been dealt with by conference/committee allowed to forward motions for the agenda.
- 8.5 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
- 8.6 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.
- 8.7 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present..
- 8.8 Save as provided herein, the business of the Conference shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.

8.9 In the event of an equality of votes, the proposition before the conference shall not be carried.

9) Smoking/Alcohol/mobile phones

9.1 There shall be no smoking or consumption of alcohol allowed at the Conference.

9.2 All mobile phones should be switched off at all times during conference.

Hilton Brighton Floor Plan

