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MINUTES AND RECORD
of the
EXECUTIVE COUNCIL
HELD AT CONGRESS HOUSE, LONDON WC1
ON 21ST, 22ND & 23RD SEPTEMBER 2009

PRESENT:

MEMBERS: Bro. I ALLINSON, Sis. P BURR, Bros. S BEATTY, R BENJAMIN, D BOWYER, P BREWSTER, T CASHMAN, W COLEMAN, J COOPER, P COYNE, S DAVISON, Sis. A DAYKIN, Bro. D DELACY, Sis. E DONNELLY, J ELLIOTT, Bro. A FRASER, Sis. G GEORGE, Bro. S HIBBERT, Sis. S HUTCHINSON, Bro. G JACKSON, Sis. S JOPSON, Bro. J KENDALL, Sis. J LEWIS, Bros. D LOVELIDGE, M LYON, D MATHIESON, M MAYER, I McDONALD, Sis. J McDOWALL, Bros. T McDOWELL, S McGHIE, Sis. J McLEOD, Bros. A MERCER, I MONCKTON, J MURPHY, M MURPHY, D NESTOR, P OLIVER, C PERRETT, M PLUMB, D RITCHIE, Sis. P ROBSON, Bro. P RUSSELL, Sis. M RYAN, S SHARP, Bros. J SHERIDAN, M SHERRIFF, P SIMPSON, D SMEETON, B SPIERS, Sis. J STEWART, Bros. M STEWART, J STOREY, M TAJ, Sis. J TAYLOR, M TAYLOR, Bro. P TAYLOR, Sis. A TOLMIE, Bro. H TURNER, Sis. M VANNET, Bros. D WILLIAMS, F WOOD, M WOOD, T WOODHOUSE

EX OFFICIO: Bro. D SIMPSON (Joint General Secretary)
Bro. T WOODLEY (Joint General Secretary)
Bro. L BAYLISS (AGS Finance & Operations)
Bro. T BURKE (Assistant General Secretary)
Sis. G CARTMAIL (Assistant General Secretary)
Bro. D COLLINS (Assistant General Secretary)
Bro. J DROMEY (Deputy General Secretary)
Sis. G HIRSCH (Director of Legal Services)
Sis. D HOLLAND (Assistant General Secretary)
Bro. C MATHESON (PA to Joint General Secretaries)
Bro. L McCLUSKEY (Assistant General Secretary)
Bro. A MURRAY (Director of Policy & Communications)

IN THE CHAIR: Bro. T WOODHOUSE

FIRST DAY, 21ST SEPTEMBER 2009

The Council were advised that Graham Goddard's condition had deteriorated and he is seriously ill. The Chair asked for the best wishes of the Council to be extended to Graham and his family.

Minute
No.471

1. APOLOGIES AND LEAVE OF ABSENCE

Formal permission was requested to be absent from the sessions referred to for the reasons stated:

Name	Sessions	Circumstances
Ian Allinson	Tuesday	TU Business
Paula Burr	Wednesday	TU Business
Ray Bazeley	All sessions	TU Business
David Brady	All sessions	TU Business
Davey Brockett	All sessions	TU Business
Louise Cousins	All sessions	TU Business
Steve Davison	Wednesday	TU Business
Roberta Doble	All sessions	Illness
Dave Dutton	All sessions	TU Business
Jennifer Elliott	Tuesday	TU Business
John Fitzpatrick	All sessions	TU Business
Gill George	Tuesday	TU Business
Mike Gibbons	All sessions	TU Business
Steve Hibbert	Wednesday	TU Business
Brian Holmes	All sessions	Holiday
Andy Johnston	All sessions	Illness
Jane Lewis	Monday	TU Business
Lizanne Malone	All sessions	TU Business
Dave Mathieson	Tuesday	TU Business
Alan Mercer	Wednesday	Illness
Jimmy Neill	All sessions	Holiday
Brenda Pleasants	All sessions	Family business
Neil Sheehan	All sessions	TU Business
Mick Sherriff	Monday	TU Business
John Storey	Monday	TU Business
Pat Stuart	All sessions	Family business
Mohammed Taj	Tuesday & Wednesday	Family business
Mark Thompson	All sessions	Family business
Howard Turner	Tuesday & Wednesday	TU Business
Frank Wood	Tuesday	TU Business
Siobhan Endean	All sessions	Illness
Graham Goddard	All sessions	Illness

Having full appreciation of the circumstances, as reported, the Council

RESOLVED: "That necessary leave of absence be facilitated."

2. ANNOUNCEMENTS

Minute
No.472

2.1 Obituaries

The Chair announced with a feeling of deep sorrow and regret that the undermentioned had died on the date stated:

<u>Name</u>	<u>Designation</u>	<u>Date</u>
Bro. L W Upfold	Retired Officer T&G Section	21.8.09
Bro. M Dando	Senior Organiser South West Region	20.9.09

The Council were grieved to hear the sad news and, tributes having been voiced, the Council stood silent in their places for a period as a token of their respect and esteem.

It was thereupon

RESOLVED: "That a vote of condolence be recorded in the Minutes."

3. EXECUTIVE COUNCIL MINUTES

**Minute
No.473**

3.1 Receipt of Minutes

The Minutes of the Meeting of the Executive Council held on 6th, 7th & 8th July 2009 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

3.1.1 Matters Arising out of the Minutes

**Minute
No.474**

3.1.1.1 Min.411 Construction Sector

A member of the Council referred to the progress in appointing dedicated Construction Sector officers. In response, AGS Les Bayliss advised that a discussion had taken place and an application process is being developed with a request for Officers to apply. This will be formalised over the next week or so. Both Joint General Secretaries highlighted the unique demands of representing and recruiting members within the sector. Whilst supporting the proposal for dedicated officers within the Construction Sector, the monitoring and managerial control for these Officers would need to be decided.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.475**

3.1.1.2 Min.416 Education Report

A member of the Council referred to the bid for the Union Modernisation Fund on vulnerable workers. In response, Joint General Secretary, Tony Woodley advised that the Union had been unsuccessful in the bid as a clear understanding had not been reached on what basis the bid was to be made. The Council member expressed his disappointment that the opportunity had been missed to organise workers in vulnerable areas of employment.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.476**

3.1.1.3 Min.418 Legal Report

A member of the Council reported on a discussion held at the TUC with blacklisted members and the progress on how best to take on cases. A further case was reported where a member in the construction sector was taken on and the manager who employed him has since been sacked, with a warning given to a staff member for not checking NI numbers.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.477**

3.1.1.4 Min.420 Expenses

Members of the Council asked for a progress report on the harmonisation of members' expenses. It was suggested that integration was being damaged because of the differences paid to members in different sectors and activists are raising the issue at the RISCs. In response, Joint General Secretary, Tony Woodley reported on discussions where some progress had been made and that a paper detailing examples of existing Union expenses would be distributed to members of the Council.

Joint General Secretary, Derek Simpson emphasised that progress had been made and agreement had been reached on many areas,

The Council instructed the Joint General Secretaries and F&GPC to meet and bring forward proposals for the November EC meeting at the latest.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.478**

3.1.1.5 Min.432 TUC Motions

A member of the Council raised the question of the procedure for submitting motions to the TUC, in particular, the apparent lack of lay member involvement in the final wording, albeit that the subjects had previously been agreed by the Council. In response, Joint General Secretary, Derek Simpson reminded the Council that the subject matters had been agreed and nothing would be put forward that contradicted union policy. The details also had to be agreed with the other Big 4 unions in order to avoid unions voting against each other and splitting our forces. The lay delegation was also able to take a position on all matters before the TUC.

Joint General Secretary, Tony Woodley commented that all of the delegation performed with great credit on the floor of conference, in the fringe meetings and in the media. He was critical, however, that insufficient members of the delegation spent time in the conference hall leading to empty spaces in our seats. This was echoed by other members.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

4. FINANCE & GENERAL PURPOSES COMMITTEE

**Minute
No.479**

4.1 Receipt of Minutes

The Minutes of the Meeting of the Finance & General Purposes Committee held on 3rd September 2009 were duly submitted.

The following decisions were recorded by the Council arising from their consideration.

4.1.1 Matters Arising out of the Minutes

**Minute
No.480**

4.1.1.1 Min.449 Strategy for Growth

A member of the Council referred to the presentation by the General Secretary and Deputy General Secretary of USDAW to the Regional Secretaries and requested that lay members be in attendance. A brief discussion took place on the continuing industrial differences with USDAW and, in response, Joint General Secretary, Tony Woodley advised that the problems would be picked up.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.481**

4.1.1.2 Min.448 JGSs Report

A member of the Council commented that the Union should redouble its efforts to create a fighting union that will defend members against the attacks that will come if there is a Tory government. The member also referred to the proposed discussion on the frequency of meetings and voiced concern at any proposals looking to reduce opportunities within Unite for lay member participation. In response, Joint General Secretary, Derek Simpson warned of the threat a Tory government would have in terms of the obstacles it would place to membership of trade unions. He drew a parallel with the John Howard government in Australia and the attacks they undertook against unions there.

In reference to the frequency of meetings, Joint General Secretary, Derek Simpson reported that the frequency of meetings is not the problem but getting lay activists to attend is. Attendance at meetings needs to be examined and how to encourage lay members to get involved in the wide ranging and unprecedented opportunities to be involved in decision making.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.482**

4.1.1.3 Min.449 Strategy for Growth

Members of the Council referred to the on-going problems being experienced with the RMT. In response, Joint General Secretary, Tony Woodley reported on the historical nature of the industrial differences and the agreement that had been reached with RMT 2 ½ years ago. He also advised that the totality of unacceptable practices on the part of the RMT would formally be put into the TUC disputes procedure.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.483**

4.1.1.4 Min.463 International Affiliations

A member of the Council referred to the on-going review of affiliations and asked if the F&GPC, when considering the international affiliations, could take into account the reasons for affiliation.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

5. REPORTS OF THE JOINT GENERAL SECRETARIES

The Joint General Secretaries circulated a written report detailing major activities in the Union in the previous two months. In considering this report, the Council determined the following.

**Minute
No.484**

5.1 Strategy for Growth – Organising

The Director of Organising, Sharon Graham introduced the strategy for growth report and gave an update on membership figures from the national organising campaigns. To date, 8,911 paying members have been recruited into Unite this year with 1,451 in Logistics, 3,436 in Food Processing, 894 in Finance in the first phase of the Lloyds Banking Group campaign, 901 in Sainsbury's and 2,229 from Regional targets. Where we are raising key issues for workers, we are finding they are coming to us.

In the Finance campaign, 80 reps have been trained through the combine training. The first conference for Lloyds Banking Group has taken place where the reps agreed the strategy for the organising campaign. Three key issues were raised: an end to the unfair bonus culture; achievable targets and, unpaid overtime. A survey is being undertaken in parallel with the Irish Bank Workers Association and Verdi, which will give useful country comparisons. The second phase of the campaign started on 2nd September where support will be built up for those key issues and others in key target areas.

With reference to the Meat campaign, Asda had brought in 29 of their meat suppliers to a presentation by the Deputy General Secretary, Jack Dromey and told them they will bring in parity pay from November for agency and full-time workers. As a result of that, 22 of the 29 companies have signed recognition agreements. It is unprecedented and Asda are doing this as a business decision based on the expected Equalities and Human Rights Commission ruling on the treatment of workers.

With reference to 2010/2012 targets, the process of identifying potential Organising campaigns is currently focusing on four areas:

- Renewables
- Public Services
- Insurance
- Computer Services

In assisted campaigns, the National Organising Department is giving assistance in the following areas:

- Computer Services
- Nissan
- Book manufacturing

Deputy General Secretary, Jack Dromey supplemented the report and advised that in relation to the Finance campaign, the drive is that bank workers should not have to pay the price for the misdeeds of bankers. Never again should we have bankers bringing the world economy to its knees. Together with the Political Department, the National Organising Department are working on a Treasury Select Committee hearing whereby bank workers

will be going before the Select Committee. With a new regulatory regime for the Finance Sector, the issue of bank workers not being put under intolerable pressure is an issue we would want to raise. DGS Jack Dromey confirmed that potential organising campaigns within Public Services would be with the advice and involvement of AGS Gail Cartmail.

Joint General Secretary, Tony Woodley reported that what is being done now is for the long term, not the short term and winning new activists is crucial. The Finance campaign, both psychologically and in reality, is crucial and we have to be successful in this. This campaign is massively important for Unite. The Joint General Secretaries have agreed the recommendation to harmonise up the contribution rates within the Lloyds Banking Group.

With reference to the 100% campaign, Tony Woodley referred to the presentation by USDAW and advised he will bring to the Executive Council a presentation on our strategy at the next stages. It is important that the 100% campaign gets back on track but with the VR scheme in place, whilst Officers have not left, allocations are being reviewed and the difficulty is in asking Officers to buy into a change of priorities in their allocations when they may not be here in the future.

At the close of consideration, the Council

RESOLVED: "That the reports on Strategy for Growth be accepted."

**Minute
No.485**

5.2 Report of Political Director

A separate written report on Political activities had been circulated to the Council and amplified verbally by the Political Director.

Charlie Whelan reported that, as we are moving towards a General Election, the planning process for Unite is continuing. At the Labour Party Conference, the new Unite website, linked to the main site, will be introduced. This is a tool for activists and is a virtual phone bank. It will allow Unite members to phone other Unite members and experience has shown that this gives a much more positive response.

With reference to Parliamentary selections, many MPs have indicated their retirement and there are a number of constituencies where there are vacancies that can be won. It has been agreed with other unions that, with few exceptions, we will not run candidates against each other in order to maximise the number of genuine working people selected.

Joint General Secretary, Tony Woodley reported from TULO. With reference to Pleural Plaques, there seems to be little movement to overturn the Law Lords' decision stopping members claiming compensation for pleural plaques although we continue to campaign on behalf of our members.

At the Labour Party Conference, we intend to revert back to the previous position of submitting contemporary resolutions, although there remains some debate on the best mechanism for achieving this.

Joint General Secretary, Derek Simpson discussed the general political situation and the difficulties that he and other colleagues had in getting the Labour Government to realign itself with our members' interests. However, in being critical, our criticism is not aimed at defeating Labour, but to get the Government to change its tone and some of its policies in order to get it re-elected.

At a recent meeting of General Secretaries with the Prime Minister at Chequers, both Joint General Secretaries called for better connection with out members. We need to look at people we are supporting for Parliamentary selections to ensure they bring real experience and support our members' aspirations. The only alternative to a Labour Government is a Tory Government which would be a disaster for trade unions and working people.

Joint General Secretary, Derek Simpson proposed that, now the European elections have been completed, our Brussels office should arrange a meeting with MEPs and other like-minded colleagues with a small delegation from the Executive Council being in attendance.

At the close of consideration, the Council

RESOLVED: "That the Political Report be accepted."

**Minute
No.486**

5.3 International Report

A detailed International Report had been previously circulated to the Council and was verbally supplemented by the International Director, Simon Dubbins.

Joint General Secretary, Derek Simpson updated the Council on the Miami 5 and reported that Joint General Secretary, Tony Woodley had been due to visit one of the five in prison but, unfortunately, due to a riot, the prison had been in "lock down" ever since and the visit had been deferred twice. It is now hoped that both Joint General Secretaries will be able to visit the prison in the near future. Further positive meetings had taken place in New York.

The campaign against the EU-Colombian Free Trade Agreement continues. Ecuador, Peru and Bolivia have pulled out of this but the EU has decided to proceed with a unilateral free trade agreement between the EU and Colombia. This was raised at the ETUC and all the principal European trade union federations, on the basis of human rights. As pressure is growing, the Commission is moving faster to proceed to ratification next year. The Canadian parliament has again rejected the proposed agreement.

The Colombian Government has agreed to allow the US to use 5 new air bases and 2 naval bases in Colombia which has led to a heightening of tensions in the region.

Following the coup in Honduras, opposition to the government is growing and being led and co-ordinated by the trade union movement with strikes occurring on a weekly basis. Unite held the first public meeting about the situation in Honduras and an emergency committee has been formed to co-ordinate our efforts and activities.

The Brussels institutions are starting to function again after the summer break, with the Commission now elected for a second term. Following pressure from the socialist group, the Commissioner is now prepared to have a review and look at ways in which the Posted Workers Directive can be adjusted.

The Unite Africa Project is progressing well without too many difficulties and three seminars have taken place.

With reference to Workers Uniting, the first Workers Uniting Paper and Pulp conference took place in Pittsburgh in August with representatives from a number of companies involved with colleagues from the USW in working closely in drawing up bargaining agendas. The USW are involved in strike

action at the largest nickel mine in Canada where the Brazilian owners, Vale, are attacking terms and conditions and pension rights. This could potentially be a long, protracted dispute.

Joint General Secretary, Derek Simpson referred to the USW Vale dispute and advised that if branches wished to give financial support, details can be obtained from the website www.workersuniting.org. He also reported that he had been invited to attend the demonstration at the mine but AGS Paul Talbot had attended to represent Unite.

Workers Uniting has set up a communication link between health care professionals in the USW and Unite. A video has been produced to dispel some of the myths about social health care. AGS Gail Cartmail has been involved in the film rebutting the misrepresentations about the NHS

A member of the Council asked if any relationships are being developed with European unions to become part of Workers Uniting as had been proposed at a previous meeting. In response, Joint General Secretary, Derek Simpson reported that the International Department had been asked to try and engage a European partner but due to the different social model in other countries, such as Germany, this had proved difficult. Dialogue had taken place with two Australian manufacturing unions who are proposing to merge and they have requested a meeting with both Joint General Secretaries later this month.

At the close of consideration, the Council

RESOLVED: "That the International Report be accepted."

6. FINANCE

**Minute
No.487**

6.1 Finance Report

The Unite Finance & Membership Report for the first half of 2009 had been circulated to the Committee and was verbally supplemented by Ed Sabisky.

For the first half of 2009, membership income from contributions totalled £71.6 million, down £2.4 million from the same period of 2008. This equates to in excess of 40,000 paying members. Membership loss is due to the recession starting to show up in the figures, as anticipated.

Legal income was £4.7 million in the first half of 2009, a slight decline versus last year. The F&GPC have recommended a change in policy of where Legal Income is shown. Legal income in the current period and that projected for two years ahead has been included within the calculation of surplus/(deficit) from Contribution Income. As there has always been a risk that this income could disappear and with a General Election coming up, the recommendation is that this income should now be shown as a stand alone figure below the surplus/(deficit) from Contribution Income line as this more accurately reflects the true picture of Unite's finances.

Total recurring expenditure totalled £72.3 million which was £4.7 million less than last year. The cost savings that the Amicus Section have implemented separately are starting to show. The surplus/(deficit) from Contribution Income in the first quarter shows a deficit of £700,000 but in the second quarter, it moves to a surplus of £2.3 million.

Other Income was down £1.9 million in the first half of 2009, reflecting the decline in interest earned on Unite's cash balances and only minimal

contribution from its investment portfolios. Non-recurring items amounted to a net expenditure of £2.8 million, an improvement of £1.4 million versus 2008.

Unite posted an overall surplus of £1.8 million for the first half of the year, which was £1.7 million better than last year.

The results are not so bad, largely due to consequences of action that has been taken, i.e. VR programme at end of last year and cost cutting in the Amicus Section but there are still major issues and membership continues to fall.

Although the Union took action in advance of the crisis hitting, there are still issues to be dealt with regarding the pension deficit.

Liquid assets have fallen from £109.3 million at the end of 2008 to £97.1 million. The stock market is improving but there are significant costs for VR payments to Officers and staff and investment in property is higher than disposals.

The paying membership at the end of August 2009 totalled 1,324 million, down 42,000 from the start of the year.

AGS Les Bayliss reported that, with reference to the Amicus Section, a detailed analysis was given at the last meeting which is now showing in the figures. Liquid assets reflects property which is being reviewed again for discussion with the Joint General Secretaries and it is hoped to have a more detailed property report at the next meeting.

With reference to Retired Members, this is being reviewed for discussion with the Joint General Secretaries with firm proposals being brought to the Executive Council.

Joint General Secretary, Tony Woodley reported on the VR Scheme and reconfirmed what had been said earlier, that nobody has been allowed to leave prematurely. The closing date for applications is 2nd October with 120 applications from the T&G Section and 51 applications from the Amicus Section having been already received. The applications will be reviewed and the implications to the membership and servicing across the regions will be discussed. The details of the scheme were outlined to the Council and a robust and detailed discussion ensued.

A member of the Council requested an update on property and when new offices will be occupied. In response, Ed Sabisky gave an update on Oxford, Portsmouth, Maidstone & Ashford and Crawley offices. Les Bayliss reported that, due to the restructuring with the VR scheme, this will impact on property and a report will be brought back to a future meeting of the Council. He also outlined the position regarding the Twyford office which is owned by the CMA.

In response to a question from a member of the Council regarding benefits, Ed Sabisky reported on what the Council had agreed at the July meeting.

This mostly affects former T&G Scale 1 members and the entitlement to funeral benefit. The decision taken was that funeral benefit was moved from ancillary into core benefits and, therefore, all Unite members are entitled to funeral benefit by right. Amicus members' service will count towards benefits from 2009. Existing T&G retirees will receive and continue to be eligible for funeral benefit that they were previously eligible to receive regardless of whether they elect for active or non-active status. A change that was agreed is that members who retire after 1st September 2009, in order to retain

eligibility for funeral benefit, whether an Amicus or T&G member, it is necessary to stay active and pay 25p contribution per week. Inactive members will not receive funeral benefit.

With reference to active or inactive status, active retirees are eligible to participate fully in the constitutional structures of the Union and will receive expenses, where appropriate. Inactive, members are eligible to vote in the General Secretary election, may attend meetings but do not vote and do not receive expenses paid by the Union for attendance at meetings.

Other current Scale 1 former T&G members will have the entitlement for other benefits i.e. accident or convalescence until April 2011, by which time those benefits cease unless the member opts into the ancillary level.

Information regarding these changes has been communicated to Branch Secretaries and direct debit payers already and letters are currently in the post to check-off, cash, retired or unemployed members. A guide has been issued to Regional administration departments regarding these changes.

At the close of consideration, the Council

RESOLVED: "That the Finance Report be accepted."

5. REPORT OF THE JOINT GENERAL SECRETARIES cont'd/...

**Minute
No.488**

5.4 Report

Joint General Secretary, Derek Simpson reported that National Officer, Doug Rooney has become President of the TUC this year and, Hugh Scullion RO has become General Secretary of CSEU. It was agreed that the congratulations of the Council be passed on to the Officers concerned.

The Joint General Secretary referred to the Post Office dispute and appraised the Council of the history of the CMA and their relationship with the CWU.

The Joint General Secretary also reported that the Council's agreement was being sought for the Bournemouth office to be named "Tolpuddle Martyrs House". The Council agreed.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

SECOND DAY, 22ND SEPTEMBER 2009

IN THE CHAIR: Bro. T WOODHOUSE

5. REPORT OF THE JOINT GENERAL SECRETARIES cont'd/....

**Minute
No.489**

5.4 Report continued/....

Joint General Secretary, Derek Simpson reported that, within rule, the Union were obliged to hold a Policy Conference not later than 12 months after the adoption of the Rule Book which was deferred to 1st May 2009. Provisional arrangements had been made to hold the Policy Conference in Manchester

before 1st May 2010. However, there is going to be a General Election next year with the likely date being 6th May 2010 which would be one week after the Policy Conference. The Council were asked to consider, in the light of what had been described, deferring the Policy Conference to a date after the General Election but no later than July 2010, as this would require a rule change. In addition, a postal vote of the Council members not present would be taken.

The proposal to amend Rule 12.1, as follows; *'In relation to Rule 12.1 sentence 2 delete "within one year following the adoption of these rules" and insert "no later than July 2010"*, was put to the vote of the Council members:

For

Paula Burr (Bartle)
Sean Beatty
Robert Benjamin
David Bowyer
Paul Brewster
Tom Cashman
Willie Coleman
John Cooper
Pat Coyne
Steve Davison
Allyson Daykin
Dave DeLacy
Elizabeth Donnelly
Alastair Fraser
Steve Hibbert
Sharon Hutchinson
Glenn Jackson
Sue Jopson
Jim Kendall
Jane Lewis
Dave Lovelidge
Mark Lyon
Martin Mayer
Ian McDonald
Jackie McDowall
Trevor McDowell
Stuart McGhie
Jackie McLeod
Alan Mercer
Ivan Monckton
John Murphy
Mick Murphy
Dave Nestor
Pat Oliver
Chris Perrett
Mark Plumb
Dave Ritchie
Paulene Robson
Peter Russell
Maggie Ryan
Sue Sharp
John Sheridan
Mick Sherriff
Peter Simpson
David Smeeton
Bill Spiers
Jane Stewart

Against

Mickey Stewart
 John Storey
 Monica Taylor
 Jayne Taylor
 Peter Taylor
 Agnes Tolmie
 Marie Vannet
 Dave Williams
 Mark Wood
 Tony Woodhouse

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Joint General Secretary, Tony Woodley advised that a full discussion on the frequency of Executive meetings would take place at the November meeting. Numerous discussions had taken place regarding administration and the linking in to oversight of our finances and reporting structures laid down within the Union. The JGSs will bring a proposal to the next EC, which will include a proposal that there are 4 Executive Council meetings per year and will address the frequency and ambit of the FGPC meetings. It is suggested that the EC meetings take place in December, March, June and October and a decision will be sought at the November meeting of the Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted in line with the preamble to this Minute."

5.5 Industrial Reports

Minute
 No.490

5.5.1 Vehicle Building & Automotive

Joint General Secretary, Tony Woodley updated the Council on the current situation in GM/Opel/Vauxhall. It had been hoped that, as GM in America is now out of bankruptcy, they would decide to keep the ownership of GM Europe within their own family. However, the announcement was made last week that GM Europe would be sold to Magna. Under the Magna plan, the German plants will stay open and, therefore, the axe will fall elsewhere. This will cause massive problems for Ellesmere Port and Luton but also in Spain. The Government have asked the European Commission to look at the deal as it is against European Grant Aid rules. If the deal fails and the company goes into administration, this could cause major problems with our members pensions. It will be necessary to look at how this is dealt with going forward but we are fighting for the very existence of these plants and the Council will be kept up-to-date as the negotiations continue.

Joint General Secretary, Derek Simpson reported that the Brussels office is already in contact with Spanish unions and an MEP has already raised questions. This issue also needs to be put to the German unions.

Joint General Secretary, Tony Woodley reported that, following the collapse of Visteon, there is a problem with our members' pensions which could go into the Pension Protection Fund. A meeting has been arranged with the Chairman of Ford's, which had owned the company, to discuss guarantees for the pension fund.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.491**

5.5.2 Reports

The Council received a summary of key developments across the following Industrial Sectors:

Motor Components
Aerospace & Shipbuilding
Servicing & General Industries
Metals (including Foundries)
Chemicals, Pharmaceuticals, Process and Textiles
Graphic, Paper & Media
Passenger Transport
Road Transport Commercial, Logistics & Retail Distribution
Community and Youth Workers and Not for Profit
Construction
Health
Local Authorities
Mod & Government Depts
Education

At the close of consideration, the Council

RESOLVED: "To accept the reports."

**Minute
No.492**

5.6 Education Report

A report had been circulated to the Council and was verbally supplemented by the Director of Education, Jim Mowatt.

The Director of Education reported that statistics for all courses have been broken down by gender, ethnicity, age and disability and the individual Regional Education Course breakdowns are available on the website.

The Workplace Reps Certificate Course, after a discussion at the Education Sub-Committee, has been rewritten, piloted and has been well received. Although the course takes 12 days, they can be taken in a variety of combinations and could even be residential.

The Education Brochure together with the course lists are now available and these will be developed as they go along.

One of the major pillars is political education and, following the Durham course, which was a first class success, this will now be rolled out regionally.

A 5-day course for Unite Equality Reps has now been developed which will be rolled out to every Region and country this winter and through 2010.

AGS Les Bayliss reported that with reference to the 36 lay tutors, this is currently under review.

With regard to the restructuring of Educational Organisers, a number of options were discussed with the Education Sub-Committee whose preference was for Option 5:

To have 5 full-time equivalent (8 people) Education Organisers covering:
London & Eastern/South East
East Midlands/West Midlands
North West including Cumbria plus tutoring
North East, Yorkshire & Humberside plus tutoring
Wales plus tutoring

*South West plus tutoring
Ireland (Republic & Northern Ireland) plus tutoring
Scotland (perhaps covering North Sea/Gibraltar) plus tutoring*

Following further discussion, Joint General Secretary, Derek Simpson agreed that the proposed Option 5 could now be proceeded with.

At the close of consideration, the Council

RESOLVED: "That the Education Report be endorsed in line with the preamble to this Minute."

**Minute
No.493**

5.7 Branch Mergers and Changes

The Council were advised of the following Branch mergers and changes within the Amicus Section:

West Midlands

Merge Stoke-on-Trent Branch (0978M) into Stoke-on-Trent Branch (0886).

North East Yorkshire & Humberside

Close Dunston Branch (0337) and transfer membership to Gateshead Central & EESA Branch (0385).

Close Branch (0873M) and transfer members into Durham Branch (0340).

South West

Close EESA Health Service Western Branch (0445) and transfer members into appropriate geographical branches.

Not for Profit Sector

Motion from Faith Workers Branch Executive to move Faith Workers Branch from the East Midlands Region to London Region.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

5.5 Industrial Reports continued/.....

**Minute
No.494**

5.5.3 Equalities

A written report for the Equalities Sector had previously been circulated to the Council. In the absence of AGS Diana Holland and National Officer, Siobhan Endean, the report was noted.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

**Minute
No.495**

5.5.4 Equality Reps Development Project Report

A written report on the UERs Development Project had previously been circulated to the Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

7. LEGAL

Minute
No.496

7.1 Legal Report

A detailed report was submitted to the Council including updates on recent developments in various areas of law. The report was verbally supplemented by the Legal Director, Georgina Hirsch.

A recent decision from the Court of Appeal regarding Local Government Pensions has found that, if members in the scheme are in dispute over pension entitlement, they have to go through the dispute resolution procedure before going to Tribunal. The dispute cannot be litigated in the courts if the dispute resolution process has not been utilised.

In relation to time limits in equal pay claims where there has been a TUPE transfer, as a consequence of a large number of test cases, members are reminded that claims need to be put in within 6 months, even if they are with the same employer.

In a recent case relating to age discrimination involving the London Borough of Tower Hamlets, an employee, in a group at risk of redundancy, was on secondment for an initial period, and the body he was seconded to was agreeable to the secondment being extended. The Council refused this and the Tribunal found that the Council did so because it did not want the employee to reach an age for pension entitlement. This was held to be unlawful age discrimination. Reps should be aware of this in case similar situations arise at their workplace.

In a recent Unite member case for an apprentice in Scotland, the union had succeeded in arguing that where an apprentice was prevented from completing his apprenticeship, damages could include lost of earnings for the full remaining period of apprenticeship and reflect his disadvantage on the labour market.

A judgement of the European Court, *Pereda v Madrid Moilidad SA*, that has not been widely reported, relates to holiday entitlement. This was a Spanish case where the company had fixed holiday leave, in agreement with the union. The employee was sick for the two weeks leave and requested holiday at another time but the company refused. The judgement found that sick leave and holiday leave is different and if you have holiday booked but are sick, you should be able to take leave at another time, so far as is necessary to allow you the holiday entitlement due under the Working Time Directive (i.e. note that when the 4 weeks holiday has been taken this case will cease to be relevant for the remainder of the worker's leave year).

The Director of Legal Services gave a very detailed report on the Metrobus case that was lost at the Court of Appeal and highlighted that a single procedure covering both sections will be introduced to prevent this happening in the future. The key points from the Metrobus case (which entail changes to the T&G procedure) include:

In relation to each of the points the Court of Appeal found:-

Notification of Outcome of Ballot - The Court of Appeal upheld Mr Justice King's decision and decided that the union could have and should have notified the Company about the outcome of the ballot as soon as the result was received. There was no need to wait for the general secretary's endorsement to commence industrial action. This was a self imposed requirement by the union. [It is understood that T&G Head Office staff had not required that step for some time, but it was cited in the witness statement of

the staff and officer involved and was relied on by Counsel as part justification for our delay.]

Information Supplied to Company - The Court of Appeal upheld Mr Justice King's decision. The Court of Appeal did not accept that the union was able to comply with this section by following the (2C route). Judge Lloyd said that the union cannot avoid the obligation to provide an explanation of how the figures were arrived at, all three notices were deficient in this respect.

Inaccuracy of Figures (De Minimis Point) - The Court of Appeal found in favour of Unite, the error relating to numbers was found to be de-minimis – i.e 10 out of 850 is not a big enough error on its own to remove protection for the action.

Effect of Article 11 (Human Rights – right to strike) - The Court of Appeal rejected any arguments relating to UK/EU incompatibility - The Court of Appeal decided that current obligations/ procedures placed on a trade union before industrial action may be commenced are proportionate. Lord Kay was quite robust on this point he said that in this country *"the right to strike was no more than a metaphor"* and that the right had not been *"bestowed by statute"*. His view was that legislation has provided limited immunities from Tort.

Requirement to notify employer of outcome of ballot even if not calling strike – This has been specified as a technical requirement however the new procedure will reflect the strategy orally agreed at the meeting.

An EC member raised a concern about ballots which had had to be abandoned. It was noted that problems had arisen, particularly in July, where officers had failed to follow the revised T&G section guidance. When the new Unite wide procedure is introduced training should be given to all officers, and it is imperative that all officers/others involved in ballots follow guidance, and keep in close contact with, those coordinating the ballots from the legal department.

A vote of thanks was given to Lorraine Diales who had been faultless in following T&G procedures and guidance, and had been under great pressure arising from the number of ballots and imparting the implications of the Metrobus decision so as to maximise the union's chances of running ballots without fear of challenge thereafter.

Also in relation to industrial action ballots: the cancellation of the August action re First South Yorkshire was explained, and the fact that the union had settled the Centre West claim was noted.

A problem had occurred at Bridge Aluminium Foundry where the Branch had only one signatory to the branch account and that person had disappeared with £17,000. Branches should note the dangers of only having one signatory, and all branches should ensure that they have at least two signatories to branch accounts, and those two should not be in a connected relationship which risks collusion.

The Legal Director reported that Joint General Secretary, Tony Woodley had discussed in some detail at the F&GPC, the high legal cost implications of the Jackson Review. The review is to look at claims and legal costs which are disproportionate and will be finalised in December. The written report also covered the new claims process for lower value cases, and the Advisory Committee on Civil Costs, both of which, together with the Jackson review, the union has been influencing through the involvement of John Usher.

The Legal Director updated the Council on the Gate Gourmet Appeals which had been lost at the EAT.

A member of the Council referred to the blacklisting employment tribunals which were being combined and sent to Manchester. In response, the Legal Director advised that she had liaised with the solicitors running our cases, and the Union would be opposing the joiner of unrelated case and their referral to Manchester. Interim hearings for review were coming up on various cases.

The Legal Director advised the Council that they were required to take decisions on several issues. One was in relation to disciplinary action involving a former T&G Section Branch in Scotland. Disciplinary action started under the old rules have to be finished under the old rules and, in this case, the Council agreed to delegate authority for the F&GPC to hear this case.

The Personal Injury Assessment Board (PIAB) is only applicable in the Republic of Ireland. The scheme is designed that people do not need a lawyer to help them and when it was first introduced, the Amicus Section had an arrangement with a firm of solicitors to help members fill in forms and paid them €500 per case. The T&G Section did not do this. A common policy is required and it was agreed that the Union continues to support relevant court claims but does not support claims or appeals to the PIAB.

With reference to the Telephone Advice Line, there have been problems with timely referrals of PI cases through the T&G system of staff entering LD1s in the regions. The system will be changed so that First Assist refer cases direct to the solicitors firm allocated to the branch, so as to both save staff time and improve the timeliness of service to members. This would not prevent regional staff entering LD1 form details where forms come in via the regional office. The Union will be moving to one PI claim form which captures information as necessary for both predecessor sections. Cases will continue to be allocated to firms by predecessor sectional arrangements, but it will allow Unite-wide PI claim promotion.

Where members are recruited using material in other languages, we are creating a legitimate expectation that those members be serviced in those languages. We do need to provide translators for legal hearings and ensure adequate translation for internal hearings. It is suggested that it be paid for by the member's Region, however this is subject to amendment by those in charge of finance and the JGSs.

For foreign claims and defences: the Union will not take or defend claims for members outside of the UK. In exceptional such cases, they will be taken or defended on the authority of the EC directly, or a Joint General Secretary using the delegated authority of the EC. Members of the Council raised the question of lorry drivers and service engineers who travel abroad to work and whether they would be covered. The Legal Director responded and said the rewording of this would be looked into.

At the close of consideration, the Council

RESOLVED: "That the Legal Report be accepted and agreed in line with the preamble to this Minute."

**Minute
No.497**

7.2 EC Guidance on Discipline of Members – Rule 27

Joint General Secretary, Tony Woodley advised the Council that the document had been amended as discussed at the previous meeting. The

proposal was that the document should be accepted and the procedure would be monitored in the light of practice and could be amended by any future EC if the remaining concerns of some EC members proved to be a problem in practice.

Further discussion ensued with members of the Council expressing their concerns that the document should be redrafted. The Director of Legal Services advised that many of the amendments suggested by EC members as noted in the paper would, in her view, put the union at very significant risk, and she did not think it appropriate to redraft the paper accordingly. Joint General Secretary, Derek Simpson highlighted potential problems if there was not a procedure in place and reiterated that the procedure would be monitored and changes could be made. The problems included the likelihood of CO and Tribunal challenges if no procedure was in place.

Approval of the draft guidance was put to the vote of the Council:

For

Paula Burr (Bartle)
Robert Benjamin
David Bowyer
Paul Brewster
Steve Davison
Dave DeLacy
Elizabeth Donnelly
Alastair Fraser
Steve Hibbert
Glenn Jackson
Jim Kendall
Jane Lewis
Dave Lovelidge
Stuart McGhie
Alan Mercer
Dave Nestor
Peter Russell
Mick Sherriff
Peter Simpson
David Smeeton
Bill Spiers
Mickey Stewart
Peter Taylor
Agnes Tolmie
Mark Wood
Tony Woodhouse

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Against

Sean Beatty
Tom Cashman
Willie Coleman
John Cooper
Pat Coyne
Allyson Daykin
Sharon Hutchinson
Sue Jopson
Mark Lyon
Martin Mayer
Ian McDona1l
Jackie McDowall
Trevor McDowell
Jackie McLeod
Ivan Monckton
John Murphy
Pat Oliver
Chris Perrett
Mark Plumb
Dave Ritchie
Paulene Robson
Maggie Ryan
Sue Sharp
John Sheridan
Jane Stewart
John Storey
Jayne Taylor
Monica Taylor
Marie Vannet
Dave Williams
Frank Wood

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At the close of consideration, the Council

RESOLVED: "That the EC Guidance on Rule 27, Member Discipline, was not approved."

**Minute
No.498**

7.3 Disputes, Industrial Action Ballots and Repudiations Report

The Council were advised that under Rule 3.3, the Executive Council's power shall enable inter alia the authorisation of industrial action, approval of dispute benefit and repudiations for the whole Union (covering both Sections). In accordance with this, written reports detailing all relevant information were circulated to members of the Executive Council, copies having been filed on the records of the EC.

Joint General Secretary, Derek Simpson referred to the USW dispute in Canada and the earlier decision by the Council to give support to the USW. The endorsement of the Council was sought for a donation of £25,000 to be made in support of the USW dispute.

At the close of consideration, the Council

RESOLVED: "That the Disputes, Industrial Action Ballots and Repudiations Report be adopted and the donation of £25,000 to the USW be endorsed."

5. REPORT OF THE JOINT GENERAL SECRETARIES cont'd/....

5.8 Constitutional Committees

**Minute
No.499**

5.8.1 Outstanding National Industrial Sector Committees

Deputy General Secretary, Jack Dromey reported that this had been a huge organisational task with 365 constitutional committees in the process of being elected and significant problems had been identified.

All National Industrial Sector Committees outstanding from the last Council meeting had now been resolved and endorsement for the proposals was sought in relation to:

Docks, Rail Ferries & Waterways,
Finance & Legal
MOD & Government Departments
Health

At the close of consideration, the Council

RESOLVED: "That the proposals be endorsed."

THIRD DAY, 23RD SEPTEMBER 2009

IN THE CHAIR: Bro. T WOODHOUSE

5. REPORT OF THE JOINT GENERAL SECRETARIES cont'd/....

5.8 Constitutional Committees cont'd/....

Minute
No.500

5.8.2 Regional Industrial Sector Committees

Deputy General Secretary, Jack Dromey reported that the process is only half way through and varies from region to region and sector to sector. The two fundamental problems that had been identified were:

- attendance at conferences
- significant and unacceptable evidence of a failure to comply with Executive guidelines.

On identifying what should be done at the next stages to rectify the problems, the starting point is the Joint General Secretaries making it clear to Regional and National Secretaries that the guidelines drawn up by the Executive Council must be complied with.

On attendance, there is a problem with a lack of activism and Unite has to build that. Mailing lists are not necessarily up-to-date but the Regions have been told that mailing lists of those to attend must be updated. Now, and for future reference, mailing lists must be comprehensive and accurate to enable members to attend conferences and play a part in the Union.

Issues had arisen with the application of Rule 6 with examples given to the Council. The position taken is that members who have been out of work for many years are not eligible, under Rule 6, to attend conferences.

Monitoring has shown that there are too many examples of a breach of guidelines and, if a committee has been elected in breach of these guidelines, we will have to "unpick" that.

It is clear there are going to be many committees with large numbers of vacancies. It may be in exceptional circumstances that the process was flawed and the conference will have to be re-run. In addition, a mechanism is needed for a by-election to fill the places as there cannot be a breach of guidelines for constituencies. Discussions have commenced as to how that may happen.

Joint General Secretary, Tony Woodley reported that no-one has ever undertaken such a huge democratic task in any union in this country. We should not be disappointed as there are many good examples and, looking at it in a constructive way, there are a number of things that can be acknowledged as having gone right.

Joint General Secretary, Derek Simpson reported that, in talking about things having gone wrong, there are not enough activists and they are often dispersed in smaller workplaces. Our solution is to try and establish the most lay democratic structure that has ever existed. It is a learning process and, when the structure is right, that is when it will be a real lay democratic union. The next generation will come through the structure being laid down now and, if that is right, that is the lifeblood, not just of the Union but the labour movement going forward. He reiterated that the problems will be addressed region by region, sector by sector and, where Regional Industrial Sector Committees have been elected in contravention of rule, that will either be unpicked or re-run. A procedure is needed whereby concerns can be redressed and addressed and that is why we have put in place appeals mechanisms.

Adrian Weir reported that, to ensure that the Regional Committees were fully representative of all the constituencies, it had been necessary to make the Youth Forum operational as each Youth Forum is eligible to send a delegate

to the Regional Committee and the Regional Political Committee. The only outstanding business on Rule 9 will be Youth Committees.

A full and detailed discussion ensued with members of the Council reporting on the problems that had arisen in their Regions and Sectors.

In concluding the discussion, Deputy General Secretary, Jack Dromey reported that a review will take place in two stages. The first stage, proposed by the Joint General Secretaries, that a report be given to the November meeting of the Council on the outcome of the process underway. The second stage is then to learn lessons for the future, in 2010.

A member of the Council referred to an issue that had been raised at previous Council meetings relating to geographical branches. Rule 12.6 refers to Regional Industrial and Equality structures but guidance was sought on how the rule can be implemented in regard to geographical branches. In response, Joint General Secretary, Derek Simpson reported that Rule 12.6 deals with motions to the Policy Conference but the issue of geographical branches and how delegates are elected to the Policy Conference is being worked on but the details are not yet available. This will be brought to the November meeting of the Council.

A Guide for Officers and Staff for the convening and conduct of Regional Young Members Forum had been circulated to the Council for their endorsement and this was agreed.

The Appeals Procedure had also been circulated to the Council for their endorsement and this was agreed.

Rule 10: Members in Retirement had also been circulated to the Council for their endorsement and this was agreed.

At the close of consideration, the Council

RESOLVED: "That the reports be endorsed in line with the preamble to this Minute."

**Minute
No.501**

5.8.3 National Women's, Black, Asian & Ethnic Minorities, Disabled Members, LGBT and Young Members Conferences

A document had been circulated to the Council and was verbally supplemented by AGS Diana Holland.

Due to the timeframe of the first Regional Conference being held in the first week of October, it is necessary to agree details for the National Conferences. The proposed scheme of representation follows the same process as agreed for National Industrial Sector Committees. It is proposed that the Conferences take place in Spring 2010 and are held as separate conferences.

A member of the Council suggested that all women on the Executive Council, who wish to, be able to attend the conference. In response, AGS Diana Holland advised there would be further consultation between the two former sections on this particular issue and it would be brought back to the November meeting of the Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted."

Minute
No.502

5.8.4 National Industrial Sector Conferences

A document had been circulated to the Council and was verbally supplemented by John Gibbins.

The Standing Orders for the conferences are continuing to be discussed as they have implications for the way in which the Policy Conference is organised and they will come to the November meeting of the Council.

There will be a single Standing Orders Committee and it will be comprised of EC members, 5 per former section with at least one woman member. This is an interim proposal for the Standing Orders Committee but, for the Policy Conference, it will be necessary for the Council to agree a procedure for electing a Standing Orders Committee based on regional representation. There will be a full report given to the November meeting of the Council.

Deputy General Secretary, Jack Dromey proposed that a mechanism be agreed whereby the National Officer and the Chair of each National Sector Committee could liaise with the Standing Orders Committee. This proposal was opposed by Tom Cashman but agreed by the other members of the Council.

There is a proposal for a system of electronic voting to be used for the 2010 Policy Conference. The system will be demonstrated to the Executive Council.

In response to a question regarding Branch elections, the Deputy General Secretary advised that proposals would be brought to the November meeting of the Council.

At the close of consideration, the Council

RESOLVED: "That the report be accepted and the following nominations be made for the Standing Orders Committee:

Amicus Section: Jane Lewis, Elizabeth Donnelly, Robert Benjamin, Paula Burr, Dave Lovelidge

T&G Section: Ivan Monckton, Jayne Taylor, Allyson Daykin, Mick Murphy, Dave Mathieson."

RESOLVED: "That the report of the Joint General Secretaries (as recorded in Appendix 1 of these Minutes) be adopted."

Minute
No.503

8. CORRESPONDENCE INCLUDING RESOLUTIONS FROM REGIONAL & NATIONAL COMMITTEES

Joint General Secretary, Derek Simpson reported on items of correspondence that had been received containing resolutions. Pending the election of the new constitutional committees, each item was individually considered by the Council and the responses verbally amplified.

Pensions - Resolutions were submitted by the Fujitsu Combine Committee and the Greater Manchester IT Branch 9827 and called for the Union to step up its campaigning on pensions. In response, the resolution was fully supported.

Labour Party Financial Support – The resolution was submitted by the Joint Management/F&GPC North West Region and called for the Union to look at an alternative approach to financial support for the Labour Party. In

response, the resolution was opposed and it was agreed to bring the resolution back in an amended way.

Branch & Members Expenses – Resolutions had been submitted by the Joint Management/F&GPC North West Region and the RISC Aerospace & Shipbuilding, North East Yorkshire & Humberside and called on the Union to standardise allowances as soon as possible. In response, it was agreed that the resolutions be left on the table whilst the review is on-going.

Manufacturing Industry – The resolution was submitted by the Doncaster 0308 Branch and called on the Union to direct Government financial support to assist UK jobs and manufacturing industry. In response, the resolution was supported.

Transfer of Craft Workers to Green Book Pay & Terms & Conditions – The resolution was submitted by the Local Authority Building Craft Representatives and called on the Union for political support and involvement in campaigning and lobbying. In response, the principle was supported together with the preservation of the Red Book.

Finance - The resolution was submitted by the 1/742 Branch and was subsequently withdrawn.

At the close of consideration, the Council

RESOLVED: “To accept the reports in line with the preamble to this Minute.”

**Minute
No.504**

6. FINANCE continued/.....

As previously requested, a further document had been circulated to the Council clarifying Funeral Benefit and Active and Non-Active Members. A member of the Council referred to T&G Section Free Card and sought further clarification as no agreement had been given regarding removal of the Free Card. It was proposed that the document be rewritten to include the points of clarification.

At the close of consideration, the Council

RESOLVED: “That the report not be accepted.”

9. ANY OTHER BUSINESS

**Minute
No.505**

9.1 Rules Conference

A member of the Council referred to the timing of the Rules Conference in connection with the elections for the next Executive Council. In response, the Council were advised that a report on the Rules Conference would be given to the November meeting of the Council.

At the close of consideration, the Council

RESOLVED: “That the report be accepted.”

Joint General Secretary, Tony Woodley reminded the Council that the memorial celebration for Jack Jones would take place on 5th October 2009 starting at mid-day at the Festival Hall in London.

**Minute
No.506**

Documentation

The Executive Council noted that all documents specified within the Minutes had been circulated to all members of the Council and were filed on the records of the Council.

**The Meeting of the Council
thereupon terminated**

UNITE THE UNION
JOINT GENERAL SECRETARIES REPORT
TO THE EXECUTIVE COUNCIL
SEPTEMBER 2009

Dear Colleagues,

The recent period has been dominated, as it is every year, by the conference season. At both the TUC and Labour party conferences, Unite has fought for proposals promoting our progressive policy agenda, particularly on tackling the recession and saving jobs.

There can be no doubt that these are the issue uppermost in the minds of Unite members - keeping jobs, securing their homes, maintaining pay and conditions. Government action to address these issues is essential not just in the interests of social justice and equity, but also in order to give Labour a fighting chance of winning a fourth term in the general election due next year.

The government has taken steps in the direction of addressing these concerns. The increase in house building, for example, is very welcome, both for the construction industry and for those suffering from the housing shortage. However, such initiatives are still too scatter-gun, and the government has yet to develop a coherent narrative based around state intervention to overcome market failure, the sort of narrative that could really convince ordinary people that the government is on their side in these difficult times. Meanwhile, we can see signs of a return, barely a year on from the crash, of the disgraceful and deeply damaging bonus culture in the City. Strong action to stop this would send a clear message that the world has changed.

Unite members understand that the Tories will do nothing to address peoples' real concerns. Indeed, they are already trying (with some success) to shift the debate on from the failures of capitalism to public sector debt. We must not allow them to set the agenda for the election as being around which party can cut most and fastest from public services. Gordon Brown's commitment to defend front-line services is welcome in this context. Building on this, we are confident Labour can take the fight to the Tories with greater vigour over the coming months.

In all this, we have only one principle - defending our members' interests. Day in, day out, our union is the front line and sometimes the only line between millions of people and economic catastrophe. For all the difficulties and irritations which come from putting in place the new integrated structures and methods of operation, we can take pride in the work Unite does - in the workplace, in politics, in campaigns, in organising and internationally - on behalf of the working people of Britain and Ireland.

STRATEGY FOR GROWTH

ORGANISING DEPARTMENT

Progress over the Summer

You will remember that the National Organising Department reported to the July meeting of the Executive Council that we were behind target because problems had been encountered in some Campaigns and because we were launching the major National Organising Campaign in the Finance Sector later than had originally been planned because our very strong view was that we needed to take time to get it right. With the necessary action having been taken by the National Organising Department, we are pleased to report that, since the July Executive Council and over what is the holiday period, 2,938 new members have come into the Union through our National and Regional Organising Campaigns. As of week ending 5th September, 8,738 new members have been organised in 2009 and over 100 new Shop Stewards elected.

Finance

The National Organising Campaign, targeting the Lloyds Banking Group, has now been launched, Led by the Director of Organising, Sharon Graham, and working in partnership with our Finance Sector, the Campaign has got off to a good start with 861 new members in Phase 1 alone. Phase 1 is the preparatory first contact stage leading then to Phase 2 which is to test the key issues that have been identified by our lead lay representatives, then mobilising towards what we call collective sign-up. That approach is a tried and tested one, designed to lay the ground well for what then becomes very significant membership gains. The figure thus far in the preparatory stage is very good indeed and points to the immense potential that we have always believed there to be in the Finance Sector.

In saying that, big job losses are taking place in the Finance Sector, 7,500 in the Lloyds Banking Group alone. Our very strong view remains, however, that this is precisely the time that we should be seeking to build on our strong historic base in the Finance Sector to organise tens of thousands of workers, taking advantage of the immense potential, not least because workers in the Finance Sector have never needed a strong and effective union more. And in terms of the gains that we make in what is an ever changing situation, we are as normal monitoring each member organised and only reporting on gains made when the forms have been received and activated on our system as paying members.

The Finance Campaign will be a dominant strategic priority for Unite. In preparation for the launch, five separate Planning Sessions took place with over 80 lay representatives going through in depth training, involving them in the planning of the Campaign both locally and nationally. The first full Lloyds Banking Group Combine then took place in July at the Eastbourne Centre and it was the lay representatives themselves from Lloyds who identified the key issues that will be central to the Campaign as follows:

- An end to Unachievable Targets
- An end to the Bonus Culture
- An end to the unfair practice of Unpaid Overtime

The resources of the union have been mobilised in support of the Campaign, with monthly meetings involving the Deputy General Secretary, Director of Organising, the Finance Sector and our various key Departments. A detailed campaign timeline of actions has been developed, planning initially six months ahead as part of a Campaign in the Finance Sector that will be a priority over the next 2 to 5 years.

Finally, the Finance Sector and the National Organising Department are in addition taking every opportunity to champion the cause of finance workers on other issues, including arising out of the devastating findings of the Inquiry conducted by the Equalities and Human Rights Commission into Sexism in the City. Half of the workers in the Lloyds Banking Group alone are women. Yet there is a massive gulf on pay and in particular bonus arrangements. Further, with the growing pressure on our members who are bank workers as a consequence of the scandalous behaviour of bankers in the boardrooms, there is a threat to family friendly practices and part time working arrangements. We will not allow our members who are women to pay the price for the mistakes made by bankers, driven by greed that brought the world's finance system to its knees.

Logistics

Led by Lead Organiser, Dessie Henderson, 1,433 new members have been organised since January 2009. Targeting the Grocery Logistics Supply Chain because of our potential leverage with the Supermarkets, the field campaign is now fully operational with members coming into the union from a number of the core logistic hubs. What is now a fully functioning Logistic Combine has agreed its strategy, central to which is organising to win Minimum Standards Agreements, guaranteeing fair and equal treatment of all workers and ending the exploitation of agency workers and the undercutting of the directly employed. Those Agreements will be tabled with each company when we reach our target of 65% density along the supply chain because we will then be able to proceed from a position of strength.

Finally, the next full Combine will take place on 25th September.

Food Industry

Led by the Director of Organising, Sharon Graham, 3,338 new members have been organised since January 2009. Central to this Campaign, initially in the Meat industry, has been that same objective of equal treatment of agency workers and the directly employed. Dramatic progress is now being made as a consequence of three things:

- The development of strong and effective organisation across a Sector employing 50,000 workers, with collective bargaining density of 89% in White Meat and 53% in Red Meat.

- The use of leverage from the Supermarkets, with our arguing that they have a duty to ensure that those who supply to them treat workers fairly and equally.
- The ground-breaking Inquiry of the Equalities and Human Rights Commission into that two-tier labour market in the Meat Industry, designed to end what we have called structural discrimination and lead to equal treatment of all workers. As a consequence of our strong organisation, we have been able to present the Commission with powerful evidence of past abuse and wrongdoing, which has led to division in the workplace and damaged social cohesion in the community.

Dramatic progress is now being made, including:

- ASDA has taken the lead, insisting that in future all of its suppliers in the Meat Industry should move to equal treatment of all workers, including on remuneration. Following a presentation by the Deputy General Secretary, Jack Dromey, to senior executives from all of the suppliers to a meeting in Leeds on Friday 5th September, hosted by ASDA, the Director of Organising will now meet with ASDA and all suppliers on a one-to-one basis as part of a tripartite process through October leading to Minimum Standards Agreements in all ASDA contracts with their suppliers from November.
- The Tesco AGM in Glasgow in July saw, in an unprecedented move, 1 in 5 of the Tesco shareholders refusing to back the Tesco Board on a motion sponsored by Unite and the UFCW, supported by the West Yorkshire Local Authority Pension Fund, criticising that two-tier labour market and calling for action by Tesco along its supply chain.
- The Equalities and Human Rights Commission is scheduled to report in the late autumn. At a separate presentation by the Deputy General Secretary to all of the suppliers to Marks and Spencer, the EHRC has confirmed that they have established a powerful body of evidence of abuse and discrimination in the Industry, causing the Commission grave concern.

Finally, as we move towards exiting the Meat Industry Organising Campaign, moving on to other areas in Food, for example, Fresh Produce, then not only will we leave behind up to 20,000 new members and hundreds of new Shop Stewards, but also we will have had a profound impact on private sector supply chain management. Whenever there is talk of the use of the power of procurement, the focus tends to be on public sector procurement and understandably so. But 80% of the workforce is employed in the private sector. What we are doing in, first, Food and now Logistics is of immense importance because it is designed to establish that same key principle and that is that those with power, be it Government or be it the Supermarkets, should use that power to ensure high standards of employment along their supply chains.

Building Services

Good progress continues to be made in what has been another ground-breaking Campaign and that is Justice for Cleaners in the City of London and Canary Wharf. There are nearly 2,000 Unite members in the two Cleaners' Branches in London.

Crucially, the process of implementation of Fair Share has now commenced. Fair Share was central to the Agreements that we concluded with each of the major contractors. September sees the first contract moving onto Fair Share and that is the OCS contract in KPMG, employing 105 employees.

Books in The Print Industry

The National Organising Department and the Graphic, Paper and Media Sector are working in partnership on two Campaigns targeting Gardners and Bertrams Books. The key leaders and issues have been identified in both companies and those lay representatives will now be brought together in October as part of the planning of the Campaign to be launched in due course. On this front also, the leverage of the Supermarkets will be of the highest importance because of the vast quantities of books that they now sell. Further, so too will WH Smith who we will ask to accept their responsibility to ensure fair treatment in the companies that supply the books that stock their shelves. The Supermarkets and WH Smith are all signatories to the Ethical Training Initiative Base Code and have, therefore, clear obligations.

Japanese Cars

Dialogue continues between the National Organising Department and our members in the Japanese Car Plants. In Nissan, the National Organising Department is working with our members and their Convenor, Mick Sheriff. Building on the excellent work done over the past 18 months and taking advantage of the upturn in production in Nissan, the next stages of the Campaign are being planned. In Honda, again, building on the good work done thus far, the new stewards will be trained as part of strengthening our organisation and growing the union, winning for the members.

2010/2012 Targets

Central to our approach is constantly planning ahead for the next two to five years. In consultation with the Regions and the Industrial Sectors, we will progressively move forward examining potential targets for the future. That process necessarily involves detailed dialogue and research before we bring forward any proposals for a National Organising Campaign. That process is currently focusing on four areas:

- Renewables
- Public Services
- Insurance
- Computer Services

In all four areas, there is immense potential but, as ever, we need to get it right. To take but one example, Renewables, as a consequence of the fiasco over Vestas, following a proposal by Unite, the Secretary of State for the Department of Energy and Climate Change, Ed Milliband, convened a high level summit of the Industry on 8th September. Deputy General Secretary, Jack Dromey, and Assistant General Secretary, Gail Cartmail, led for our Union, with progress at last being made on

bringing together the progressive drive for Renewables with an industrial strategy to ensure that our manufacturing industry benefits, creating jobs here in Britain. If Spain and Germany can do it, so too can we in the UK. And we want to see the workers concerned join Unite, the Union that has driven this agenda.

Assisted Campaigns

In addition to our National and Regional Organising Campaigns, the National Organising Department is giving assistance in the development of what is effectively an industry-wide 100% Campaign in a key sector, Computer Services. Following discussions between the Director of Organising and Peter Skyte, National Officer for IT and Communications, a workshop is planned for 17th and 18th September, bringing together our lay representatives from the following companies:

- Fujitsu
- HP/EDS
- Steria
- IBM
- CSC

The Campaign will be led by the Sector but developed with strategic assistance from the National Organising Department. This initiative points to the potential of what we can do in future in other industries and sectors where the Organising Department assists the Sectors concerned to strengthen our organisation, grow the membership towards 100% and win for the members.

POLITICAL

The Joint General Secretaries Report covering the work of the Political Department is contained in a separate paper circulated to the Council. This also includes a report on the activities of TULO.

INTERNATIONAL

Miami Five

UNITE Joint General Secretaries Derek Simpson and Tony Woodley traveled to the US in order to progress the campaign to achieve justice for the Miami Five. Although permission was gained to visit one of the five in a Californian prison, this was ultimately rendered impossible due to unrest in the prison.

However, with the assistance of UNITE AGS Jimmy Kelly, a meeting did take place with former UN High Commissioner for Human Rights Mary Robinson. The aim of meeting was to enlist her support for the campaign and for her to potentially influence the future position of the US administration.

EU-Colombia Free Trade Agreement – US Bases in Colombia

The European Union has now moved away from a regional agreement with the group of Andean countries and is pushing full steam ahead with a bi-lateral free trade agreement with Colombia. Unite has been instrumental in leading the campaign against this agreement and has been behind motions passed at the ETF, EMCEF, EMF, UNI-EUROPA and EPSU. The issue was discussed at the July ETUC Executive and the ETUC has now urged all national confederations and affiliates to campaign hard against the agreement that his being prepared. Meetings with the TUC have also taken place and the TUC is using its influence with other national trade union centers to build opposition to the agreement.

The NEC should also take note of the decision of the Colombian Government to allow the US to use 5 air bases and 2 navel bases, and the extent to which this has led to a dramatic heightening of tensions in the region. An emergency meeting of the Latin American heads of states took place to discuss the issue, and, in the wake of the Honduran Coup, fears are extremely high that this is a prelude to exerting greater pressure on the regions progressive governments – particularly those of Ecuador, Venezuela and Bolivia.

Honduran Coup

UNITE hosted the first official meeting to discuss the crisis in Honduras during June 2009, at which it was decided to establish an emergency committee to coordinate support for the Hondurans opposing the coup. The situation in Honduras remains extremely tense following the coup d’etat during June 2009. Opposition to the coup remains strong with the Honduran trade union movement playing the central role in coordinating the opposition and staging weekly work stoppages, the economic impact of this has led a number of leading multinationals operating in Honduras to call for the return of the legitimate government.

We are currently in the process of establishing contact with key people in the Honduran resistance movement through our colleagues in the USW and are also examining the possibility of inviting someone over to the UK later on in the year.

TUC Palestine Motion

The FBU submitted a motion to the TUC Congress calling for more action to be taken in support of the Palestinians and more actions to be taken against the Israeli government. The motion was coordinated by the Palestinian Solidarity Campaign and UNITE was involved in the process and took part in the initial discussions at the TUC during July. The text of the motion is very much in line with the statement passed at the UNITE NEC meeting in January, and was supported by a number of other unions. The GMB has submitted substantial amendments aimed at seriously diluting the motion.

G20 – Global Financial System – Tobin Tax

The meeting of G20 Finance Ministers took place on 4th September and concluded with agreement to examine ways of linking bankers' bonuses to long term performance rather than short term gains, and to continue with the spending stimuli in order to boost economic growth. German and French support for mandatory limits on bankers' bonuses was defeated with the UK arguing it was impractical and would damage the City of London as a financial centre.

Lord Turner - Chief Executive of the Financial Services Authority – argued during the last week of August for the introduction of a Tobin Tax to deal with the excesses of the financial markets and to finance poverty reduction programmes - a long standing call of many trade unions and the UNITE affiliated campaign 'Stamp Out Poverty'. This was however ridiculed by the City of London and dismissed by the UK Government, despite finding support in France and other areas.

Preparations for the G20 summit in Pittsburg are underway although this time there is no mass union demonstration planned in response to the latest summit meeting. Unions continue to push for reforms and greater controls of the financial system but – along with the ILO - remain excluded from the discussions themselves.

Europe, Lisbon referendum, financial regulation and ETUC Executive

Following the European elections in June and the summer break the European institutions are now beginning to function again. It is highly likely that Barosso will be re-confirmed as the President of the European Commission in the coming weeks and that he will have a strengthened right wing group in the Parliament.

The ETUC Executive Committee continued discussions on the response to the economic crisis, and, although acknowledging setbacks in the support for social democratic parties in Europe as a whole, the ETUC remains of the view that the existing balance of forces leaves room to influence and shape policies if lobbying is targeted accurately and effectively.

The repeated Irish referendum on the Lisbon Treaty is due to take place this October and if a 'yes' majority is achieved then the new Treaty will come into force in 2010. The new Treaty brings in a number of important changes most notable of which is the establishment of a new fulltime President of the Commission who is able to serve two

2 year terms – there are strong media reports that Tony Blair is currently the favourite to obtain the post.

The European Union is planning new legislation to deal with financial regulation and the ETUC and UNI-Europa are establishing a working group of experts to deal with this issue. The UNITE finance sector has recommended a trusted expert to take part in this group and help draw up responses to the Commission's proposals when they are tabled.

UNITE Africa Project

The UNITE Africa Project (which receives support from the Department for International Development) continues to make excellent progress. The three national country seminars in Zambia, Swaziland and Malawi are now all complete and the first extensive training session took place in Johannesburg during July. The training session focused on organizing techniques that will help form the basis of the national seminar that will take place in the later part of 2009 and beginning of 2010. A further project for national activities is being prepared for submission during September 2009.

WORKERS UNITING

Paper and pulp conference

The first Workers Uniting industrial sector conference took place in Pittsburgh in August. Unite reps from three paper companies in the UK joined colleagues from all over the US and Canada to discuss trans-Atlantic collective bargaining in their industry. The UK reps each gave presentations to their respective company bargaining groups and received valuable information in return.

The conference concluded with a Workers Uniting group meeting that discussed future development of the project. It was agreed to commence a joint health and safety campaign in view of an increase in workplace deaths in paper production in the US and the UK. The campaign will be launched in November to coincide with the GPM sector national sector conference.

Vale Inco dispute in Canada

USW members at world's largest nickel mine have begun strike action to protect a vital part of their terms and conditions that their Brazilian employers are attempting to claw back. The mine, the major employer in the town of Sudbury, is massively profitable even now when the price of nickel is depressed. The members see the company's action as an attempt to impose third world conditions on them and are prepared for a protracted strike. This strike is key to the USW and Workers Uniting will be working hard to support the miners in Canada. Unite represents members in Vale Inco in Swansea and messages of solidarity have already been sent.

Full details of the dispute can be found on www.fairdealnow.ca or www.workersuniting.org

Health Care

Workers Uniting has already set up a communication link between health care professionals in the USW and Unite and this was put to good use when the NHS came under attack by US conservative politicians and commentators who are opposed to President Obama's public health care proposals. A rebuttal of the lies and misrepresentations was provided to the USW which they used in the media to support their campaign. 'THE TRUTH' document busting the myths being spread about the NHS can be viewed on the Workers Uniting website. Workers Uniting also produced a viral film featuring AGS Gail Cartmail putting the record straight on socialised health care which is out now.

Education Module

Workers Uniting have been collaborating with the education departments of Unite, USW and the TUC to produce a module on globalisation and the trade union response

to it. It was road tested in the US during the summer and will be rolled out here during the autumn.

Industrial link ups

Work continues developing relationships between officers and reps in the US and Canada and the UK and Ireland in the Education, Chemicals, Health and Metals and Oil sectors. In addition in these sectors Workers Uniting is working on a project where information on terms and conditions and all negotiations is being exchanged. This information is being established in order to support and inform all future negotiations in these industries.

Social networking and website

Workers Uniting is becoming increasingly popular on the internet with a large number of followers on both Facebook and Twitter. These social networking sites are allowing Workers Uniting to communicate regularly with members of both unions all over the world. The Workers Uniting website is regularly updated with campaign information.

INDUSTRIAL BUSINESS

A report on activities in Unite's Industrial Sectors has been circulated separately.

TUC

Paul Talbot was part of TUC delegation to visit Zimbabwe during August where there was the opportunity of meeting the ZCTU leadership, the Prime Minister Morgan Tsvangirai, leaders of the informal economy allied to the ZCTU as well as officials from the FCO and DFID offices.

Unite has submitted four motions to Congress all of which have been subject to compositing with other motions amendments. Two of Unite's amendments have also been part of the compositing process but in all cases the original wording of Unite's motions and amendments have been retained within the composites.

We have also been asked to second motions from UCU on Colombia, BECTU on Copyright Piracy and BALPA on Air Passenger Duty.

The motions from the TUC Women's' Conference on Women's' employment and the recession was from Unite and therefore will be moved by a Unite delegate at Congress

CENTRAL OFFICE DEPARTMENTS***Integration***

Separate reports on:

- Progress on establishment of Constitutional Committees since the progress since the July EC;
- Arrangements for the National Industrial Sector Conferences; and
- Proposals for the National Policy conference

Have been circulated to the Council separately.

PERSONNEL & DEVELOPMENT**Job Evaluation Project**

The test phase has been completed successfully. Revisions to the factor plan and Job Analysis Form have been agreed with the JE Steering Group (JESG) and joint management and employee representative JE Technical Group (JETG). The factor plan has been equality tested and found to be free from bias.

Job analysis form completion, job analysis and manager approval of JAF's has been proceeding over the summer.

Regional Co-ordinating Officers

Following the confirmation of RCO appointments at the last EC, there has been a further selection interview for Ireland North (Amicus section). The EC will be asked to confirm this appointment. The only outstanding interviews remaining are those for Scotland (Amicus) and NEYH (T&G) which have been arranged provisionally for 7th October.

Regional Women Organisers

Following the EC's nominations of members for this process one attempt to hold training for this process was cancelled in late May but training did take place in July.

The selection process is planned to commence with shortlisting during EC week.

Investors in People

The first stage of this review has taken place with interviews by the IIP Assessor with a range of employees across both former sections of the Union. The Assessor's report following the interview programme is very encouraging, with a view that retaining IIP recognition is viable for Unite. An action plan, aimed at securing recognition within an acceptable timescale, is being drawn up in liaison with the Assessor.

Organisational Integration

Work has been continuing on establishing a strategy for full organisational integration over the next twelve months.

Voluntary Redundancy (VR) Scheme

The current VR scheme, announced in July with an effective starting date of 1 August, is open until 2 October 2009. To date some 45 formal applications have been received from former Amicus officers and staff and over 100 from former T&G colleagues. The JGS' will be reviewing the final lists after 2 October to determine which applications can be accepted. It has been made clear to all applicants that a decision as to whether they can be released, together with the date of release, rests with the JGS'.

EDUCATION

Directly arising from our Audit and Strategy Review, we have now developed a Unite team approach to Education based on our 3 pillars.

This strategic approach has enabled the Department to successfully undertake a "root and branch" review of our resources and outcomes; by doing this Region by Region and across our National Programme, I am confident that we are "fit for purpose".

This is reflected in the Education Department's Quarterly Report of Regional Courses for April to June 2009.

Education Department Quarterly Report: April to June 2009						
Data	Work Place Reps	Health & Safety	Lifelong Learning	Equality Reps	Other Courses	Grand Total
Number of Courses	166	92	26	25	53	362
Ex T&G Student Total	776	533	199	73	238	1819
Ex Amicus Student Total	337	237	48	34	126	782
Male Student Total	1414	877	164	194	442	3091
Female Student Total	317	133	32	60	88	630
YM Student Total	29	18	3	3	3	56
YF Student Total	9	0	0	6	0	15
BME Student Total	51	32	9	6	5	103
Disabled Student Total	11	3	2	3	4	23
Student Total	1732	1010	289	254	531	3816
Total Student Days	6680	4203	2270	698	1490	15341

N.B. There is a caveat in that these statistics are not exhaustive – they do not include the East Midlands Region or Gibraltar. Moreover, as requested by the Executive, the figures do not reflect the BAEM and other categories exactly.

We still suffer from not capturing all the relevant data from our students; though we are doing our utmost to remedy this.

On our major projects such as the Workplace Reps 12-Day Certificate Course this is on schedule and has proven to be an unalloyed success. So too, with our plans for Unite Equality Reps Courses.

We continue to be sensitive to the needs of our members, reps and officials. This has been reflected in our speed of response to, for example, the industrial sectors and individual companies.

RESEARCH DEPARTMENT

Since the last EC meeting the department has been supporting the union's campaign at Diageo through financial restructuring analysis and advice as well as supporting other campaigns and negotiations across the union.

Work in preparation for the TUC Congress and the Labour Party Conference has been taking place with the department assisting with the drafting of motions and amendments to Congress and supporting speakers at Congress.

The department is also putting together data of the union's activities in companies where we share membership with the USW as part of the preparatory work in developing contacts through Workers Uniting.

The department has prepared a brief submission to the Tenant Services Authority on its 'Building a new regulatory framework' paper and is assisting with the preparation for a housing fringe meeting at the Labour Party Conference.

Major submissions have also been drafted and sent to government on consultations about the introduction of regulations to apply the Temporary Agency Workers Directive and draft regulations on the blacklisting of trade unionists.

Other submissions made during the past 2 months include:

- Consultation on the Gangmaster's Licensing Authority and Supermarket Protocol
- Department for Transport consultation on Revised Taxi & Private Hire Vehicle Licensing Best Practice Guidance
- Unite response to the NHS Health and Wellbeing 'Boorman Review': Call for evidence
- Unite response to the BERR/BIS consultation on the Conduct of Employment Agencies and Employment Businesses Regulations 2003
- Unite issues paper for Cabinet Office discussions on Fair Access to the Professions – Science and related occupations

Health & safety work in the department has included the drafting of a response to a government consultation on reforms of sick notes which will emphasise the union's desire to ensure that people who are on long-term sick leave or benefits are given support to return to work.

In addition the department is monitoring employer behaviour in relation to swine flu and sickness absence and regular bulletins have been sent out both to update guidance and to ask for member feedback.

Susan Murray attended a workshop as a TUC representative which was organised by the Business Advisory Network on Pandemic Flu to discuss sick certification and pandemic flu and possible options for extending sickness self-certification for pandemic flu purposes (at the time of writing this is still with government ministers and there has been no government announcement about this).

A legal maximum workplace temperature?

Further to pressure from the TUC and others, the Health and Safety Executive is investigating the possibility of changing the law to impose a maximum workplace temperature. Unite attended an HSE consultation meeting and submitted initial comments for consideration by the academic who is preparing a report for the HSE Board, due soon. Unite is also arguing that the Workplace (Health, Safety and Welfare) Regulations should be amended so that workplace temperature provisions apply to transport.

Workers Memorial Day (WMD) – consultation on official recognition

Government has issued a consultation paper seeking views on whether WMD should be officially recognised and on how this should take effect. Unite will be supporting recognition and will be submitting a response.

Hazards Conference

Organised a delegates meeting at Hazards Conference (July) to introduce USW workers, Nancy Lessin and Charley Richardson, to Unite conference delegates which was chaired by EC member Maggie Ryan (who is on the joint USW/Unite working party). Nancy and Charley were keynote speakers at Hazards conference and had requested the opportunity to meet delegates.

CAMPAIGNS AND COMMUNICATIONS

The department has continued to extend professional support to a wide range of union departments and sectors over the last two months. These have included the campaign to save the Diageo Johnny Walker plant, the industrial action ballot in the construction engineering sector, the new organising campaign in the finance sector, recruitment in the Health sector, the dispute with Tesco by our driver membership, work with the Political department on general election preparations, a major enhanced presence at the Tolpuddle festival, the "fair tips" campaign, the work to support the "Miami Five" in the USA and a number of other issues.

The extent of the union's involvement in politics and society was also reflected in the fringe events organised by the department at this year's TUC – meetings on construction, human rights and saving Vauxhall, among others.

We are also upgrading our means of communicating with the union's own members. Our new website is now fully up-and-running, and the "legacy" T&G and Amicus sites are being shut down. We are actively working to increase our "capture" of members' e-mail addresses and exploring the use of "digi-mags" rather than printed material. Printed journals remain crucial of course, as well-received latest editions of the *Workplace Reporter* and *Landworker* show.

Working with the legal department, we have agreed to resume the publication of material in languages other than English on the following basis, aimed at overcoming possible legal and cost complications:

As part of the union's commitment to solidarity between workers, and to fight employers' attempts to exploit immigrant workers and undercut union-bargained terms, we will produce recruitment materials, and core union materials, in key languages where we believe we have significant existing and/or potential membership who are not sufficiently fluent in English to otherwise participate in the union's work.

We will pilot this with Polish and Urdu language materials as a first stage, and will work with the Equalities, Organising and Membership departments to survey additional needs and associated costs. We recognise that where members are recruited via Polish/Urdu materials, they may well need interpreter services for work place disputes and legal cases. Professional interpreters should be used for disciplinary/grievance/ET hearings, and should be funded from regional budgets. Regions should also urgently review their current ability to provide Polish/Urdu support for day to day enquiries and should ensure that officers, the Equalities team, and activists are aware of contact details for at least one such person in each region.

The Department will develop further guidance for foreign language materials and any regions or departments producing such materials should seek guidance from Dai Davies or Andrew Murray.

Yours in solidarity

Derek Simpson
Tony Woodley
Joint General Secretaries.