

briefingpages

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IN THIS ISSUE: HEALTH AND SAFETY p.i ■ PENSIONS p.iii ■ EQUALITY AND DIVERSITY p.vii
■ NEGOTIATING INFORMATION p.x ■ LEARNING AND SKILLS p.xiii ■ LEGAL p.xv
■ PAY REVIEW UPDATE p.xvi ■ CONTACT LIST p.xx

■ HEALTH AND SAFETY

WOMEN'S HEALTH AND SAFETY

The European Agency for Safety and Health at Work (OSHA) has released a report reviewing gender issues in occupational safety and health, which found that traditional health & safety prevention strategies often underestimate risks to women. It argues for a gender-sensitive approach that should be incorporated into general health and safety promotion, and discusses how to include gender issues in risk assessments. The report, Gender issues in safety and health at work, can be found at <http://agency.osha.eu.int/>, where two related factsheets can be found; Issue 42 contains a summary of the report and Issue 43 deals with how to include gender issues in risk assessments. If you cannot download any of these please contact Chris O'Leary, details below.

The OSHA findings are mirrored in the UK, with the results of a survey of workplace safety reps, which found many employers are not taking women's health & safety into consideration. One of the problems found was that risk assessments tended to focus on physical risks, ignoring environmental risks such as stress, bullying and harassment, which were high on the list of problems reported by women, and gender specific issues such as health and safety for new and expectant mothers. Traditional employment patterns have resulted in the perception that jobs that are often seen as 'women's' jobs are seen as safe environments and thus have less attention paid to them in health & safety terms. The full report is available in the March issue of Workplace Report, from Labour Research Department (LRD) (details at www.lrd.org.uk/), and will be sent to all safety reps in a future mailing. Individual copies can be ordered from Chris O'Leary.

The LRD survey results coincide with the release of their new publication Women's health & safety – a trade unionist's guide priced £4.75. The guide analyses the gender differences in jobs and working environments, and aims to promote gender-sensitive health and safety policies. To order, contact LRD, 78 Blackfriars Road, London SE1 8HF, info@lrd.org.uk, 020 7928 3649.

WORKING TIME CAMPAIGN VICTORY FOR AMICUS

Thanks to Amicus, the European Commission is taking the UK government to the European Court of Justice for failing to enforce employees' rights to breaks at work. The Government is accused of neglecting its working time rules, costing staff millions of hours of rest. We first raised the issue with the EC four years ago, saying the implementation of the Working Time Directive in the UK through the Working Time Regulations encouraged employees not to take breaks at work – breaks which are required by law. Employees should take breaks during the working day, as well as between each day, week or fortnight and employers should be required to ensure their workers do take their breaks. We believe the Government has also failed to protect millions of white-collar workers from companies pressuring employees to do extra work at home. 'While we welcome the legal action we would have rather the UK government had chosen to apply the Working Time Directive by agreement,' said Chris Ball, Amicus national officer for health & safety. 'However, we have waited too long and there is now clearly no alternative.'

The Amicus case is supported by a report commissioned by the European Commission from the ESRC Centre for Business Research, Cambridge University. The report found abuses of the Working Time Regulations such as compulsory or pressured signing of the opt out for new staff, including the opt out in the contract of employment, staff asked to opt-out of their rights to rest breaks and night work limits and other serious breaches of the law. The full report can be downloaded at www.cbr.cam.ac.uk/pdf/WP282.pdf or contact Chris O'Leary to have this emailed to you.

The TUC is asking people to send a message to the European Commission, to support the campaign to strengthen the implementation of the Working Time Directive in the UK. See www.tuc.org.uk/work_life/tuc-7835-f0.cfm for more details and to send an email.

Amicus has produced a brief guide and a longer guide to the working time regulations. Also available is the conference document from last year's series of Amicus working time conferences. These can all be found on the union's website at this address: www.amicustheunion.org/main.asp?page=106. Contact Chris O'Leary for a printed copy or to have the pdf emailed to you.

LAB SAFETY SURVEY

As Activist went to press Amicus was about to issue a report, Working Safely in the Lab? The report covers laboratories in the NHS, universities and the chemicals and pharmaceuticals sectors. Chris Ball, National Officer for Health and Safety said, 'this original research by Amicus shows just how far we have to go to make scientific laboratories safe places to work. Obviously, lab workers take safety seriously but far too many are being adversely affected by their work. Their health may be at risk from contact with dangerous chemicals, biological and radioactive substances and the other risks that many of us face such as stress and overwork. Too often there is an absence of health surveillance even when they are handling radioactive materials or risking illnesses and allergies through contact with potential allergens found in the lab.'

The report highlights the failings of the system of inspection and enforcement by the HSE, and it shows how common it is for employers of lab workers to get away completely free without any sanction by the HSE despite being in default of their legal obligations.

Copies of Working Safely in the Lab? are being distributed to safety reps in the sectors covered by the report, and can be requested from Chris O'Leary.

TUC SAFETY REPRESENTATIVES SURVEY

The TUC is conducting a survey of trade union safety reps which can be completed online at www.votations.com/asp/survey.asp?pollid=123620 or by emailing healthandsafety@tuc.org.uk. The results will provide the TUC and Amicus with information about our safety reps and their needs and experiences, so we can do more to help and ensure their views are better reflected in public policy debates and the work of the Health and Safety Commission. The results will be published and used to campaign for better safety standards at work, including more rights for safety reps. If you experience problems with this form, please let the TUC safety department know. We will shortly be distributing printed copies to all safety reps and they will be inserted in the forthcoming issue of Hazards Magazine.

Amicus strongly urges branches and safety reps to subscribe to Hazards as many subscriptions have not been renewed yet, due to the changeover period with the Amicus merger. Safety reps in organised union workplaces are our best hope for better, safer work - and Hazards magazine provides the information and resources to make that union job easier. There are large discounts for Amicus members that increase the more you order. Contact Hazards on 0114 235 2074, sub@hazards.org or have a look at www.hazards.org to find out more.

Upcoming dates

15th National Hazards Conference 16-18 July
<http://www.hazardscampaign.org.uk/current/confappeal.htm>
UMIST, Manchester

Euro Safety Week 11-15 October
<http://osha.eu.int/ew2004/>

Focus this year is on construction, including maintenance and related work.

National Inspection Day 13 October

All safety reps asked to inspect their workplace. Amicus will be sending information to safety reps closer to the event. Part of European Safety Week.

National Stress Awareness Day 3 November

<http://www.isma.org.uk/aware.htm>

HSE is launching a new stress kit - more details when we have them.

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■ PENSIONS

PENSION FUNDS: SOME BETTER NEWS ON THE INVESTMENT FRONT

In 2003, helped by a marked upturn in share prices, pension funds earned positive returns for the first time since 1999. The question is – will this be sufficient to take some of the pressure off schemes facing companies seeking to reduce their pension costs? The answer is a qualified yes, but there is still a long way to go before we return to the happier times experienced in the 1990's

In the twelve months to December the average fund generated a return of around +17%, so clawing back a half of the fall in their value experienced during the previous three years.

This recovery was driven by an upturn in equity (company share) prices, with UK equities growing by around 21% and overseas equities by slightly more. By contrast, yields on bonds were relatively low. This meant that once again a funds asset allocation between equities and bonds was very important in determining their particular performance. Whereas in the past three years those funds with a more cautious investment strategy with relatively high bond investment had done relatively well, in 2003 those funds with relatively high investment in equities will have produced the best results.

HOW WILL THIS AFFECT PENSION SCHEME VALUATIONS ?

So how does this better news affect pension scheme funding levels? There has been an improvement but the effect is a lot less than you might imagine and there is still a long way to go.

A pension fund with assets of £100million at the end of 1999 will still have on average only £87 million of assets now. Furthermore the actuary will have been expecting the assets to give a positive return of about 5-6% per year over the past four years, whereas current values are akin to there having been negative returns of 3% a year. Clearly this means the standard three yearly actuarial valuations will still be recording some very poor results. This is especially the case for those funds which did not have substantial surpluses when asset values were at their peak in 1999/2000.

Another factor of course is that the liabilities of schemes will have continued to grow throughout recent years as earnings and prices, to which their value is linked, have continued to rise. Compounding that is the effect which lower interest rates and lower expected returns have in suggesting that liabilities will cost more to provide. In valuations, actuaries calculate the liabilities and then calculate how much money ought to be in the fund now in order that, with estimated investment returns, there will be enough to pay the benefits when they fall due.

The conclusion must be that valuations are going to continue to make for disappointing reading for some time to come. While the investment news for 2003 was much better, there is still a long way to go before funds are back on an even keel. However, insofar as we can be a bit more optimistic about the future it may help us in persuading employers to stay their hand rather than trying to push through changes precipitately, as many have done in recent times.

CONTRIBUTION STRUCTURES AND MEMBERSHIP OF DEFINED CONTRIBUTION PENSION SCHEMES

In recent years there has been a huge upsurge in defined contribution (or money purchase) pension schemes. For many members starting a new job this is the only type of pension scheme on offer. Unfortunately, the evidence indicates that the take-up of these schemes is disturbingly low and, even when people join, they often do not contribute what may be required to get the maximum employer contribution on offer towards their pension.

A recent survey by the CBI/MercerHR Consulting indicated that only 38% of employees joined DC pension schemes compared to 83% joining DB (final salary schemes). The DC employer contributions offered in DC schemes were not, therefore taken up by the majority of employees

At the major insurance company CGNU which offers a non-contributory DC Scheme, with an employer contribution of 8%, but where the employer will match any voluntary employee contribution up to 4%, membership is high but around 80% of employees make no contribution.

There is little evidence that employees are not joining because they are making alternative provision and rejecting the employer scheme. There would be little logic in this as employers rarely contribute to schemes other than their own and DC schemes are not in most cases vulnerable in the event of employer failure in the way that final salary schemes have been.

These figures dramatically illustrate the problem of getting people to contribute towards pensions even where employer contributions mean that an individual could not possibly lose. This briefing looks at how scheme practice and scheme design may help improve that situation.

OPTING-IN AND ENCOURAGING MEMBERSHIP

One key factor is whether employees have to apply to join or whether they are put automatically in the scheme and have to opt-out. The evidence shows this has a dramatic impact on take-up, it can double DC membership levels.

But employers are very often unwilling to do this, clearly it costs them money, and they typically complain about administrative costs on account of high staff turnover. Schemes may also be set up on a basis that unless staff stay more than two years they will lose the benefit of the employer contributions. Another key factor is the quality of information provided and the degree to which employers promote membership.

For an employee to join a scheme may require them to decide on a contribution level and it will require an investment choice to be made. These need not, however, prevent automatic entry at a basic contribution level with investment in the scheme's default option (generally a standard recommended strategy), with members given the option to vary these by a subsequent decision.

Amicus reps will generally want to point out to members the advantages of joining the company scheme, not just for the member's own good but because high membership will help increase union influence over it. However, raising with companies issues like automatic entry, giving short-service staff the option of transferring the value of employer contributions and better promotion of the value of schemes may be a more effective means of achieving this end. Related to this, we should seek to monitor participation rates and take-up of matched contributions (see below)

CONTRIBUTION STRUCTURE IN DC PENSION SCHEMES

The presence of an employer contribution is vitally important in encouraging membership, but how that contribution is structured can also be very important in influencing take-up.

An ideal position in terms of guaranteeing the maximum employer input and its equal distribution might be to have a standard percentage employer contribution without any requirement that the member contribute at all. This idea might, however, be questioned on a number of grounds.

Such a structure would minimise the incentive for the members to contribute themselves and lead to a pension emerging that was not adequate. It might be felt that members ought to pay something towards their pension to encourage interest. Also, if the scheme runs alongside a final salary scheme, closed to new staff, then members might be tempted to opt-out of the final salary scheme into what is typically an inferior DC pension in order to avoid paying a contribution.

AGE-RELATED OR EQUAL FOR ALL ?

Paying the same percentage contribution (input) to all members will not lead to the same level of benefits (output). This is because the longer a contribution is invested the larger the pension generated by it is likely to be. So a case can be made for making contributions age-related. In practice companies where they go down this path do not go as far as an actuary might advise was necessary and this probably reflect a wish to offer a decent looking contribution at the age most employees are recruited. An implication of having an age related structure is that there may be a presumption that older employees will need to voluntarily pay higher contributions.

Survey evidence (HBW DC survey 2004) indicates about 35% of DC schemes have an age or service-related element in the employer contribution. About 30% of schemes offer the same percentage contribution for employees of all ages.

About one sixth of schemes have an age-related element in the employee contribution which probably reflects a combination of seeking to attract younger members as well as confronting older members with the higher costs of pensions for people of their age.

In considering age-related contribution scales, attention should be paid to the ages of the members e.g offering high rates at older ages may look good on paper but cost the employer little if all employees are young.

EMPLOYER CONTRIBUTION LINKED TO THE CONTRIBUTION THE EMPLOYEE PAYS ?

Another common factor structuring contribution levels to DC schemes is matching, where what the employer pays is determined partly or wholly by what the employee pays.

Employers may justify this on the basis of pensions being a partnership and by the need for employees to contribute as well if a decent pension is to result. However, the practical result of matching is that the total employer contribution is allocated amongst employees according to their ability and willingness to contribute. It can often be a means whereby the employer can offer a scheme that looks better than what it will deliver, due to limited take-up of matching, but which delivers the largest benefits to those most interested in pensions.

Matching can be criticised on the basis that it results in the highest percentage employer contributions going to higher-paid, older, full-time workers and less to lower-paid, younger, part-time employees. Not surprisingly this translates into more for men and less for women.

Matching can be structured in different ways :-

it may determine the whole contributions or only a part of the contributions above a base contribution level

it may be one a 1:1 ratio or the employer contribution may be geared to a higher level

it may be tiered, e.g offering more matching to older employees

Negotiating on matched contributions raises a number of issues. Whether they admit it or not, companies may have a budget figure for the cost of the scheme which makes assumptions about the take-up of matching.

This means they may resist moves to reduce the matched element in favour of a standard contribution or agree but insist on reducing the maximum contribution achievable by individual members. So by opposing matching you may reduce the contributions that the most pension-motivated members will receive.

In probing the cost of a scheme it is important to discover what assumptions are made about the take-up of matching. If the take-up proves to be less than was expected, it may be possible to go back and negotiate a restructuring of the contributions.

Survey evidence indicates that about 40% of schemes incorporate some element of matching.

SALARY AND GRADE

While we may not like it, it is not a great surprise that Survey evidence indicates that in 30% of scheme the employer contribution is differentiated on the basis of salary level or grade, with typically the most senior levels differentiated

Amicus believes that pension contributions/benefits should be proportionate to pay

What makes for a good contribution structure ?

This cannot be too prescriptive and should reflect the circumstances and views of members in different companies.

Two key factors factors should, first, be to try and secure a good standard contribution from the employer for all employees which does not require too big a minimum contribution from the employee and, second, to try and get a good ratio between what the employer and employee pay – with the employer paying at least double. These factors will provide a strong incentive to join without setting too high a price on membership.

HOW HIGH SHOULD CONTRIBUTIONS BE ?

A number of recent surveys have indicated that the average employer contribution to DC schemes is in the range of 6-6.5% of salary and the employee contributions average in the range of 3.5-4.5%.

The figures are exclusive of insured death in service and ill health benefits and of all National Insurance contributions (the latter being significant as three quarter of DC schemes are not contracted-out of S2P/SERPS)

In order to produce a pension of 50% of earnings over a working life, actuaries estimate that a combined employer/employee contribution of about 15% of salary is likely to be needed. This is one reason why Amicus is campaigning for minimum compulsory contributions from employers and employees of 10% and 5% of pay respectively.

Amicus Pensions Department – May 2004

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PROTECTION FROM DISCRIMINATION FOR EMPLOYEES ON THE GROUNDS OF RELIGION OR BELIEF

From December 1st 2003, the Employment Equality (Religion or Belief) Regulations 2003 provide protection for employees against discrimination on the grounds of religion or belief in respect of:

- Recruitment
- Promotion
- Training
- Harassment and Victimisation
- Redundancy and Dismissal
- Pay and Benefits
- Terms and Conditions of employment
- Transfers

WHO IS COVERED?

All workers who practice or follow a religion or belief are covered by these regulations.

WHAT DOES 'RELIGION OR BELIEF' MEAN?

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. However, this does not include any philosophical belief, unless it is similar to religious belief, like Humanism. All well-known religions and faiths are included. Political beliefs are not included.

WHAT DO THE NEW REGULATIONS MEAN IN PRACTICE?

The Religion or Belief Regulations form part of new anti-discriminatory laws that seek to remove common forms of discrimination in employment practices. Along with new anti-discrimination regulations on the grounds of sexual orientation, race, and disability, and forthcoming legislation on age discrimination and amendments to the Sex Discrimination Act, these regulations seek to ensure that employers respect the diversity of their workforces, treat individuals fairly, and make employment decisions according to merit. The specific purpose of the Religion or Belief Regulations is to ensure that job applicants and employees who follow a certain religion or belief, are not discriminated against by employers and other employees, on the grounds of their religion or belief.

These regulations will particularly benefit Muslims, who as a group, have found it difficult to seek protection under the Race Relations Act 1976 for discrimination they face on the grounds of their religion.

These Regulations present trade unionists with a useful workplace tool to create working environments that respect the diversity of religions and beliefs among employees.

Discrimination in employment - Employers are not allowed to treat employees or job applicants less favourably than others on grounds of religion or belief. This covers the recruitment process, promotion and training policies, and decisions about redundancy and dismissal. For instance, an employer cannot refuse to employ someone because of his or her religion or belief.

Neither can employers introduce employment practices or policies which appear neutral but which indirectly discriminate against employees on the grounds of religion or belief, unless they can be justified. For instance, workplace rules relating to employees' form of dress, such as the wearing of uniform, or for the purposes of company image, must ensure that they do

not discriminate against those employees, who for purposes of religious observance, need to adhere to specific dress codes. This would include allowing Sikhs to wear turbans. (see Best Practice below)

Harassment at work – Employees who follow a religion or belief are protected against unwanted physical or verbal conduct that violates their dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This includes offensive jokes, workplace banter and comments. For instance, Muslim employees facing hostility from colleagues because of current world events, have the right to be protected against such harassment by their employer. An employer failing to take the necessary steps to stop the harassment would be in breach of the Regulations.

Victimisation for actions taken – Where employees make a complaint under the new legislation, or take any other form of action in connection with it, they are protected against subsequent victimisation by their employers or other employees. For example, the employer must take steps to ensure that an employee who has complained is not seen as a ‘troublemaker’ or ostracised by other colleagues.

Where discrimination is allowed – In very limited circumstances an employer may apply a ‘genuine occupational requirement’ which makes a following a particular religion or belief a requirement of the job. This exemption would apply to applicants for an RE teaching posts in faith-based schools.

Religious Observance – Employers may be faced by requests from employees wanting to be able to observe religious practices, such as specific days off or dietary requirements in their canteen. Employers do not have an automatic duty to meet requests - no organisation is expected to accept unreasonable disruption to its activities - however employers have a duty to ensure that their employment practices do not indirectly discriminate against employees of particular religions or beliefs. An employer should reasonably consider requests from employees who wish to be able to observe their religion or belief. Employers may refuse such requests if there is a sound business reason. Ideally, an employer will negotiate a best practice policy with Amicus reps. (see Best Practice below)

WHAT CAN AMICUS WORKPLACE REPRESENTATIVES DO?

5 Step Checklist for your employer

Following this 6-step checklist will help you ensure that your employer complies with the new regulations and introduces good practice:

- Check your employer gets a copy of the ACAS Guidance – ‘Religion or belief and the Workplace A Guide for Employers and Employees’, download it at www.acas.org.uk
- Check your employer’s equal opportunities policy covers religion or belief
- Check bullying and harassment policies and procedures protect employees on the grounds of religion or belief
- Check grievance and disciplinary procedures reflect rights and responsibilities under the new regulations
- Check that your employer intends to provide awareness training for managers, supervisory staff and personnel staff
- Check whether your employer would benefit from monitoring the workforce on the grounds of religion or belief

ENABLING RELIGIOUS OBSERVANCE: AMICUS NEGOTIATOR’S ADVICE ON BEST PRACTICE IN YOUR WORKPLACE

The existing Commission of Race Equality Code of Practice states;

‘Where employees have particular cultural and religious needs which conflict with existing work requirements, it is recommended that employers should consider whether it is reasonably practicable to vary or adapt these requirements to enable such needs to be met’

Find below Amicus advice on meeting the religious needs of employees.

TIME-OFF DURING WORKING HOURS FOR PRAYER OR RELIGIOUS OBSERVANCE

Employees may request time-off for prayer or religious observance. The regulations do not state that employers have an automatic duty to provide time-off for prayer. However, not to allow for time-off may be discriminatory, if it would not be unreasonable to do so. It may be feasible for employers to allow an employee's rest break to coincide with time-off for religious observance, or to allow an adjustment to the working day. Employers need to consider that time-off for religious observance, such as prayer, is rarely longer than a coffee or tea break. If available, a spare room or space can be used for religious observance.

RELIGIOUS FESTIVALS/ DAYS OF OBSERVANCE

Most workplaces allow time-off to observe Christian religious holidays. The regulations do not state that employers have an automatic duty to provide time-off for religious festivals or days of observance. However, not to allow for time-off may be discriminatory, if it would not be unreasonable to do so. Employers would benefit from reviewing their annual leave and other time-off policies, in addition to plant closure practices to establish how to meet the time-off needs of employees with different religious needs. Employers may need to be flexible about how and when annual leave is taken. For instance, time-off for religious festivals could be taken from either, or a combination of, paid annual leave, Christmas leave or Easter leave. Organisations should also have clear and reasonable procedures for handling requests for leave, and employees should give adequate notice of their time-off needs.

DRESSING OR ADORNMENT IN ACCORDANCE WITH RELIGIOUS BELIEF

A number of religions and beliefs require followers to adopt certain forms of dress or adornment. Employers should try to be flexible to enable staff to dress in accordance with their beliefs, while meeting the requirements of the organisation. An organisation's dress codes which are in place to comply with health and safety legislation are lawful.

DIETARY REQUIREMENTS

Some religions have specific dietary requirements. Canteens should feasibly be able to meet the different dietary needs of staff. Certain employees bringing in food to the workplace may need to be able to store or heat it separately from other foods. A mutually acceptable solution could include the provision of sealed containers or separate shelving and storage.

DIGNITY AT WORK

The Race Relations Act Amendment Regulations 2003 provides specific protection against harassment on the grounds of race. The Employment Equality (Religion or Belief) Regulations also provide protection against harassment on the grounds of religion and belief. Harassment and victimisation is a serious problem for black and ethnic minority people. In the wider community, racist attacks are on the increase and Amicus can use the Regulations as a tool to create respect for the diversity of races and religions at work. A model harassment policy needs top-level commitment to valuing diversity in the workforce, and to introducing awareness-raising training for managers and supervisory staff as a priority group.

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NEGOTIATING INFORMATION

FACTS AND FIGURES

JUNE 2004

RETAIL PRICES INDEX

Percentage changes over 12 months

	RPI	RPIX
2001		
Mar	2.3	1.9
Apr	1.8	2.0
May	2.1	2.4
June	1.9	2.4
July	1.6	2.2
Aug	2.1	2.6
Sept	1.7	2.3
Oct	1.6	2.3
Nov	0.9	1.8
Dec	0.7	1.9
2002		
Mar	1.3	2.3
Apr	1.5	2.3
May	1.1	1.8
June	1.0	1.5
July	1.5	2.0
Aug	1.4	1.9
Sept	1.7	2.1
Oct	2.1	2.3
Nov	2.6	2.8
Dec	2.9	2.7
2003		
Jan	2.9	2.7
Feb	3.2	3.0
Mar	3.1	3.0
April	3.1	3.0
May	3.0	2.9
June	2.9	2.8
July	3.1	2.9
Aug	2.9	2.9
Sept	2.8	2.8
Oct	2.6	2.7
Nov	2.5	2.5
Dec	2.8	2.6
2004		
Jan	2.6	2.4
Feb	2.5	2.3
Mar	2.6	2.1
Apr	2.5	2.0

RPI (formerly main measure of consumer price inflation)
RPIX (Government's preferred measure of underlying inflation)

BASE LENDING RATE (MAY 2004)

4.25%

AVERAGE EARNINGS

	Month/year	*% change on year	*% Headline rate
WHOLE ECONOMY	MAR 04	4.3	5.2
Service sector	MAR 04	4.7	5.7
Manufacturing sector	MAR 04	3.5	3.5
Public sector	MAR 04	4.3	4.3
Private sector	MAR 04	4.5	5.5

* The headline rate is the centred average of the annual change in the seasonally adjusted series over the latest 3 months

* Compiled with data from the Office of National Statistics

RETAIL PRICE INDEX (%) Percentage change over 12 months, 1982–2003

	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997
Jan	12.0	4.9	5.1	5.0	5.5	3.9	3.3	7.5	7.7	9.0	4.1	1.7	2.5	3.3	2.9	2.8
Feb	11.0	5.3	5.1	5.4	5.1	3.9	3.3	7.8	7.5	8.9	4.1	1.8	2.4	3.4	2.7	2.7
Mar	10.4	4.6	5.2	6.1	4.2	4.0	3.5	7.9	8.1	8.2	4.0	1.9	2.3	3.5	2.7	2.6
Apr	9.4	4.0	5.2	6.9	3.0	4.2	3.9	8.0	9.4	6.4	4.3	1.3	2.6	3.3	2.4	2.4
May	9.5	3.7	5.1	7.0	2.8	4.1	4.2	8.3	9.7	5.8	4.3	1.3	2.6	3.4	2.2	2.
Jun	9.2	3.7	5.1	7.0	2.5	4.2	4.6	8.3	9.8	5.8	3.9	1.2	2.6	3.5	2.1	2.9
Jul	8.7	4.2	4.5	6.9	2.4	4.4	4.8	8.2	9.8	5.5	3.7	1.4	2.3	3.5	2.2	3.3
Aug	8.0	4.6	5.0	6.2	2.4	4.4	5.7	7.3	10.6	4.7	3.6	1.7	2.4	3.6	2.1	3.5
Sept	7.3	5.1	4.7	5.9	3.0	4.2	5.9	7.6	10.9	4.1	3.6	1.8	2.2	3.9	2.1	3.6
Oct	6.8	5.5	5.4	3.0	4.5	6.4	7.3	1.0	0.9	3.7	3.6	1.4	2.4	3.2	2.7	3.7
Nov	6.3	4.8	4.9	5.5	3.5	4.1	6.4	7.7	9.7	4.3	3.0	1.4	2.6	3.1	2.7	3.7
Dec	5.4	5.3	4.6	5.7	3.7	3.7	6.8	7.7	9.3	4.5	2.6	1.9	2.9	3.2	2.5	3.6
Avg	8.67	4.60	4.96	6.08	3.43	4.13	4.90	7.80	9.45	5.91	3.73	1.57	2.48	3.41	2.44	3.12

	1998	1999	2000	2001	2002	2003	2004
Jan	3.3	2.4	2.0	2.7	1.3	2.9	2.6
Feb	3.4	2.1	2.3	2.7	1.0	3.2	2.5
Mar	3.5	2.1	2.6	2.3	1.3	3.1	2.6
Apr	4.0	1.6	3.0	1.8	1.5	3.1	2.5
May	4.2	1.3	3.1	2.1	1.1	3.0	
Jun	3.7	1.3	3.3	1.9	1.0	2.9	
Jul	3.5	1.3	3.3	1.6	1.5	3.1	
Aug	3.3	1.1	3.0	2.1	1.4	2.9	
Sept	3.2	1.1	3.3	1.7	1.7	2.8	
Oct	3.1	1.2	3.1	1.6	2.1	2.6	
Nov	3.0	1.4	3.2	0.9	2.6	2.5	
Dec	2.8	1.8	2.9	0.7	2.9	2.8	
Avg	3.42	1.56	2.93	1.84	1.61	2.9	

UNDERSTANDING INFLATION

The inflation rate is calculated from the prices of a range of different goods and services selected to represent average spending patterns in the UK. The Office for National Statistics monitors changes in these prices each month, and uses this to work out an average increase for the year. The different items in the basket of goods and services are given different weights, so that things we spend more on, such as housing, motoring and food, are given more importance.

RETAIL PRICE INDEX EXPLAINED

RETAIL PRICES INDEX

The rate of inflation, or the RPI, is one of the most important influences on pay bargaining. Benefit levels, pensions and tax allowances are also linked to the RPI, as are decisions by the Bank of England about interest rates. Yet few of us know how the rate of inflation is determined.

The modern Retail Prices Index (RPI) began in 1947 as a way of determining the impact of inflation on family budgets. The index represents the average change in prices of the goods and services purchased by people across the UK.

HOW DOES IT WORK?

The Retail Prices Index is based on a 'shopping basket' of goods and services which people typically buy. The list includes basics such as food, electricity bills, clothing and petrol, as well as luxury and leisure goods such as electronic equipment, cinema tickets and restaurant meals.

Each month price collectors (staff working for the Office of National Statistics) obtain about 120,000 prices for 600 specified goods and services. They go to a wide variety of shops in 146 areas of the country. Prices of some items, such as utility bills, newspapers, council tax and rail fares are collected centrally.

RPI is based on the prices of 600 items in 14 categories:

Food	Household services
Catering	Clothing and footwear
Alcoholic drink	Personal goods and services
Tobacco	Motoring expenditure
Housing	Fares and other travel costs
Fuel and light	Leisure goods
Household goods	Leisure services

CALCULATING THE INDEX

Because people spend more on some things than others, the index is weighted to ensure that it reflects the importance of various items in the shopping basket. For example, because potatoes are the nation's most popular vegetable, they have a high weighting. A sharp fall in the price of potatoes in December 1999 knocked 0.1 percentage points off the annual rate of inflation. A similar drop in the price of turnips would not have had such an impact on the RPI. The weighting also reflects the different amounts spent on certain items in different part of the country.

Weightings are based largely on the results of the Family Expenditure Survey, an ONS study which collects information on the spending patterns of 7,000 families across the country. Weightings are reviewed every year to take account of market changes and new products. Back in the 1950's the index included items such as live chickens and mangles. Today ready meals and dry cleaning are on the list. New items, such as Eurotunnel fares and cable TV, have been introduced recently. The price of internet subscriptions was added to the index in January 2000.

WHAT DO THE FIGURES MEAN?

The annual change in the RPI is known as the rate of inflation. The headline rate or all items RPI is the percentage the index increases over one year. For example, in December 1998 the index stood at 164.4. By December 1999 the index had risen to 167.3. The index had risen by 1.8% over the twelve months, so the rate of inflation for December 1999 was 1.8%.

The RPI is currently measured from January 1987. The value of the index in January 1987 is set at 100 (January 1987=100). In December 1999 the value of the index was 167.3, meaning that £167.30 in December 1999 would buy the same as £100 would have bought in January 1987.

CPI—NEW EUROPEAN UNION INFLATION MEASURE

The Consumer Price Index (also called HICP - 'harmonised index of consumer prices') is an internationally comparable measure of inflation, calculated by each country in the European Union (EU). CPI's are used to compare inflation rates across the EU, and the Government will use it to decide if interest rates should be altered. It has been used as the Government's official rate from December 2003.

CPI differs from the current system - RPI - in various ways. It excludes most housing costs (including council tax, mortgage interest, buildings insurance). It also assumes that if the price of one product rises, people will buy less of it and more of its competitors. Using CPI, the UK inflation rate has been one of the lowest in the EU since the start of 2000.

Annual increases in pensions and other benefits calculated using the rate of inflation will continue to be calculated using the current criteria, not CPI. Get information on the CPI from www.statistics.gov.uk/CCI/nugget.asp?ID=181

OTHER INFLATION MEASURES

Before it adopted the 'CPI' measure, the Government used Underlying inflation, or RPIX as it's main measure. This is the annual rate of inflation excluding mortgage interest payments. In December 1999 the underlying inflation was 2.2%. The government has set a target of 2.5% for underlying inflation. If it rises above this level, the Bank of England is likely to raise interest rates in order to bring inflation down.

Another measure RPIY excludes mortgage interest payments and all indirect taxes such as VAT, Council Tax and excise duties.

USING RPI IN PAY BARGAINING

The rate of inflation is a key factor in any pay negotiations. If a pay increase is lower than the rate of inflation, workers will lose pay in real terms. This means that their pay will buy less than it did previously. An above-inflation settlement should provide a real increase in pay.

Some employers will try to link pay directly to the RPI, claiming that this will allow workers to keep up with the cost of living. This is not exactly correct. Remember that the RPI is an average based on the cost of items most people buy, in the amounts most people buy them. Individuals with different spending patterns may have higher costs. For example, while the overall index rose by only 1.2% in the year to October 1999, petrol and oil prices rose by 12%, and vehicle tax and insurance climbed by 13% in the same period. A person who used their car more than the average would find that their expenses had risen faster than the rate of inflation.

It is sensible, therefore, to seek an increase above the rate of inflation to ensure that all members are protected from falling behind the RPI.

Employers may also attempt to base pay increases on CPI, or the underlying rate of inflation. Branches should resist this as CPI excludes housing costs, and therefore does not reflect the true cost of living for our members.

For more information about the RPI:

Retail Prices Index: a brief guide, Office of National Statistics; www.statistics.gov.uk

A GUIDE TO AMICUS OPEN AND DISTANCE LEARNING PROGRAMMES

Amicus believes that education and training are essential for enabling individual and collective response to the rapid pace of social and industrial change. One of Amicus's main priorities is therefore to provide learning opportunities which engage the energy and enthusiasm of members, and which encourage them to become more actively involved in union life and in the community.

This briefing provides you with details of the open and distance learning programmes that Amicus offers through its partnership with the University of Leeds, School of Continuing Education.

GETTING STARTED

Types of learning

Through our partnership with the University of Leeds Amicus offers a flexible learning programme which combines a mixture of distance learning through online or paper based modules and day and residential weekends. Our commitment to 'active' learning means that students are encouraged to investigate issues through project work and to reflect on their own learning.

Who can apply?

The Amicus open and distance learning programme is open to all Amicus members. There are no formal educational requirements. All of the courses provide help with learning and study skills and there is a special programme Getting Started in Higher Education designed for members who have not studied for some time.

Courses available

There are over 30 courses (modules) to choose from and these can be gathered together in a variety of combinations to make up a Certificate. Five different certificates are offered at present:

Getting Started in Higher Education

This new certificate is aimed at members who have not studied for some time or who have never studied at university. The five modules in the Certificate are designed to help and support students into university learning.

CERTIFICATES

Global Labour Studies Certificate

This popular Certificate introduces Amicus members to debates around globalisation and the role of unions in the 'new global world'. Issues such as poverty, inequality and the changing nature of work are explored. The emphasis throughout the certificate is about becoming more active through the union on global and international issues.

Work and Learning Certificate

This Certificate has been designed specifically for members interested in learning in the workplace. Many union learning representatives are currently working their way through the three modules of this Certificate. The final module focuses on plans and possibilities that can be developed in your workplace.

The European Studies Certificate

This new Certificate explores some of the key European debates such as 'Europe and Democracy', 'Europe in a Global world' and 'European Trade Unions'.

Certificate in Community and Industrial Studies

This certificate allows you to design your own Certificate from amongst the various modules available. For example, students can choose the trade union history module, the employment law module and the democracy at work module.

SUPPORT FOR LEARNING

On registration, students are allocated an experienced tutor who will help them to progress through the course. Tutorial support consists of telephone tutorials, emails and written correspondence. Students are registered with the University of Leeds and this means that they have full access to all library facilities – including online resources and special services for distance learners.

Credit for learning

Modules are worth 10, 20 or 30 Higher Education Level 1 credits. These credits are nationally recognised across Higher Education and may be 'traded-in' if students wish to enrol for further study elsewhere.

Costs of Learning

Amicus has negotiated special rates for Amicus members. Normally students enrolled on University programmes pay £110 per ten-credit module but Amicus members only pay £50.

NEXT STEPS

If you are interested in finding out more you can contact Dr. Sarah Howard, Director of Education on 01279 755677; sarah.howard@amicustheunion.org You can also visit the union's dedicated education website www.amicus-m.org/whitehall-college

LEGAL

MINIMUM BASIC AWARD

A minimum basic award applies in some cases of unfair dismissal. As from 1 February 2004 this minimum rose from £3,500 to £3,600. The minimum basic award applies where the principle reason for a dismissal is one of the following:

Trade union membership or activities (Ss.152(1) and 153 TULR(C)A)

Carrying out duties as a health and safety representative (S.100(1)(a)-(b) ERA)

Carrying out duties as a trustee of an occupational pension scheme (S.102(1) ERA)

Performing functions or activities as an employee representative (Ss.101A(d) and 103 ERA)

WHEN DO THE NEW LIMITS TAKE EFFECT?

These compensation limits apply when the relevant date is on or after 1 February 2004, the relevant dates for the various affected employment rights being as follow:

Unfair dismissal – basic and compensatory awards: effective date of termination

Unfair dismissal – additional award: date by which reinstatement/re-engagement order should have been complied with

Redundancy pay: normally the effective date of termination, but see Ss.145 and 153 ERA

Guarantee pay: day for which claimed

Insolvency rights – for arrears of pay and holiday pay, the date of the employer's insolvency. For statutory notice pay, the later of the date of the employer's insolvency or the effective date of termination. For a basic award, the latest of the date of insolvency, effective date of termination or date on which the award was made

Unreasonable exclusion/expulsion from union: date of refusal of application for, or expulsion from, membership

Unjustifiable discipline by union: date of determination complained of

Unfair recruitment: date of conduct complained of

Consultation with union on training: date of the alleged failure

Right to be accompanied: date of the failure or threat to fail to allow employee to be accompanied

The changes are effected by the Employment Rights (Increase of Limits) Order 2003 SI 2003/3038

COMPENSATION LIMITS

	ERA 1996 provisions	Limit (old limit)	Current maximum (old maximum)
Unfair dismissal basic award Limit on a week's pay	S.227(1)(a)	£270 (£260)	£8,100 (£7,800)
Unfair dismissal compensatory award	S.124(1)		£55,000 (53,500)
Unfair dismissal additional award (for failure to comply with a reinstatement/re-engagement order) limit on a week's pay	S.227(1)(b)	£270 (£260)	£7,020 - £14,040 (all additional awards are for 26-52 weeks' pay)
Redundancy Pay Limit on a week's pay	S.227(1)(c)	£270 £260)	£8,100 (£7,800)
Guarantee Pay Limit on a day's pay during short-time or temporary lay-off	S.31(1)	£17.80 (£17.30)	£89.00 (86.50) (in respect of five days in any period of three months)
Insolvency rights Limit on a week's pay for recoverable debts	S.186(1)	£270 (£260)	(1) Arrears of pay £2,160 (£2,080) (2) Statutory notice pay £3,240 (£3,120) (3) Holiday pay £1,620 (£1,560) (4) Basic award £8,100 (£7,800)
	Other statutes		Current maximum (old maximum)
Unreasonable exclusion/expulsion from union	S.176(6) TULR(C)A		£63,100* (£61,300)
Unjustifiable discipline by union	S.67(8) TULR(C)A		£63,100* (£61,300)
Unfair recruitment Refusal of employment or services of employment agency on union membership grounds	S.140(4) TULR(C)A		£55,000** (£53,500)
Consultation with union on training	S.70C TULR(C)A		£540*** (£520)
Rights to be accompanied	S.11(2) EReA		£540*** (£520)
<p>*Maximum for unfair dismissal basic and compensatory awards. This is subject to a minimum of £5,900 if application is made to the EAT. ** Maximum for unfair dismissal compensatory award *** Maximum two weeks' pay</p>			

■ PAY REVIEW UPDATE

Review Group (No's. covered)	Effective Date	Period (months)	Terms of latest pay settlement
ELECTRICITY, GAS AND WATER			
British Gas – senior managers, 'legacy' contracts (1,000)	1.4.04	12	2.8% across-the-board increase
– new contracts (2,000)	1.1.04	12	All merit rises from 3% pay pot
SEABOARD Contracting Services – industrial staff (500)	1.3.04	12	Basic salaries increased by an average of 7.2%, mirroring the third and final stage of the three-year national agreement covering electricians, technicians and labouring workers in the electrical contracting industry.
ENGINEERING AND METALS			
BBA Friction – all (700)	1.1.04	36	Third year of a three-year deal awards December 2003 RPI, plus 0.5% to all staff:
Bentley Motors – all staff (1,366)	1.2.04	12	Ongoing pay freeze.
Borg Warner – all (260)	1.1.04	24	New two-year pay deal awards 3.2% across-the-board in the first year, plus a £100 signing bonus; the second year of the deal will pay 3%, plus a £100 signing bonus.
Delphi Diesel Systems – all (530)	1.8.03	24	First stage of two-year deal awards a 3% basic performance-linked pay increase. New bonus pay scheme based on profitability, quality and attendance introduced. Pay award in the second year will be based on August 2004 RPI.
Faun Municipal Vehicles (formerly Laird Anglesey) – all (150)	1.1.04	12	Wage freeze across the board.
Federal-Moghul Friction Products – all (780)	1.1.04	36	The second stage of a three-year deal with the T&G awards 3.1% across the board; Amicus, which had previously signed for one year, has signed for a further two years.

ENGINEERING AND METALS			
Federal-Moghul Friction Products – all (780)	1.1.04	36	The second stage of a three-year deal with the T&G awards 3.1% across the board; Amicus, which had previously signed for one year, has signed for a further two years.
Holset Engineering – all (700)	1.1.04	36	In the second year of a three-year deal, employees received basic salary increases of 3.5%. The third-year increase will be 3% or RPI (whichever is greater), plus 1%.
Knorr Bremse – manuals (87) and staff (68)	1.1.04	12	3% pay rise across the board.
Land Rover – manuals and staff (9,000)	1.11.03	24	A minimum increase of 6.5% over two years, paying 3.5% in the first year and 3% (or RPI if greater) from 1.11.04. Agreement also increased summer holiday bonus to £295.
Lucas Kienzle – all (210)	1.8.03	12	3% basic increase across the board.
LDV – manuals (937)	1.1.04	12	A two-year deal awards 2.5% cost-of-living increase in the first year, plus a 1.5% consolidated bonus for all staff except managers. The second year of the deal will award a 3% cost-of-living increase plus 1.5% consolidated bonus for all except managers (whose pay increases are negotiated individually).
Prestolite Electric – all (400)	1.8.04	12	3% across the board.
Sony (UK), Bridgend – manuals (800)	1.11.03	12	3% basic increase.
Ultra Electronics – all (150)	1.1.04	12	New two-year deal awards 3.5% pay uplift across the board in the first year. The second year will award RPI or EEF average quarterly settlement, reported as at September 2004 (whichever is greater).
Vauxhall Motors – hourly paid manuals (4,030) and staff (807)	2.9.03	36	Third stage of three-year deal: 3.1% basic rise based on July 2002 RPI, plus 0.5%.
Wabco Automotive – all (120)	1.4.04	36	Basic rates rise by 3.05% in the first stage of a three-year deal. In year two, salaries will rise by 2.7% or RPI (whichever is greater).

FOOD, DRINK AND TOBACCO HP Foods, Aston and Worcester – hourly paid (140)	1.1.04	12	3% basic increase
GENERAL MANUFACTURING Bio Rad – all (180)	1.2.04	12	All-merit rises from 3.5% pay pot.
Furniture Trade JIC – craft and manual workers (45,000)	1.1.04	12	Minimum industry rates raised by between 2.8% and 5%, weighted towards the lower paid. As a result the weekly rate for labourers and porters increases to £183.20 from January 2004, rising to £189.15 from 1 October.
Ibstock Building Products – hourly paid (1,400); staff (400)	1.1.04	2	3% basic pay increase.
Imported timber sawmilling industry – woodcutting machinists, labourers, and apprentices (15,000)	1.1.04	12	Industry rates rise by 3%.
Organ building industry – journeymen and journeywomen (400)	1.1.04	12	Industry minimum increased by 3.5%, raising the adult rate for journeymen and journeywomen, payable at age 20, to £6 an hour.
GENERAL SERVICES BBC Resources – all (1,500)	1.4.04	12	2.8% basic pay increase.
Granada – programme-makers/production, journalists, broadcasting, clerical and technical staff	1.10.03	15	Basic rates increased by 2% from 1 October 2003, plus an additional 0.25% from 1 February 2004, worth a total of just over 1.8% on an annualised basis.
ITN – all (750)	1.1.04	12	2.5% basic pay rise.
PUBLIC SERVICES Cabinet – all below senior civil service (1,600)	1.8.03	12	Deal worth 1.62% on the paybill for performance-based awards.
Department for Transport (DTI) – all below senior civil service except fast stream and legal trainees/officers (1,600)	1.8.03	12	Deal gives earnings growth of 3.6%, with minimum awards of 2.1% and additional flat-rate payments ranging from £200 to £300 for staff in pay bands 2 and 3. Top performers receive non-consolidated performance awards ranging from £100 to £500 at the DfT, and from £250 to £500 at the ODPM. The unions have not yet accepted the deal.
Office of Deputy Prime Minister (ODPM) – all below senior civil service except fast stream and legal trainees/officers (1,400)			

Further education, England and Wales – lecturers and support staff (230,000)	1.8.03	24	Two-year deal worth 6% overall. In the first year, effective 1.8.03, employees receive a 3% increase on all scales and an extension of lecturers' pay scale of £29,577. Staff also receive a backdated payment of 0.5% from April 2003.
National Audit Office – all below director level (640)	1.4.03	12	Award worth 4% of the paybill. Effective or better performers receive flat-rate consolidated rise, worth between 3.6% and 5.8%. Highly effective performers receive non-consolidated bonuses worth between £562 and £3,416.
New universities – admin., professional, technical and clerical (20,000); lecturers (30,000); and manual workers (15,000)	1.8.03	24	3.44% increase on all pay points as first part of two-year deal, with higher percentage rises for lowest paid workers. Deal not yet accepted by lecturer unions and Association of University Teachers (AUT), NATFHE and the Educational Institute of Scotland (EIS).
Old universities – academic and related staff (30,000); computer operators (280); manual workers (15,000); and technical staff (15,000)			
Prison service (England and Wales) – administrative and support staff (7,000); and industrial workers (3,100)	1.7.03	12	1% uplift on basic pay. Local pay increases recommended by the Prison Service Review Body extended to all groups. Shortened range for some administrative and technical grades. Four and a half thousand PCS and Prospect union members (support staff and some instructional officers) in dispute over the deal.
Sixth form colleges – teachers (7,780) and support staff (4,200)	1.9.03	12	Basic increase of 2.9%.

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