

**UNITE JOINT NEGOTIATING COMMITTEE (JNC)****Notes of meeting held on 17 June 2022**

**Present:** Paul Davidson (People & Culture); Mark Latuske (People & Culture); Tina Gallagher (People & Culture); Richard Young (UNITE); Paul Agnew (UNITE); Gareth Scott (UNITE); Christine Irwin (People & Culture).

**Apologies:** Damian McAlister (People & Culture); Mark Latuske (People & Culture) leaving the meeting early; Brian McAuley (Director of Faculty Operations Life & Health Sciences); Judith Hough (UNITE); Rhonda Black (UNITE); Kathryn Wills (People & Culture).

**Format:** Meeting held via Microsoft Teams.

**22.07 Welcome & Housekeeping.**

Mr Davidson welcomed all to the meeting.

**22.08 Accuracy of the Minutes of meeting on 10 January 2022**

The minutes of the meeting 10 January 2022 were accepted as accurate subject to feedback from Unite.

**22.09 Matters arising from meeting of 10 January 2022**

*22.02 Technicians Commitment Scheme.* Mr Brian McAuley was unable to attend the meeting but had provided an update which had been shared with attendees in advance. Mr Davidson took the meeting through Mr McAuley's update:

- An on-campus celebration is being planned for all technical staff; details are to be shared in due course. Unite are invited to send through ideas for guest speakers at the event.
- A meeting of the Technicians Commitment Scheme working group is being held for planning purposes and the first full Technician Commitment Committee meeting is planned, at which an action plan will be agreed before it is submitted for approval.

**22.10 Bullying & Harassment Cases - Union availability to be on Panel**

Mr Davidson referred to changes to the B&H Policy that had been made in 2017, without Union agreement. Mr Davidson advised that Ms Gallagher had been in written communication with the Trade Unions expressing the University's willingness to revert to the 2010 agreed policy.

A meeting is being held week commencing 20 June 2022, with UCU and Unite Reps and People & Culture, to agree the policy wording pending a fuller review.

Ms Gallagher advised that a review of the original panel training has been conducted and training would be scheduled, by the start of AY 2022/2023.

Mr Davidson advised that since 2021, UCU had been unable to provide a representative to take a seat on formal complaint panels, due to workload. Mr Davidson advised that where a complaint came from a staff member who was from Unite membership category, the University now conducted panels, without a UCU rep in place.

Unite raised that as a point of order, B&H policy should be discussed at Health & Safety committee as it came under the Health and Safety framework, but as the agenda item directly related to the role of Unite representatives, they were content to discuss the matter in the JNC forum.

Unite said that the Unions had joint understanding that it may not always be possible for a Trade Union Representative from another Union, to take a seat on the panel and for this reason, the policy allowed for representation from either Union. Policy wording states 'The investigating panel shall comprise a Trades Union Representative where possible, from another Trade Union'.

Unite advised that they take a strong position on representation from Trade Unions on these panels and would oppose a move away from the expected panel set up. Unite will continue to resource panels where at all possible. Where Unite taking a seat on panel means that a Unite representative would be accompanying a staff member and another Unite member would be on the Panel, they would ensure there would be no breach of confidentiality and no conflict of interest.

Where Unite cannot resource a panel, they would not hold up the process and understand that there may sometimes be a need to proceed without a TU Rep.

Unite are against 2 person panels and suggest that a second Harassment Advisor, or a nominee from the Trade Union (whose sole role was to sit on panel) takes a panel seat rather than proceed with 2 persons considering a complaint.

Unite advised of their endorsement to the approach of Unions in partnership with management in formal complaint process and said that they would welcome the same input to grievance procedures.

#### **22.11 Grievance Hearings – the Right to Question Witnesses**

Mr Davidson advised JNC of discussions that management have been having with UCU on this issue and that UNITE should also be briefed on these discussions. The discussion has related to the right of a complainant to question witnesses, via the Chair and in the presence of the witnesses.

Mr Davidson advised that it is UCU's interpretation that this right existed under the current policy. Management do not believe this to be appropriate as the grievance hearing is intended to be inquisitorial and not adversarial. Mr Davidson proposed that, should a complainant have questions for witnesses, they could submit these in writing via the Chair who could raise them as part of their investigations but not in a meeting attended by the complainant.

Unite acknowledged that there was no legal requirement to allow a complainant to question witnesses face to face and advised that they would not want to see a practice which made it harder for witnesses to provide evidence.

Unite said that they would not give an opinion within the meeting, they would talk with UCU, make their decision as a Union, and come back with a response.

#### **22.12 Hybrid and Flexible Working Framework**

Mr Davidson invited Unite to comment on the hybrid and flexible working framework and to raise any member concerns.

Unite reported that some members had been advised to return any office equipment that they had been using whilst working at home. Unite felt that this instruction by line managers went against hybrid working and meant that staff could not safely work from home even where their job roles would allow it.

Unite advised that changing the equipment previously provided for working from home could make it unsafe for staff to continue with home working. There should be a DSE assessment for home working - which could be done via questionnaire. Unite said that they will support their workers in any future claims in this regard.

Mr Davidson said that his understanding was that laptops were provided for home working and that 2 monitors and a keyboard, were provided (or planned) for each desk on campus. He will meet with Digital Services regarding Unite's concerns, and it may be appropriate for Digital Services to attend a H&S committee to allow a discussion to take place.

More generally, Unite said that most people were happy with their working arrangements although lack of management trust regarding homeworking had been reported.

Unite said that they would like consideration to be made to encourage more homeworking considering the cost-of-living crisis. Unite thanked the University for the 1 off payment made to all staff.

## **22.13 AOB**

### **22.13.1 *Academy Restaurant:***

Unite requested information regarding the staffing restructure within the Academy Restaurant.

Mr Davidson advised that he contact the Head of School for an update.

### **22.13.2 Library**

Unite asked for clarity on library staff contracts in respect of overtime and TOIL. Unite said that any TOIL should be provided at the same rate as overtime and called for clarity to be provided to staff on their entitlement to overtime or TOIL, at their choice. In particular, part-time staff needed clarity on their entitlement to overtime when working beyond their contracted hours.

Ms Gallagher said that in the current contracts it states that weekend hours are worked on rota and reclaimed in TOIL at a basic rate. Hours in addition to week hours and weekend rota hours, are reclaimed at the normal overtime rate.

Unite advised that they will gather more information on specific issues and discuss with Joanne Doherty, People Partner, in the first instance.

**Meeting Ended 16:00**