



bargaining to organise

Bargaining for Effective Workplace Organisation

Preparing the ground

Map the workplace/branch

To develop an *effective* campaign for time off, the first step is to map your workplace/branch. You want to find out exactly what work needs to be done by workplace reps, and where that work takes place. A good workplace or branch map will give you a broad overview of the main workplaces, departments and employers. This will help to build a picture of the amount of time off you need to carry out recruitment in membership weak spots, all the workplace union/branch's work and the way it should be distributed among reps.

Know your reps

Where are your reps?

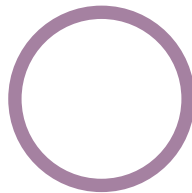
- How many?
- How many members and potential members are there per rep?
- Are there areas, shifts or sites that have no workplace reps?

Who are your reps?

- What branch/workplace union offices do they hold?
- What is the breakdown by gender, ethnic group, and occupation?
- How many are on part-time, term-time or temporary contracts?
- How many work shifts?
- What skills/knowledge/experience have they got? What training needs do they have?

What work do the reps do?

- What tasks are covered by those with time off?
- What activities make the heaviest demands on reps' time?
- How many hours per week or month do people spend on recruitment, organising and campaigning, representation of members, meetings, training, and negotiations?
- What are the most frequent problems raised by members?
- Are these different depending on area? Are they a collective issue to build an organising campaign around?
- How many hours do reps spend keeping members informed?
- Do they cover members outside their own workplace?
- Do they do trade union work outside the branch/workplace at regional, national or international level?
- Where are the gaps? Are there areas of work being neglected?



How do the current time off arrangements work?

- Are arrangements in writing, or are they based on verbal understanding with managers?
- How much time off does the workplace union/branch currently have?
- Are reps entitled to a specific number of hours per week or month, or are they allowed 'reasonable' time off?
- How is time off organised by the employer?
- Does your employer set a maximum ratio of reps to members?
- What trade union duties and activities are covered by paid time off?
- Are reps allowed to represent members in worksites other than their own?
- Are reps able to exercise the time off rights they are entitled to?
- What changes would make the work more effective?

Try to collect agreements held by other branches within the union.

Thinking about the distribution of time off

Before developing the new proposals, you may wish to give some thought to different ways of distributing the time off. Three things should be considered:

- the best way to get the work done;
- how to grow union membership and build participation in the workplace/branch; and
- how to represent all sectors of the membership

How is time off organised?	Pros	Cons
Full-time secondment	<ul style="list-style-type: none"> - Seconded reps have time to concentrate on trade union work - Time to develop their skills - Builds relationship with employer's side - Thorough understanding of the workplace - Single point of contact with employer 	<ul style="list-style-type: none"> - Too much responsibility placed on a small number of people - Discourages wider participation - May be difficult to return to job - Not possible to deal with all problems and membership groups - Can lead to burn-out
No full-time secondment - wide distribution of time off	<ul style="list-style-type: none"> - All members have access to rep - Spreads workload - Calls on wide range of skills - Encourages participation - Develops new reps 	<ul style="list-style-type: none"> - No rep has full time to devote to trade union work - May be difficult to get cover for particular reps at key times - Reps' skills may not be interchangeable - No single point of contact for employer
Mixture of full-time secondment and distribution of time off	<ul style="list-style-type: none"> - Full-time rep(s) oversee work and be reliable point of contact - Wide range of skills used and developed - Workload divided, participation encouraged - Flexible system which can respond to changing demands 	<ul style="list-style-type: none"> - Needs careful thought to get the right balance - Full-time reps need to be willing to share work with many others - Employer may need to be persuaded to accept this arrangement

Developing your proposals

1. The starting point and basis of the proposal should be built on the aim of growing and strengthening the union.
2. Establish a working group including local workplace organisation/branch representatives across your organisation and your regional organiser or officer.
3. Keep in mind a few basic negotiating principles:
 - High union density within the local workplace organisation/branch and excellent organisation provides a strong position from which to negotiate
 - Paid time off is one of the most important resources you have as a local workplace. It belongs to the local workplace and representatives are accountable to the local workplace for how they use it. Ensure there are good systems for recording and analysing how this time is used.
 - Keep the agreement flexible.
4. The ACAS Code of Practice on trade union duties suggests that agreements on time off should specify:
 - the amount of time off permitted;
 - the occasions on which time off can be taken;
 - the circumstances in which time off will be paid;
 - to whom time off will be paid;
 - the procedure for requesting time off;
 - the procedure for resolving grievances about time off; and
 - arrangements, where necessary, to provide work cover and/or workload reductions when time off is required.
5. It is important to think through how you want to structure each of these elements in your proposals and relate them directly to how they can be used to build a strong sustainable branch/local workplace organisation structure:
 - Establish the legal position.
 - Develop negotiating points.
 - Go beyond the law, e.g. build in time off for recruitment activities.
 - Build a business case for your proposals.



Building the business case

Your employer will want to know how they will benefit from agreeing improvements in time off. Your local workplace organisation/branch should collect concrete examples of ways in which time off improves the functioning of the organisation.

General advantages:

1. Representatives provide expertise in employment relations vital to the employer. Paid time off allows representatives to access union training in equal opportunities, job evaluation, health and safety and many other areas - expertise which the employer may lack themselves. This knowledge may prevent the employer from making costly mistakes in employment relations and ensure the smoother running of the workplace.
2. Local representatives help to sort out problems before they become serious. Representatives with sufficient time will be able to tackle grievances and disputes at a local level before they mushroom. This will often save money and time by preventing the need for cases to go to a higher level of management or an employment tribunal. It also removes the need for a full-time union official intervening and over-reliance on costly, time consuming formal procedures.
3. Union representatives make a big contribution to the management of change. Large-scale reorganisation, major new agreements or changes in legislation put big burdens

on HR departments. Working with a team of skilled union representatives can ease the workload and improve the results. Union representatives can facilitate change by explaining the procedure, supporting members and ensuring that the process is carried out correctly.

4. Representatives are aware of best practice in other workplaces. Allowing representatives time off to attend regional and national meetings allows them to acquire knowledge about developments in other sectors and workplaces which can be of advantage to the employer.
5. Union representatives have access to a large pool of resources that may be beyond the capacity of any one employer (particularly in small workplaces). Unions at both regional and national levels, along with the TUC, provide information on industrial relations practices, national legislation, standards, equal opportunities, health and safety, learning opportunities, policy and economic trends, pensions and occupationally specific issues to name only some. Employers benefit from access to these resources, via their union representatives. In May 2009, the TUC and CBI jointly published *Reps in Action: How Workplaces Can Benefit from Modern Union Representation*. This contains a number of case studies that demonstrate the value of reps and how the union reps role has and continues to develop. *Reps in Action* is available for download at www.tuc.org.uk

Checklist for developing your proposals

	Legal position	Current position in the local workplace	Negotiating points	Beyond the law	Business case
How much time is permitted and when can it be taken?					
How is time off allocated?					
When is time off paid?					
Time off for training					
Time off to accompany workers at disciplinary or grievance hearings					
Time off for trade union activities					
How much pay?					
Who will be paid?					
What are the procedures for: 1. Notifying management of the hours allocated to individual representatives? 2. Requesting time off? 3. Representatives to account for their time off?					

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