

STATES OF GUERNSEY
RECOGNITION AND FACILITIES POLICY

1. Introduction

The purpose of this document is to state the policy of the States of Guernsey in relation to what facilities will be extended to representatives of recognised unions within the States of Guernsey in order to assist them in discharging their duties on behalf of their union.

A union representative is defined as someone who has been elected or appointed in accordance with the union rules to represent union members in an organisation where they also are an employee.

An accredited union representative must be a current employee of the States of Guernsey and normally have been so for at least six months. However, consideration will be given to reducing this period when it can be shown that the nominated representative has had previous, appropriate trade union experience.

2. General Principles and Objectives

In order to meet its stated objectives, the States of Guernsey wishes to foster good relations with staff. To this end, it is believed that it is in the best interest of all parties to have mechanisms for staff consultation and for resolving differences and conflicts of interest.

The States of Guernsey also believes that staff should be able to call upon accredited, trained and competent union representatives to help and advise as and when required and that the rights and responsibilities of those representatives should be clearly understood.

The States of Guernsey considers that union representatives should be granted reasonable paid time off to discharge their union responsibilities. However, it is acknowledged that this is a voluntary role and there is an expectation that some union work will be undertaken in the representative's own time. They shall be subject to their respective terms and conditions of employment like any other employee. However, they will not be disciplined merely for carrying out the prescribed and legitimate responsibilities of their office in accordance with the provisions of this policy.

3. Facilities Arrangements

Time off for Trade Union Duties

- i) Trade union duties might include the following:
 - a) Negotiations with the employer or, where the employer has agreed, for duties concerned with other functions related to or connected with the subjects of collective bargaining.
 - b) The subjects concerned with collective bargaining may include one or more of the following:
 - Terms and conditions of employment including remuneration, directives, guidelines and procedures;

- Engagement or non-engagement, or termination or suspension of employment or the duties of employment, of one or more workers;
 - Allocation of work or the duties of employment as between workers or groups of workers;
 - Machinery for negotiation or consultation and other procedures;
 - Health, safety, welfare and other issues relating to the working environment.
- ii) Union representatives should be allowed reasonable access to their members in the workplace, subject to the exigencies of the service and following prior arrangement with the line manager concerned.
- iii) While recognising that this is a voluntary role and there is an expectation that some union work will be undertaken in the representative's own time, Union representatives should be granted reasonable paid time off to discharge their union responsibilities. They will be paid either the amount that they would have earned had they worked during the time off taken or, where earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do. For example, the individual's average, taken over three months immediately preceding the month in which the request for payment is made.
- iv) Union representatives are entitled to take a reasonable amount of paid time off to prepare for grievance and disciplinary representation to management and attendance at such interviews and also to accompany an employee at a disciplinary or grievance hearing so long as they have been approved and authorised by their union as being capable of acting as an employee's companion. This includes attendance at official bodies i.e. Employment Tribunals, Appeals Committees.
- v) Union duties performed during contracted hours must relate to employment within the States of Guernsey (for the avoidance of doubt this includes statutory bodies whose functions remains under the auspices of the States.)
- vi) Time off in lieu at plain time rates will be granted to union representatives who are required to attend meetings called by management at times when the representative would otherwise have been off duty.
- vii) Trade unions should be given reasonable facility to make new employees aware of their existence and activities.
- viii) Subject to the exigencies of the service, union representatives should be allowed reasonable time during working hours to carry out their duties without loss of pay. However, prior permission of line managers must be obtained – such permission should not be unreasonably withheld provided reasonable notice is given. This notice may vary depending on the circumstances but should not normally be less than 48 hours.

- ix) Subject to the exigencies of the service, union representatives should be given reasonable time off with pay to attend training events and conferences arranged by or in association with their trade union but in no such case will travel or other associated costs be met by the States of Guernsey. Prior permission of line managers must be obtained and reasonable notice given. The union representative should provide a copy of the syllabus or course / conference content.
- x) The granting of time off will not override the exigencies of the service should a conflict of interests arise. The line manager may need to consider possible disruption and pressure on colleagues as a result of the union representative's absence.

Communications and meeting rooms

- i) Union representatives may make use of the States' internal mail system for official union business. They may also make reasonable use of office facilities such as a designated notice board, telephone, fax, photocopiers and internet services.
- ii) Union representatives may make use of meeting rooms in States buildings for official union business but such use will be subject to the booking arrangements in force from time to time within these buildings.

Any other requirements for facilities should be considered by the union representative and line manager who, in reaching agreement on them, should have regard to the exigencies of the service, the availability of facilities generally and the workload of the union representative concerned.

4. Compliance Monitoring

It is the responsibility of each Chief Secretary to ensure that compliance monitoring of this policy is undertaken within their services.

In circumstances where the provisions of this policy are not being met, contact should be made in the first instance with the HR Team who will assist in resolving the problem.

5. Distribution

This policy will be distributed by the Head of HR, to all services and is available on States of Guernsey intranet sites.

This policy will be reviewed by the Head of HR and Staff Sides as required but at a frequency of not less than every three years.

Tim Langlois
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