

Motherwell, 6 September 2001 at 10 am.

A Meeting of the JOINT CONSULTATIVE COMMITTEE (MANUAL/CRAFT)

PRESENT

Councillor McElroy, Convener; Councillors Chadha, Gordon, Grant, McCallum, Morris, Saunders and Valentine, and R. Power, Vice-Convener; P. Cairns and A. Duncan, AEEU; S. Ross, GMB; G. Devine and G. Wilmshurst, T & G, and K. Campbell and C. Llewellyn, UNISON.

CHAIR

Councillor McElroy (Convener) presided.

IN ATTENDANCE

The Committee Services Officer, Head of Personnel Services and Chief Personnel Officer.

APOLOGIES

Councillor Selfridge.

JOINT CONSULTATIVE COMMITTEE (MANUAL/CRAFT)

1. There was submitted the Minute of the meeting of the Joint Consultative Committee (Manual/Craft) held on 19 June 2001.

The Committee noted and approved the terms of the Minute.

MATTERS ARISING

(1) JOB EVALUATION

2. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 19 June 2001 when the supply of newsletters on job evaluation was discussed, the trade union representatives sought an update on the progress of the scheme.

The Head of Personnel Services (1) advised (a) that three newsletters containing articles on the scheme had been circulated through each of the Council's departments; (b) that interviews for the benchmarked jobs had commenced; (c) that the project plan had been agreed, and (d) that the Steering Group had met; (2) proposed that the Project Manager be invited to the next meeting of the Committee and at six monthly intervals to update the Committee on the job evaluation process; (3) indicated that the Council had targeted a timescale of April 2003 for assimilation of employees with any appeals heard prior to September 2003, and (4) intimated that a national date was to be discussed at the Scottish Joint Council for Local Government Employees.

The Committee (1) noted the progress of the Job Evaluation Scheme, and (2) agreed that the Project Manager be invited to the next meeting of the Committee and at six monthly intervals to update the Committee on the job evaluation process.

(2) SCHEME OF DELEGATIONS TO OFFICERS

3. With reference to paragraph 5 of the Minute of the meeting of this Committee held on 19 June 2001 when the Committee noted that there were no plans to amend the Scheme of Delegation to Officers with regard to the trade unions interest in provision being made in the Scheme for the payment of compensation to employees for loss or damage to properties through the course of their work, the trade union representatives requested clarification on why the Scheme would not be amended.

The Head of Personnel Services (1) advised the Committee that such an amendment to the Scheme could have significant cost implications across the Council, and (2) indicated that individual cases for compensation would be considered at departmental level.

(3) LONG SERVICE POLICY, PARENTAL LEAVE POLICY AND SPECIAL LEAVE POLICY

4. With reference to paragraph 4 of the Minute of the meeting of this Committee held on 19 June 2001 when the Committee noted that the draft policies on Long Service, Parental Leave and Special Leave would be discussed at a future meeting of the Corporate Management Team in light of the feedback from the trade unions, the trade union representatives sought an update regarding the status of the policies.

The Head of Personnel Services advised the Committee (1) that a response to the trade union comments on the Parental Leave Policy and Special Leave Policy would be available in the near future for trade unions to consider, and (2) that while departments were supportive of a scheme for long service in principle this was the subject of further discussion.

(4) TIME RECORDING SYSTEMS

5. With reference to paragraph 7 of the Minute of the meeting of this Committee held on 19 June 2001 when the Committee noted that the concerns in relation to the use of time recording systems in disciplinary cases would be continued to a future meeting of the Committee, the trade union representatives requested an update on the data gathered from time recording systems.

The Head of Personnel Services advised that the accuracy of the systems, and types of systems in use in each of the Council's departments were being investigated.

The Committee noted that the Head of Personnel Services would report on the matter to a future meeting of the Committee.

DRAFT REVISED CONSTITUTION FOR A JOINT CONSULTATIVE COMMITTEE FOR LOCAL GOVERNMENT EMPLOYEES

6. With reference to paragraph 3 of the Minute of the meeting of this Committee held on 19 June 2001 when the Committee noted that the Head of Personnel Services would liaise with the Vice-Convener with a view to progressing a revised constitution there was re-submitted a report dated 1 September 2000 by the Head of Personnel Services which set out (1) proposals for the merger of the Joint Consultative Committees (APT & C) and (Manual/Craft) in light of the single status agreement, and (2) the draft constitution for a Joint Consultative Committee for Local Government employees.

The Head of Personnel Services (1) advised the Committee that it was recognised that the representatives of the Joint Consultative Committee (Manual/Craft) did not wish to proceed with

merging the Joint Consultative Committees (APT&C) and (Manual/Craft) until the manual/craft core conditions of service had been agreed, and (2) indicated that the draft Constitution for the merged Joint Consultative Committees could be finalised prior to the implementation of the merged Committee.

The trade union representatives agreed to address the draft Constitution of the merged Joint Consultative Committees.

JOINT CONSULTATIVE COMMITTEE (MANUAL/CRAFT) - DATE OF MEETING

7. The Head of Personnel Services (1) advised the Committee that she along with the Convener and Vice-Convener of the Policy and Resources (Personnel) Sub-Committee would be absent on Council business on 8 November 2001, and (2) proposed that the next meeting of the Committee due to be held on 8 November 2001 be postponed.

The Committee agreed that the next meeting of the Committee be postponed until Thursday, 22 November 2001 at 2 pm.

BOUNCE PAYMENTS

8. The trade union representatives advised the Committee that retired employees had received correspondence regarding court action over bounce payments and requested that bounce payments be deducted on an incremental basis prior to the employee leaving.

The Head of Personnel Services advised the Committee (1) that at the time of an employee leaving the employment of the Council an agreement should be made to recover bounce payments; (2) that any concerns regarding a former employee should be taken up with the former department or the Finance Department in the first instance, and (3) that if a satisfactory outcome was not achieved the Head of Personnel Services would then investigate the matter.

PENSION PROVISIONS FOR TUPE STAFF

9. The trade union representatives raised the issue of pension provisions following TUPE transfer and requested that the Council look closely at the matter prior to entering future public/private partnerships.

The Head of Personnel Services advised the Committee (1) that pension provisions were not covered by TUPE; (2) that the Council could not legally require any of the partners to enter into admitted body status although each party had the opportunity to seek such status or to provide comparable pension benefits, and (3) that there would be requirements of entering into admitted body status that could be detrimental to the partnerships.

The Committee agreed that the Chief Executive be advised of the comments made by the trade union representatives on pension provisions following a TUPE transfer.

PUBLIC/PRIVATE PARTNERSHIPS (PPP)

10. With reference to paragraph 10 of the Minute of the meeting of this Committee held on 19 June 2001 when it was agreed that clarification be sought on the situation regarding potential PPP Projects, the Head of Personnel Services advised the Committee (1) that an internal Working Group was undertaking a feasibility study into potential PPP Projects; (2) that the Scottish Executive had provided

funding to assist with the feasibility study, and (3) that prior to any decision being made on PPP Projects trade union consultation would take place.

FORMER MOTHERWELL DISTRICT COUNCIL GRATUITIES

11. The trade union representatives advised that former Motherwell District Council employees had not been paid gratuities in terms of the scheme previously agreed by the District Council.

The Head of Personnel Services advised the Committee (1) that employees who transferred to North Lanarkshire Council from the former authorities and remained in post would be eligible for payment of gratuities under the former scheme; (2) that the situation would remain until North Lanarkshire reached agreement on a long service policy, and (3) that problems experienced by two employees in the Department of Community Services had been resolved.

BOURNE AND SEALING

12. The trade union representatives (1) expressed concern at the Council's lack of consistency in dealing with the bourne and sealing of wooden floors which they indicated had been discontinued as a duty of the Janitors in 1989 following compulsory competitive tendering; (2) indicated that in some cases employees were undertaking these duties with no health and safety training, and (3) intimated that the Director of Community Services had issued instructions to employees to carry out these duties and had requested orders for supplies of materials in that connection.

The Head of Personnel Services advised the Committee (a) that at the departmental Joint Consultative Committee on 13 December 2000 it was agreed that the matter be reviewed as part of the Janitorial Services Best Value Review following which discussion would take place with the trade unions, and (b) that the status quo would prevail until an agreement on the issue had been reached.

The Committee (1) noted the comments made by the trade union representatives on bourne and sealing; (2) note that the matter was under review by the Director of Community Services, and (3) authorised the Director of Community Services to submit a report to a future meeting of the Committee on the progress made in resolving the issue of bourne and sealing.

CONTRACT VARIATIONS/NEW CONTRACT

13. The trade union representatives referred to a clause in contracts for employees regarding damage caused to Council property while under the control of an employee whether by negligence or otherwise and indicated that the word "otherwise" caused them concern.

The Head of Personnel Services advised the Committee (1) that the clause which was one adopted by every local authority reserved the right of the Council to recover costs where appropriate and would only be used after consideration of individual circumstances, and (2) that if any disagreement could be dealt with through the Council's grievance procedures.

The Committee (1) noted the comments of the trade union representatives, and (2) indicated that if any department of the Council was unreasonably applying the clause, the matter should be referred to the Head of Personnel Services for investigation.