

# Time off for Trade Union Duties and Activities

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## Strategic Alignment

*Improving the Council's Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.*

<b>Consultation process</b>		
<b>Stakeholders</b>	Contacts identified for each service	
	<i>Joint Trade Unions</i>	
<b>Distribution</b>		

### Change record

<b>Date</b>	<i>28/02/2019</i>	<b>Author</b>	<i>Employee Relations Team, <a href="mailto:EmployeeRelationsTeam@northlan.gov.uk">EmployeeRelationsTeam@northlan.gov.uk</a></i>
<b>Change made</b>	<i>New format</i>		

# **Time Off for Trade Union Duties and Activities**

## **1. Time off Work**

**1.1** The council will provide reasonable time off work with pay to officers of those trade unions recognised by North Lanarkshire Council for duties concerned with aiding and improving the effectiveness of relationships between the Council and the trade unions.

### **1.2 Duties with Pay**

Duties concerned with the undernoted will be allowed as relevant:

- Consultative arrangements on terms and conditions of employment.
- Attendance at the Council's Joint Consultative Group meetings and any necessary pre-meetings.
- Representing members in matters of discipline or grievances hearings.
- Meetings with officials or elected members relating to industrial and employee relations issues affecting employees.
- Meetings with full-time union officials or lay officials concerning industrial relations between North Lanarkshire Council and its employees.
- Attendance at meetings of the National Joint Council or its Committees, including national negotiating bodies.
- Attendance as a delegate of trade unions recognised by the council at a Scottish Council meeting.
- Any other duties which relate to the conduct of effective industrial relations between the Council and its employees.

The Council recognises there are differences between trade union duties and trade union activities. The duties itemised in paragraph 1.2 will be with pay.

### **1.3 Trade Union Activities**

For trade union activities, time off **WITHOUT PAY** will apply to the undernoted:

- Annual and special conferences of the trade unions.
- Specifically convened conferences or meetings of the policy making body of the trade union which do not directly concern the Council.
- Branch meetings of the trade union convened during normal working hours.
- Annual Local Government Conference.
- Sector meetings.
- Branch Executive meetings.

Activities which themselves consist of industrial action do not, of course, embrace time off provisions.

#### **1.4 Frequency of Time Off**

The Council and the trade unions accept that the amount and frequency of time off, paid or unpaid, has to reflect (a) the operational needs of the services provided to the community, and (b) the importance of maintaining stable industrial relations throughout the Council. In accordance with the ACAS Code of Conduct, the Council and the trade unions will approach the principle of time off in terms of the reasonableness of the request in all the circumstances.

#### **1.5 Responsibilities**

From the trade union position, requests for time off should be provided with as much notice as possible, accompanied by details, the reason why time off is requested, the location and anticipated duration. The adequacy of cover for the provision of the service in the absence of representatives and due regard to cover for health and safety matters will be taken into account.

The employing services for their part will consider applications for time off on the merits of each circumstance and take into account the importance of the trade union role in effecting communications with their members.

## **1.6 Trade Union Courses**

An official of a trade union recognised by the Council is entitled to have time off to undergo training in aspects of duties where such training is approved by the TUC or the officials own union. Such training must be relevant to the carrying out of the officer's particular duties. The Council will treat such training courses as time off with pay.

## **1.7 Amount of Pay**

The calculation for pay purposes differs between salaried and non-salaried staff. In the former, pay for time off purposes will be on the basis of payment had the employee been at their normal work. For non-salaried employees, the basis for payment is the average hourly rate of the employee or the average hourly rate for comparable employees.

## **1.8 Overtime**

Where representatives are attending recognised trade union course of approved training, the Council will treat such courses as time off with pay but will not make payment for overtime if this would have been worked had the employee not been on the training course.

The Council, for its part, and the employing services, will not withhold unreasonably permission to attend approved trade union courses. Applications for time off to attend such courses should be made to the appropriate line manager or nominated officer at least 14 days before the course starting time.

## **2. Facilities**

The Council will consider the nature of facilities to the trade unions to assist them in their duties and in communications with their members, colleagues, officials and full time union officers.

The trade unions are asked to submit details of specific facilities they need to perform their duties efficiently.

### **2.1 Documentation**

The pro forma appended will be used in submitting requests for time off for trade union duties or trade union activities.

Where difficulty arises in the interpretation of this policy, the Head of Business, Organisational & People Solutions or nominated officer will advise the trade unions or management involved.

