

Motherwell, 5 September 2002 at 2 pm.

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

PRESENT

Councillor McElroy, Convener; Councillors Gordon, McCallum, Morris, Saunders and Valentine; and R. Power, Vice-Convener, and P. Cairns, GMB; G. Devine, T & G; and C. Armstrong and M. Docherty, UNISON.

CHAIR

Councillor McElroy (Convener) presided.

IN ATTENDANCE

The Committee Services Officer, Head of Personnel Services, Chief Personnel Officer; Manager of Resources and Information, Department of Social Work, and Commercial Partnership Manager.

APOLOGIES

Councillors Chadha, Grant and Ross, and K. Campbell, UNISON.

JOINT CONSULTATIVE COMMITTEE (MANUAL/CRAFT) - MINUTE

1. There was submitted the Minute of the meeting of the Joint Consultative Committee (Manual/Craft) held on 5 September 2002.

The Committee noted and approved the terms of the Minute.

The Convener exercised his discretion to vary the order of business as hereinafter minuted.

PRIVATE FINANCE INITIATIVE/PUBLIC PRIVATE PARTNERSHIP (PPP)

2. With reference to paragraph 2 of the Minute of the meeting of this Committee held on 23 May 2002, when the Committee had noted that the trades union side had requested early discussions on the outcome of the Council's bid to the Scottish Executive for PPP funding, the Commercial Partnership Manager advised the Committee (1) that the Scottish Executive had announced that an award of £150m would be made available to the Council for a PPP package for school building projects; (2) that the PPP Team of the Department of Education was currently carrying out an affordability exercise to select projects for a revised PPP package for submission to the Education PPP Project Member/Officer Working Group for consideration and to make recommendations thereon to the Education Committee; (3) that the recommendations of the Working Group would then be submitted to a special meeting of the Education Committee for approval, in principle, and (4) that the proposals would then be the subject of an extensive public consultation exercise.

The Committee noted the position.

MATTERS ARISING

3. There was submitted a report (tabled and docketed) dated 4 September 2002 by the Director of Administration presenting a general update on matters arising from previous meetings of the APT and C and Manual/Craft Joint Consultative Committees.

With regard to the item on "Arrestment of Wages/Salaries" the Committee noted that should notification be received from the Scottish Executive of proposed amendments to the legislation relating to the arrestment of wages/salaries prior to the next meeting of the Committee, the Head of Personnel Services would consult with the trades union representatives on the matter.

With regard to the undernoted items of business, the Committee noted the position as detailed in the report in relation to the following issues:-

- (1) Employee Counselling Service
- (2) Annual Leave
- (3) Whistle Blowing Policy
- (4) Facilities for Trade Unions
- (5) Parental Leave Policy
- (6) Council Policies
- (7) New Start Packs.

DRAFT REVISED CONSTITUTION

4. With reference to paragraph 8 of the Minute of the meeting of this Committee held on 23 May 2002, there was submitted a paper by the Director of Administration setting out an amended draft Constitution for the merger of the APT and C and Manual/Craft Joint Consultative Committees to become the Joint Consultative Committee for Local Government Employees.

The trades union representatives indicated that they were not yet in a position to provide details of membership as negotiations with other unions were still ongoing.

The Committee noted the position.

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

5. The Head of Personnel Services proposed (1) that the next meeting of this Committee be held on Thursday, 21 November 2002, instead of the scheduled date of 7 November 2002, and (2) that if negotiations for the merger of the APT and C and Manual/Craft Joint Consultative Committees were finalised prior to 21 November, the next meeting would be the first meeting of the new Joint Consultative Committee for Local Government Employees.

The Committee agreed that the next meeting of this Committee, or of the new Joint Consultative Committee for Local Government Employees, whichever was appropriate, be held on 21 November 2002.

PROVISION OF A POLICY ON WHISTLE BLOWING

6. With reference to paragraph 8 of the Minute of the meeting of this Committee held on 23 May 2002, the Convener advised the Committee that this item of business had been dealt with earlier in the agenda under paragraph 3.

NEGOTIATIONS

7. The trade union representatives expressed concern at the method of negotiations being undertaken within the Council and, in particular, at negotiations which were being carried out by the Director of Social Work with staff in relation to public holidays.

The Social Work Manager of Resources and Information advised the Committee that, as part of a departmental review of the Home Care Services, negotiations were being carried out at a central level and also at a local level with Home Support Staff, on the feasibility of staff who were required to work on public holidays to meet the exigencies of the service being allowed to use the public holidays as “floating” holidays.

The Committee noted that the Director of Social Work would supply the trades union representatives with copies of his report on the outcome of the negotiations involving Home Support staff.

DEPARTMENTAL JOINT CONSULTATIVE COMMITTEE - SOCIAL WORK DEPARTMENT

8. The trade union representatives expressed concern that a Departmental Joint Consultative Committee (JCC) was not in existence in the Department of Social Work.

The Social Work Manager of Resources and Information advised the Committee (1) that the establishment of a Social Work Departmental JCC would be welcome, and (2) that although he had written last year to GMB, T&G, UCATT and Unison inviting each of them to participate in a Social Work Departmental JCC, only UNISON had indicated an interest in being represented at meetings. The Head of Personnel Services intimated that although some of the Council's Service Departments did not have a Departmental JCC, liaison arrangements with the relevant trade unions were in place. Thereon, the Convener indicated that there were no barriers to Departmental JCCs being established.

The Committee noted the position.

DEPARTMENTAL JOINT CONSULTATIVE COMMITTEE - DISTRIBUTION OF MINUTES

9. The trades union representatives raised the issue of the supply of the Minutes of meetings of Departmental Joint Consultative Committees to trades union representatives and expressed concern that the Minutes were not being circulated to all trades union representatives on a regular basis.

The Committee noted that the trades union representatives would pursue the matter of the circulation of Departmental JCC Minutes through their shop stewards.

RECKONABLE SERVICE

10. The trades union representatives raised the issue of reckonable service and expressed concern that some of their members with previous service with other employers may lose credit for that service.

In that connection the Head of Personnel Services tabled a document comprising a copy of the Statutory Instrument on the Redundancy Payment (Continuity of Employment in Local Government Etc.) (Modification) (Amendment) Order 2002, together with copies of relevant preceding Orders. Thereon, the Head of Personnel Services advised the Committee that all of the bodies recognised by local authorities for the purpose of reckonable service were listed in the Statutory Instruments, and she indicated that if the trade union representatives had any comments to make on the matter they could liaise with her.

The Committee noted the position.

SMOKING IN COUNCIL PREMISES POLICY

11. With reference to paragraph 3 of the Minute of the meeting of this Committee held on 14 March 2002, the trades union representatives raised the issue of the varying application of the Smoking in Council Premises Policy and (1) expressed concern at (a) inconsistencies in the application of the Policy across Council Departments, and (b) the threat of disciplinary action for non compliance with the terms of the Policy, and (2) sought clarification on the application of the Policy and also on the provision of alternative accommodation/facilities for smoking.

The Head of Personnel Services advised (1) that where it was operationally feasible and provided health requirements were met, accommodation would be set aside for smoking, but where such conditions were not met, smoking in Council premises would not be permitted, and (2) that individual issues relative to arrangements for smoking should be taken up with the relevant Director. The Social Work Manager of Resources and Information added that the Health, Safety and Welfare Forum had noted the difficulties in the application of the policy in the Department of Social Work, particularly in Residential Homes where residents may smoke but no provision had been made for staff to smoke.

The Committee noted that individual issues in relation to the application of the Smoking in Council Premises Policy should be taken up with the relevant Director.