

FACILITY TIME AGREEMENT

Forestry Commission and the Forestry Commission Trade Unions (FCTU)

Introduction

1. The Forestry Commission recognises the important contribution that trade unions make to the organisation and in supporting their members. Staff are encouraged to join a trade union and, where they wish, to take an active role within it.
2. The Forestry Commission supports the fact that members of unions have the right to be adequately represented by their Unions, and that in this context union representatives have responsibilities to their respective unions and the members that they represent.
3. It is recognised that certain facilities need to be provided by the Forestry Commission to union members and their representatives in order that they can actively fulfil their roles and responsibilities, and to this end the following agreement has been reached.

Recognised Trade Unions

4. The Trade Unions recognised by the Forestry Commission and covered by this agreement are:
 - a. Public and Commercial Services Union
 - b. Unite
 - c. Prospect
 - d. GMB Union
 - e. First Division Association of Civil Servants (FDA)

Union Members

5. Reasonable requests for time off will be granted to all union members, for the following purposes.
 - a. Attending a meeting with an accredited representative or other union representative to discuss a matter of personal concern.
 - b. Attending in a specialist capacity, joint meetings, or meetings with accredited representatives, in connection with matters of joint concern to the Official side and FCTU.
 - c. Attending union meetings called to discuss matters of concern or to propose motions to a conference.
 - d. Attending a Conference of a recognised Trade Union, whether as a delegate or as a trainee delegate.
 - e. Voting at the workplace in union elections.
 - f. Representing the union on external bodies relevant to employment in the Civil Service, eg at TUC meetings.
6. Where it is necessary for a union to hold a meeting of members the union should agree the arrangements with management as far in advance as possible. Where a meeting necessarily involves a large proportion of employees at any one time, then management and the union(s) concerned should agree on a convenient time which minimises the disruption of official work, eg towards the end of the working day.

Accredited Representatives

7. An accredited representative is an employee who has been duly appointed by a recognised union to represent their members within the union structure of the Forestry Commission at Department, regional or local level.

8. Unions will notify management of the names and locations of all accredited representatives.

9. Accredited representatives will be allowed an agreed allocation of facility time within their FJP to enable them to perform their union and industrial relations duties. The accredited representative will report to their line manager for the use made of time spent away from official duties under the terms of this agreement. Types of activities for which facility time will be granted are:

- a. Joint meetings between the FCTU and management;
- b. Meetings of the FCTU at Departmental, regional or local level;
- c. Consultation or negotiation with the appropriate level of management on matters of joint concern;
- d. Preparation, including consideration of papers and proposals for joint meetings, consultation and negotiation;
- e. Meetings with other accredited representatives or full-time union officers or members to consider matters of joint concern to the Official Side and the FCTU;
- f. Consulting and informing members through the normal channels of communication and through meetings as provided in paragraph 5c about negotiations and discussions with management;
- g. Meetings with and on behalf of members on individual issues concerning them and the Forestry Commission, such as grievance, performance and discipline matters (see also the relevant section of the Staff Handbook);
- h. Appearing on behalf of members before the Civil Service Appeal Board, a Medical Appeal Board (or similar FC boards) or an outside official body, eg an Employment Tribunal dealing with an industrial relations matter concerning the Civil Service as an employer;
- i. Explanations to groups of new employees of the role of the unions in the Forestry Commission;
- j. Taking part as a representative in meetings of official policy making bodies of the union (such as National, Section or Branch Executive Committees);
- k. duty as chairperson, secretary, organiser or treasurer on a union committee (for staff councils 9b applies);
- l. Attendance at a union conference or equivalent event, whether as a delegate or as a trainee delegate;
- m. Representing unions on internal or external bodies, relevant to employment in the Civil Service, eg Union equality or health and safety committees, or TUC meetings;

10. The Forestry Commission encourages its staff to play an active part in Trade Union business and there should be few, if any occasions that representatives cannot be given time off to participate in these activities. Advance warning and careful planning of meetings should help to ensure that the mutual needs of managers and representatives are met. Time off for these activities will not normally exceed 25 days [40 days for members of National Executive Committees or Councils]. Where managers and representatives have difficulty in agreeing a time allocation or in arranging union duties

around other work elements, then support should be sought from HR Policy Branch and the FCTU Chair or Secretary, who will assist in agreeing suitable arrangements.

11. Requests for additional time off for events not covered by paragraph 9 will be considered by the local manager, and again if difficulties arise, assistance should be sought from HR Policy Branch or the FCTU Chair or Secretary. Where a manager feels unable to grant a request for facility time for activities not covered in paragraph 9, the reasons for this will be given to the representative in writing and copied to the FCTU Secretary.

12. As far as possible, management should apply the normal procedures for staff reporting, appraisal and career development for accredited representatives and will take account of the knowledge, skills and experience demonstrated and gained in the time spent on union duties.

13. Forward Job Plans should indicate the amount of time spent on Trade Union duties and all other targets and duties must be amended to reflect this time allocation. Assessments and comments will be confined to official duties, as will Appraisal Interviews; however managers must ensure that a fair allowance is made for time spent on union activities when conducting assessments.

FCTU Chair and Secretary Posts

14. The FC will provide the funding and support for one full time post (FCTU Secretary) and one 40% post (FCTU Chair). Post holders for these roles are selected by the unions through an internal election process; they are elected for a period of five years. The post-holders should neither be advantaged nor disadvantaged as a result of taking on the role and that as far as possible normal staff management procedures should apply.

15. The FCTU Secretary and FCTU Chair post-holders will take up the appointment at their substantive grade and Staff Inspection will make an assessment by 'benchmarking' the FJP against the JEGS criteria. If appropriate, TRA will be awarded for the duration of the appointment. The assessment can be carried out prior to appointment if the FJP is agreed in advanced.

16. The annual Performance Assessment of the FCTU Chair and Secretary, and the Appraisal Interview, will be carried out by the Head of HR Operations ; with the countersigning completed by Director HR.

Training

17. Within the total facility time allocations described in paragraph 10 accredited representatives will be allowed an allocation of facility time to attend development and training courses, as follows;

- a. During the first or second year as an accredited representative - up to 10 days.
- b. In subsequent years - up to 5 days; however if a course lasts up to 10 days, a maximum of 5 days may be carried over from the previous year or anticipated from the following year.
- c. To facilitate a member becoming an accredited representative up to 5 days may be allowed to a union member for training purposes.

Health and Safety Representatives

18. The provisions of this agreement are without prejudice to, and in addition to the statutory rights given to trade union health and safety representatives as provided for in the Safety Representatives and Safety Committees Regulations 1977.

Learning Representatives

15. The provisions of this agreement are without prejudice to, and in addition to the statutory rights given to trade union learning representatives as provided for in the Employment Act 2002.

Remuneration

16. Union members and accredited representatives including those employed on a part-time basis will be paid at the normal Pay Band Salary rate excluding overtime, for all of their facility time taken on union activities under this agreement. Part-time staff who participate in meetings outwith their normal working pattern can claim the full hours of attendance including travelling time.

17. In addition union members and accredited representatives will be entitled to claim travel and subsistence allowances and overtime, within the rules set out in Staff Handbook Section 11, for activities relating to 5a&b and 9a-i above

Noticeboards

18. Notice Board facilities will be provided in all Forestry Commission Offices, where requested, and unions are free to exhibit, notices of general interest to their members. The Official Side do, however, reserve the right to challenge the propriety of any notice exhibited by a union and, on giving reasons, secure its immediate withdrawal. The union concerned would be free to make representations about the reinstatement of the notice.

Trade Union Office Services

19. The FCTU cost centre will be managed by the FCTU Side Secretary in accordance with the Forestry Commission's standard procedures.

20. Suitable accommodation, containing the normal level of office equipment will be provided for the FCTU Secretary and Chairperson.

21. Correspondence between the unions and their members may be sent, under cover, through the internal distribution system, and the pouch service between offices.

22. Full-time Administrative Support at PB6b and 80% administrative support at PB4 is allocated to the FCTU Secretary.

23. Use of printing, photocopying, Electronic Mail, telephone and FAX facilities are available to all accredited representatives for Trade Union Business. The normal Departmental rules relating to the use of official telephones and internal e-mails services will apply.

Access to Documents

24. Accredited representatives will be granted access to documents which set out rules relating to pay, conditions, and such other matters as affect members of staff. Any such documents will be supplied to the FCTU Secretary automatically.

New Entrants

25. The names of new entrants and those resigning, retiring or transferring within the Forestry Commission will be supplied to the Trade Union Side Secretary.

26. A representative of the Unions will be permitted to address new entrants during initial training with a view to encouraging them to join the appropriate union and to explain the role of unions in the department and Civil Service.

27. In the event of initial training not being provided quickly for new entrants, an accredited representative will be allowed to meet new entrants.

Director HR

Trade Union Side