

Letter to all Amicus College of Law members

Dear Colleague

### **Re Amicus arrangements with College of Law (CoL) management**

Firstly may I take this opportunity of thanking you for joining the union and hopefully you will gain positive benefit from membership. As a reminder the union offers a host of benefits including advice on employment matters, personal injury or pensions.

Over the last few months the union has been seeking through contact with senior CoL management to agree a voluntary agreement on how the union would be able to negotiate on issues such as pay, conditions of service, pension provision and many other aspects of your contractual relationship with CoL.

I personally have been involved in meetings with board and HR level members of CoL.

I am sure most of you are aware that the legal aspects of what is known as "union recognition" enable parties to reach voluntary agreements where a union has members in an organisation but where there may not be the statutory automatic level of 50% +1 that would guarantee CoL management would be required by law to negotiate with the union.

At present our membership levels do not allow us to have automatic recognition and negotiating rights. We can through the relevant law seek a voluntary arrangement that may be less than full negotiating rights and can reflect what the parties (union and management) wish to have.

I was very disappointed in September when your management finally advised me that they had considered a voluntary arrangement but was not prepared to enter into one with Amicus at this stage.

That leaves the union with only 2 options.

- 1 To wait until CoL management are prepared to enter into a voluntary agreement or
- 2 To press ahead in those areas where we feel we may be able to secure negotiating rights, where we have a majority of staff at a particular establishment.

Following advice from the unions lawyers it has been decided to make a formal application to the employment tribunal that hears these matters called the Central Arbitration Committee.

One of the stages just before formal application is submitted is to write to the employer identifying the areas the union believes we have a majority of and the type of staff on whose behalf we are seeking recognition.

On Monday 20<sup>th</sup> November your HR Director Mr Kevin Sampson was written to seeking views about recognition for certain staff at Birmingham. The letter also asked whether CoL would be prepared to meet under Arbitration Conciliation Advisory Service (ACAS) auspices to discuss the matter.

ACAS are independent and can be used at a further point to advise the formal tribunal on membership numbers and any ballot arrangements undertaken to ascertain staff views on the matter if it was to proceed to a full application hearing.

The union believes the process for Birmingham offers the best opportunity for gaining negotiating rights for certain staff there. Obviously we would like to apply for other areas but this may have to wait for a later date or for our membership levels to reach higher levels.

The purpose of this letter is to ask you to keep faith with your union and where you are able to recruit a member of staff so that we may then be in a position to apply for recognition in other areas. Also if the union petitions all staff at some point, including non members, you may like to encourage staff to support the idea of the union negotiating on pay, pensions and all the other terms and conditions that the union already does in many other UK colleges and universities.

We will be issuing another newsletter shortly advising on progress as well as the results of our union survey carried out in the summer on what members wanted as priority action from CoL on conditions of service.

One final point, the CoL has put in place the staff consultation forum. Although Amicus has a presence at the forum, as several of those elected are Amicus members, we are very disappointed at what the forum can actually do. It cannot negotiate on pay as example and is consultative only which means CoL can do whatever they like following consultation.

Our aim is to secure proper negotiating rights giving Amicus and its members the right to negotiate a proper pay level with negotiated annual increases in pay instead of the arbitrary arrangements that CoL currently apply.

Please do what you can to encourage others to join or sign petitions of support. Membership applications are attached to this letter for your assistance. Please return any forms to our union representatives at the following locations xxxxx or to my office if you wish.

With your help we can secure negotiating rights for all staff.

Yours sincerely

Mike Robinson  
National Officer  
Education Sector