

NOTES OF MEETING – JOINT UNION CONSULTATIVE & NEGOTIATING COMMITTEE (JUCNC).

Date: 14 October 2021

Present: Damian McAlister (People & Culture); Paul Davidson (People & Culture); Mark Latuske (People & Culture); Kathryn Wills (People & Culture); Richard Young (UNITE); Paul Agnew (UNITE); Judith Hough (UNITE); Pearl Bartley (UNITE); Paddy Mackel (UCU); Linda Moore (UCU); Aisling O’Beirn (UCU); Adrian Grant (UCU); Norman Hagan (UCU); Nuala Conlon (UNISON).

Attending: Christine Irwin (People & Culture).

Format: Meeting held via Microsoft Teams.

21.21 Apologies

Apologies: Tina Gallagher (People & Culture), Rhonda Black (UNITE), Billy Scampton (UNITE).

21.22 Welcome

Mr McAlister welcomed all to the meeting.

21.23 Matters arising from the Minutes of 21 May 2021

UNITE requested that minute 21.12 be amended to reflect their concern for staff who do not fall within the definition of ‘clinically extremely vulnerable’ but do have other vulnerabilities.

21.24 Matters arising from the Minutes of 22 September 2021

UCU requested that the first sentence of paragraph five be amended to read ‘UCU understood it would be unrealistic to re-negotiate the policy, in the formal discussions’.

21.25 Response to VC Announcement – UCU

UCU requested that the following statement is included in the minutes.

“In response to the VC announcement in May, UCU asked for their concerns to be recorded that although public health continued to deteriorate and hospital numbers remained high, the VC did not change his decision. UCU remain highly concerned about the VC's decision not to require social distancing in classrooms. With a full return to face to face teaching it is not possible to achieve 1 m distancing, particular in JN. UCU do not consider that the University is meeting its obligations for 1m distance in the workplace.

UCU stated that a lot of prior planning had gone into adopting a blended approach. The VC decision for full face to face, followed by the shift back in semester 1 towards a more blended approach was stressful, chaotic, created timetabling issues and added to workload and also mental health pressures for some staff. Some students have reported not feeling safe on campus”.

21.26 Equality Screening

UCU raised a concern in relation to the University's understanding of when it is appropriate to conduct equality screening. UCU advised that they have lodged a complaint with the Equality Commission on this matter.

UCU advised that they disagree with the University's interpretation of when to conduct equality screening. For example, the University has advised that in relation to CTC, as the structural change will be implemented in line with OSC policy, which has already been screened, a new equality screening was not required. Mr McAlister advised that the University screens policies, but it is not necessary to conduct a new screening on every occasion that a policy is used. UCU suggested that in its opinion the University's interpretation means that the University is not fulfilling its obligations under section 75.

UNITE asked that the minutes record their disagreement with the OSC Policy and advised that they expect a review of the Policy.

UCU requested that the University provides the unions with details on all screening exercises. Management noted that the three unions are already on the list of consultees and have been receiving all screening consultations for many years. It was also noted that screening consultations are also routinely communicated in an 'all staff' email. The unions requested that in addition to sending the consultation documents to their regional offices, they should also be sent to local representatives. They also requested to receive advance notice of policies to be screened. Mr Latuske to action.

Mr Latuske advised that the University's Equality Scheme was approved by the Equality Commission, the University would welcome further conversation with UCU, but would await the decision of the Equality Commission on the complaint.

21.27 Communication with PhD Researchers

UCU suggested that PhD Researchers are not being included in University-wide communications. UCU suggested that as PhD Researchers are also members of staff and as such should be included in 'all-staff' communications. Management suggested that as their primary relationship with the University is as a student they are included in 'all-student' emails.

Discussion also took place in relation to the treatment of international students, particularly in relation to monitoring attendance. UCU advised that their national position is that academic staff should not carry out immigration work. UCU do not interpret home office guidance in the same way that the University do i.e. the Home Office say that there are to be 'touch points' – this doesn't have to be with the supervisor.

UNITE advised that PhD researchers are both students and employees and that they work closely with Technical staff, who have an obligation to supervise them as students. UNITE called for clear communications so that all parties understand their role.

Mr McAlister advised that PhD Researchers are students – those with a contract to teach, are also workers. The University will consider how to include PhD Researchers in their communications. The University recognises that further discussion is required relating to treatment of international students. A meeting will be arranged between the Doctoral college and UCU with UUSU attending.

21.28 Casualisation

Mr McAlister thanked UCU for their Heads of Claim document and advised that a meeting will be arranged as soon as possible to discuss the claim.

21.29 Job Evaluation process

UCU introduced this agenda item, indicating that recent issues in CTC had highlighted the need for further consultation on the HERA job evaluation process. UCU have concerns in relation to the absence of an appeal process and the University's decision not to share information on scoring boundaries and individual scores.

Mr Davidson advised that the decision not to share information on scoring boundaries and individual scores is to protect the integrity of the process. The process involves gathering evidence on levels of responsibility relative to 14 assessment areas. Those managers that provide the evidence are not involved in the scoring. This separation of the evidence gathering process from the scoring process is an essential control mechanism to ensure the integrity of the process. It ensures that those providing the evidence do not have a predetermined score in mind and assemble evidence to achieve that score. If managers had a predetermined score and grade in mind there is a danger that the evidence gathering process may be tainted to achieve that score, thereby undermining the integrity of the process. The removal of this essential control mechanism could undermine the process. Mr Davidson also noted that the University's approach and control mechanisms had been tested in tribunal and the University successfully defended its position.

UCU requested information on the training provided to those conducting the evaluations. Mr McAlister asked to be excused from this part of the conversation as he is a Board member of ECC who provide the training. Mr McAlister left the meeting at this point. Mr Davidson advised that HERA is administered nationally by ECC. ECC is a not-for-profit organisation. In order to access the HERA software and conduct HERA job evaluations, those involved as role analysts need to complete mandatory training provided by ECC.

UNITE noted that when staff were being assimilated to the single pay spine in 2006 there were joint union/management panels. UNITE also suggested that although the University was successful in the tribunal case, there was some criticism of the University in the decision.

Mr McAlister advised that he was happy to have discussions locally to arrive at an agreed outcome.

UCU indicated that they may raise their concerns in writing.

21.30 Organisational Structural Change (OSC) Policy

UCU noted that the OSC Policy is due for review and want to consult with the University on this matter.

UNITE requested that the following be recorded in the minutes.

"Unite advised that their issues with OSC are intrinsically linked to the job evaluation system. An 18 month pay protection directly links to redundancy. In agreeing to the 18 months, an employee signs away their rights, including the 2 year protection of grade under HERA and their pension. The process should be dynamic where duties can be attached to a downgraded person, to bring them back up. Access to redeployment should be provided as soon as a person is at risk and should go to redeployees first."

Mr Davidson noted that at a recent meeting with UCU and UNITE to prioritise policies for negotiation over the next 12 months, the Redundancy Policy and redeployment arrangements were suggested as priorities. The unions agreed to respond in writing in relation to the prioritisation exercise.

Mr McAlister referred to the LRA presentation in December 2019 and the concept of ICN (Involve; Consult; Negotiate). Preliminary discussion took place on how this should impact on the work of the JUCNCs and JNCs. Discussion also took place on rotating the Chair of JUCNC. The unions will consider further and may provide written comments.

21.31 AOB

21.32.1 – Change of catering/hospitality provider

Mr McAlister advised of a change of catering/hospitality provider. Compass have taken the place of Mount Charles. Due to current staffing issues not all outlets are open.

UNISON advised that many employers in this sector are finding it difficult to fill vacancies, which UNISON consider to be directly due to rate of pay offered.

UCU advised that there had been agreement to consult and advise on the provision and UCU were disappointed not to have been consulted, particularly as they had seen an opportunity for smaller enterprises. Mr McAlister noted UCUs comments and took an action to pass them to the Director of Campus Life.

UNITE advised that they had raised concerns in relation to potential breaches of Covid regulations in some of the catering outlets (face coverings; spacing and contact detail being taken).

21.32.2 – Delay in Block BC Handover

Mr McAlister advised that a communication will be issued on Insight this evening in relation to a delay in the handover of block BC. SOMAGUE, who are the lead contractor, have reported serious supply issues related to Brexit. The handover of BC is now delayed until 2022. This has led to the decision that, for the start of semester 2, teaching and learning will continue on Jordanstown Campus.

UCU expressed extreme disappointment at the lack of consultation regarding the supply issues. UCU noted that staff will now need to respond to disappointed students and that the decision will causes stress for staff.

UNITE suggested that the handover delay should have been discussed at the GBD forum. UNITE also requested a formal inspection of BD (rather than a general tour of the premises). Mr McAlister advised that this would be discussed at both the GBD forum and the HSW committee.

UNITE suggested that the free transport provided to students to attend Jordanstown was only available to those in the greater Belfast area which UNITE considers to be unfair. Mr McAlister to raise this with the Travel and Transport Manager.

21.32.3 – Recent Overpayments in CTC.

UCU raised concerns in relation to recent overpayments in CTC. Mr McAlister to arrange a meeting with Neal Cook, Mr Davidson and UCU on this matter.

21.32.4 – Flexible Working Framework.

Mr McAlister welcomed the progress that has been made in the negotiations on the Flexible Working Framework. All parties agreed that good progress had been made.

21.32.5 – Return to campus for professional services staff.

Mr McAlister advised that the University is now planning to encourage professional services staff to return to on campus working on a hybrid basis from 1 November 2021. This will be for circa 2 days per week.

UCU advised that they were extremely disappointed and concerned about this decision and how it has been communicated. UCU advised that in their opinion this decision presents a significant health and safety risk. They suggested that given the current infection levels, now is not the right time to return to campus.

UNITE also expressed their disappointment and concern about the decision. UNITE suggested that there has not been sufficient regard for the safety of those with caring responsibilities and for staff already on campus, given the impact of increased footfall on campus.

It was agreed that this matter will be discussed tomorrow at the HSC subgroup.

21.32.6 – Trade Union Room on the Belfast Campus

Mr McAlister noted that Room BA 02022 has been confirmed as the trade union room on the Belfast campus. UNITE requested a computer for each union rather than a shared computer. Mr Agnew to work with Ms Gallagher on this matter.

Meeting ended 5pm