



**August 2004**

Dear Colleague

**A Negotiator's checklist for Amicus representatives**

As most representatives in Amicus Higher Education sector will be aware, the "Framework" Agreement signed on behalf of Amicus members following our ballot of staff, is now being implemented. This will mean your Institution should have applied job evaluation to all posts in your workplace by August 2006.

The material below is intended as a brief guide and checklist for representatives implementing the evaluation and Framework Agreement. It is not an exhaustive list and specific advice can be obtained from your local Regional Officer or from the Higher Education Office in Coventry.

Within Amicus there are a number of experienced representatives in both the HERA and Hay methodologies who may be able to offer you some practical advice or have details of their own Institutions benchmark posts or other material and are able to share these with you.

On top of that Amicus holds a small but growing database of material that may be of use for you in your negotiations. Again to gain access to this material contact in the first instance your local Amicus Regional Officer or the Higher Education Office in Coventry.

All Amicus reps should attend Amicus training on the Framework Agreement and Job Evaluation. To apply for training contact Vera Titmus in the Higher Education Office in Coventry on 02476-227522 [vera.titmus@amicustheunion.org](mailto:vera.titmus@amicustheunion.org) or your local Regional Officer.

This checklist is not intended to replace Amicus training. It can only be properly used as part of an Amicus training course. It must be read in conjunction with the JNCHES Framework Agreement and the JNCHES Job Evaluation Guidance, both available on the Amicus website, [www.amicustheunion.org/education](http://www.amicustheunion.org/education)

When you progress the job evaluation to the point of getting some results from either a pilot or benchmark process please send copies of the data to the Higher Education Office. We will verify the information against our database and advise at what level your Institution is compared to others who have gone before.

Amicus is also committed to the principle that members should have a ballot on the final outcome of the evaluation process before employees are placed on the new grades. This is to ensure our membership has the opportunity to vote on changes that affect their pay. For details or help on of how Amicus believes this should be done contact your local Regional Officer or Higher Education Office.

In cases where an Amicus member is due an upward regrading and this could have been caused by previous unequal pay, the individual may have a claim for back pay. If you feel you may have some examples of this please contact the Higher Education Office. This is because the matter is complex and specialist advice may be needed to progress the cases and claim for back pay. Under no circumstances should Amicus representatives' sign off arrangements that relinquish our members' rights to claims for back pay. Again further details can be obtained from the Higher Education Office in Coventry.

Mike Robinson  
**National Officer, Higher Education**

## Checklist

### Starting off:

1. Everything must be agreed in partnership with the trades unions (see the Framework Agreement for definition of partnership).
2. Equal pay for equal value and addressing low pay is at the heart of this agreement. If anything management proposes does not fulfil this criteria, challenge them.
3. Try to meet regularly with your HR personnel. Even if you can't be best friends, it is important that you develop a relationship and have regular contact with them throughout this process. Don't hide your head in the sand when you have a problem!
4. Facility time must be agreed on for the TU reps. We recommend that one full time equivalent from each union for at least one year for all but the smallest institutions (see the JNCHES guidance on job evaluation for more on facility time).
5. If your management proposes the recruitment of an 'expert' to help with the process, it is important that you are as involved in the recruitment and management of that person.
6. HERA (Higher Education Role Analysis) is Amicus' preferred job evaluation scheme; however, Hay is also in use. You should contact your Regional Officer if your university is pressurising you to use any other scheme.
7. Only one scheme should be used for all staff at the whole institution – from Professor to Porter....
8. A steering group should be set up containing equal numbers of trades' union and management representatives. This group should agree all aspects of the process of job evaluation, including choosing the scheme, managing the pilot, the method of data gathering (e.g. job descriptions or interviews or both) and agreeing any benchmark jobs.
9. An implementation date should be agreed so that all staff groups are moved across at the same time (or backdated where necessary).

### Pilots:

10. Piloting should be done with the full involvement of the trades unions. TUs should be involved in choosing the people who will be 'guinea pigs' and should have full access to the results of any pilot at the same time as the management side sees it.
11. Ensure that a representative sample is chosen across staff groups, grades, sites, departments, etc.

### Access to information:

12. All TU reps should have access to the same training, information and software as the HR department does right from the start.
13. The process of job evaluation must be transparent and must be communicated to staff under the auspices of the steering group.
14. If your university tries to restrict access to data and keep it to themselves, then you need to seek access. You, as a trade union representative, have a right to information for collective bargaining purposes. Contact your local Amicus Officer or National Office if you experience problems in this area.

### **Protecting members:**

15. No member should lose out as an immediate result of regrading. The Framework Agreement offers 4 years protection ('red-circling') as a minimum. There is nothing to prevent Amicus reps from negotiating longer pay protection periods.
16. Particular care must be taken with any member who is on pay protection and is nearing retirement with a final salary pension scheme. Members in this situation should have their pay protected until they retire.
17. Staff must be adequately briefed prior to their job evaluation. Ideally they should receive copies of what the evaluator or analyst is going to ask and have an agreed copy of their job description. HR should provide thorough information to staff about the factor plan / elements and the process.
18. Staff must have access to annual regrading reviews, as they were entitled to under the 'Blue Book' scheme.
19. Appeals should be available to all that go through job evaluation and are unhappy with the outcome.
20. All appeal panels should be joint – i.e. equal numbers of trade union and management representatives on the panels. The people on the appeals panel should not previously have been involved in the individual's job evaluation.

### **Training:**

21. All TU reps should be trained in the job evaluation system and paid for by university (e.g. Hay or HERA), even if they are not going to be role analysts / job evaluators. All negotiating reps should be trained, and all reps who are either on the appeals panel or advising members regarding appeals need to be given the same training as role analysts / job evaluators.

### **Pay grades - the crucial part of the process:**

22. Setting grade boundaries and deciding on salary levels within grades should only be done once the results of a pilot are known. Amicus representatives should be fully included in the grade boundary setting.
23. Amicus representatives need data about where clusters of staff 'sit' before grade boundaries can be decided. Ensure boundaries do not cut through the middle of a cluster. Boundaries and salary points in Appendices C and D of the Framework Agreement will not be appropriate for every institution
24. Do not allow anyone to lose out in terms of his or her pay progression. The increments in each band must be such that no one will progress 'slower' through pay increases than they would have done under present arrangements.
25. Staff should have access to regular training and development reviews to ensure that they are able to progress between grades.
26. Performance related pay (or contribution-based pay) is a part of the Framework Agreement. The unions negotiated that this element would only come into play at the very top of the pay bands (where one pay band overlaps with the higher band). You should ensure that PRP only applies in those circumstances, and if you can negotiate it out of your university completely, so much the better!

### **Data gathering:**

27. Data gathering can be done either by interviewing, or agreed job descriptions or both.
28. Whichever method is chosen, it is important that prior to any data gathering, the person who's job is being evaluated is fully aware of the factors / elements and what they mean. If the person doesn't understand the process, they will be more likely to miss important parts of their job, to be wrongly evaluated and consequently there will be more time-consuming appeals.
29. In some cases where the jobs are generic it may be acceptable to evaluate a job family i.e. those of a particular group that fall within the same category. Care needs to be taken as specialist roles or aspects of a post that are unique may not be suitable for job family grouping. If in doubt ask your local Regional Officer or Higher Education Office for further advice.
30. Verification is often done by a line manager signing off a job description, or signing off interview notes. If a line manager will not agree a job description – then the individual should raise it with their HR department with support from their union. If that does not resolve the matter the individual should take out a grievance using the appropriate procedure and HR advised that the role is not fully defined and should not be evaluated until the matter has been resolved or the grievance procedure exhausted.
31. It is important that any interview notes are passed to the jobholder as soon as possible after the interview in order that the notes can be checked for accuracy and anything missed or forgotten in the interview can be inserted.

### **Evaluation and analysis:**

32. There should be an equal numbers of union nominated and management nominated role analysts / job evaluators.
33. Amicus is keen to see representatives who may not actually act as role analysts or job evaluators trained up. This is a safeguard to check the checkers or to step in if analysts or evaluators are not available.
34. Reps should think carefully about the people that they nominate. Union nominated role evaluators have to remember that they are representing the union as well as ensuring the scheme is implemented properly. Non members should be avoided at all cost, as they do not represent anyone but themselves.
35. No job should be evaluated by just one person. Depending on what scheme is used, often each job needs to be passed by a joint grading panel, which again should be made up of an equal number of union and management representatives.
36. There should be regular meetings of all role analysts to ensure consistency of decision making (e.g. prevent one person becoming a 'harsh marker').

### **Monitor and review:**

37. The steering committee should sets up a method for monitoring the process of job evaluation and reviewing it once it is complete. Put any lessons learned into practice.
38. Employers should agree to an Equal Pay Review after implementation and any problems arising from this should be dealt with.
39. Any Equal Pay Review should specifically look at the issue of performance payments to highlight any inequalities in that aspect of pay.

40. An Equal Pay Review body should also consider any roles that may have been underpaid previously and look for the possibility of bias or sex discriminatory practices previously. In those cases specialist advice should be sought from the union as the individual may have potential legal claims that could go back as much as 6 years for backpay.
41. Under no circumstances should union representatives do anything that restricts or signs away rights to claim back pay.

**Important points for reps to remember:**

42. Non-members will lose out in this process without the support of a trade union advising them about the process and helping them with any appeal. Ensure all non-members are informed about Amicus and have the chance to join us before the process starts. Explain that only Amicus members will have access to data that will show how each post is paid in comparison with others in the university. Amicus database will also show how posts compare with other universities. We will seek to protect staff losing pay.
43. Trade union advice and representation should be available to members who require it on appeal.
44. Prior to job evaluation, you should brief members on the scheme, and the procedures to ensure that they are familiar with the process. We would recommend one or several meetings. If you require someone from Amicus to attend contact the local Amicus Regional Officer or National Officer.
45. You will need help from colleagues in the evaluation process. Encourage active members to become representatives, even if they will only be reps for the purpose and duration of the job evaluation exercise.
46. Try to ensure that any committees and the role analysts / job evaluators are as representative of the staff as possible. Encourage women and those from under-represented ethnic groups to come forward if there is a lack of volunteers.
47. Keep communicating with members and non-members with meetings, posters and emails.
48. Understand that some unions may have a different approach to job evaluation. Remember that this process is designed to ensure equal pay for work of equal value, that this is what Amicus members have voted to accept, and that this must be implemented fairly and consistently throughout your institution.
49. Go on as much training as you possibly can – read and reread agreements if necessary.
50. The Framework Agreement is the minimum that your institution must implement. If you can negotiate better, then do!
51. Amicus would like to see to a ballot of staff as each institution completes the evaluation and before it impacts on members' salary. If you need help to organise a ballot contact your local Regional Officer or Higher Education National Office.

Other useful sources of information:

JNCHES Framework Agreement, available at [www.ucea.org.uk](http://www.ucea.org.uk)

JNCHES Job Evaluation Guidance, available at [www.ucea.org.uk](http://www.ucea.org.uk)

ACAS Guidance on Job Evaluation, available at [www.acas.org.uk/publications/B01.html#1](http://www.acas.org.uk/publications/B01.html#1)

Amicus Guidance on Job Evaluation, available at [www.amicustheunion.org/education/](http://www.amicustheunion.org/education/)

## Contact information

### Amicus Regional Offices

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