

HEALTH PROTECTION AGENCY

Recognition and Procedure Agreement

Facilities and Time off for Trade Union Duties and Activities

1. INTRODUCTION

- 1.1 This agreement aims to provide guidance to staff and management in ensuring consistency in interpretation and approval for time off and facilities in relation to trade union duties and activities.
- 1.2. This agreement has been drawn up in accordance with relevant statutory provisions and ACAS Guidelines.
- 1.3 This policy applies to all employees of the HPA.

2. DEFINITIONS

- 2.1 For purposes of this agreement a Staff Representative is – *An accredited representative of a trade union or professional organisation which is recognised by the HPA in accordance with the HPA's Recognition and Procedure Agreement.*
- 2.2 The term “Union” refers to any trade union or professional organisation recognised by the HPA as defined in paragraph 1.2 of the HPA's Recognition and Procedure Agreement.

3. PRINCIPLES

- 3.1 The HPA recognises that staff representatives should be given reasonable paid time off to carry out union duties and undergo training relevant to their position.
- 3.2 The HPA is committed to the promotion of a positive employee relations climate and views the role of the staff representative as vital in achieving this objective.
- 3.3 Requests for time off will be considered in a fair and consistent manner but will always need to be considered in the light of the overall requirements of the Agency.
- 3.4 A Representative who requires time off should seek the approval of his/her line manager as far in advance as is reasonably practicable.

4. TIME OFF FOR TRADE UNION DUTIES (STAFF REPRESENTATIVES)

The following list details the main duties for which time off would normally be given, however there may be other duties not listed, for which it would be appropriate to allow time off with pay and this would be determined by the line manager on receipt of advice from the Human Resources Department.

- 4.1 Consultations and negotiations with HPA management.
- 4.2 Attendance at the National Joint Staff Committee.
- 4.3 Explanation of the union role to new employees.
- 4.4 Meetings with the full time officer of the Union on matters concerning their members.
- 4.5 Informing members about the outcome of negotiations or consultations with management.
- 4.6 Acting on behalf of, consulting with or accompanying members for purposes of individual representation.
- 4.7 Making a case and appearing before an official outside body such as an employment tribunal.
- 4.8 Specific training relevant to the representative's union duties.

5. TIME OFF FOR TRADE UNION ACTIVITIES (TRADE UNION MEMBERS)

- 5.1 Reasonable time off during working hours is permitted for an employee who is a member of a union recognised by the HPA, for the purpose of taking part in Union activities.
- 5.2 There is no legal requirement for members to be paid for time off for union activities. However because participation is encouraged, members may be paid for meetings held during working hours. It would be expected that routine meetings would be held at times to avoid disruption to the work of the HPA including arranging meetings outside working hours.
- 5.3 This permission will not extend to activities which themselves consist of industrial action.

6. APPLICATION FOR TIME OFF

- 6.1 A Representative who requires time off should seek the approval of his/her line manager as far in advance as is reasonably practicable.
- 6.2 The Representative should indicate the nature of his/her business for which time off is required, the intended location and the expected period of absence.
- 6.3 The Representative should bear in mind that there may be occasions where, due to the needs of the Agency, time off cannot be permitted.
- 6.4 The Representative should not leave the work place to carry out union duties without consulting his/her line manager.

7. FACILITIES FOR ACCREDITED REPRESENTATIVES

- 7.1 The HPA will provide reasonable access to general office and administrative support including access to telephone, copying and e-mail facilities and lockable filing space.

- 7.2 Representatives requiring access to a room for confidential interviews or meetings with members and full time officers will be provided with such accommodation on an ad hoc basis subject to availability.
- 7.3 Access to notice boards for official union notices.
- 7.4 Accredited representatives shall have access to all HPA Agreements, Policies, Procedures and guidance notes.