

2019 Energy Service Group Conference UNISON PRELIMINARY AGENDA

ACC Liverpool

17 Jun 2019

Organising and Recruitment

Recruitment and Organising

1. Recruitment in Outsourced Employers

Conference is concerned at the rapid and consistent drop in membership numbers being experienced in some branches.

Conference believes that this is in part due to frequent voluntary severance exercises and people not being replaced when they retire.

However, it must be noted that much of this is due to the fact that many Energy companies are increasingly making use of outsourced suppliers in order to make savings.

It is the case that many of these employees in outsourced employers join UNISON online and look for representation and that this poses a problem for branches as we do not have recognition with the employers concerned and are therefore unable to represent the members.

Conference believes that there is huge potential for recruitment in these outsourced employers, whilst recognising that the correct arrangements would have to be in place to enable this to happen.

Therefore conference instructs the Energy Service Group Executive to work with the appropriate parties within UNISON to look at the possibility of setting up recognition with outsourced employers who operate in the industry with a view to providing guidance to Energy Branches on how to proceed to start a recruitment initiative in these employers and grow the union.

Scottish Electricity

Negotiating and Bargaining

Bargaining

2. Sectoral Pay Bargaining in the Energy Sector

Conference notes that energy workers are employed by many different private sector companies as a result of privatisation and fragmentation in the industry.

While privatisation has been good for senior executives and managers who have benefited from the industry profits generated, the same cannot be said for the majority of the workforce.

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The gap between energy bosses and energy workers has continued to rise as it has for all major corporations. The High Pay Centre has calculated that the average pay of a FTSE 100 boss is now £4.35m a year – compared with £1.23m at the introduction of the minimum wage, an increase of 354%.

This year's Fat Cat Day, the day when the average FTSE 100 chief executive will have already earned more than an average UK worker's annual salary, took place on 4 January, earlier than last year.

While salaries of energy bosses like Iain Conn of Centrica and Alistair Phillip-Davies of SSE continue to rise, workers salaries struggle to keep pace with rises in the cost of living. UNISON welfare has seen a steady rise from members seeking assistance to pay for basics such as food and clothing.

It is also clear that excessive salaries amongst energy bosses are unrelated to performance as many energy companies have struggled to perform. This flies in the face of advice given by the CBI that 'high pay should only be justified by outstanding performance'.

Conference therefore welcomes moves by the Labour Party to propose the introduction of sectoral collective bargaining for workers in the energy industry.

Such sectoral bargaining could harmonise pay and conditions for all workers carrying out similar work and ensure that the race to the bottom is halted and undercutting employers are stopped in their tracks.

Conference therefore calls on the SGE to;

- 1) Engage fully via UNISON's Labour Link with the Labour Party's energy policy team to develop a proposal for sectoral pay bargaining that is beneficial to the energy workers that UNISON represents;
- 2) Seek to ensure that any sectoral pay bargaining approach for energy workers, starts to close the gap between energy bosses and energy workers;
- 3) Work with the other energy trade unions to reach broad agreement on any future proposals and to ensure universal adoption of such arrangements, with zero tolerance for those who seek to avoid obligations;
- 4) Include pension arrangements in any sectoral bargaining agreements covering energy workers, so that all energy workers get access to good defined benefit pensions.

Energy Service Group Executive

3. Utility and Energy Industry Privatisation

Many members within the above industries no longer have the luxury of a Defined Benefits (DB) pension and are relying on a much inferior Direct Contributions

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Pension scheme for their retirement. A lot of these workers have used the Share Save and Share Incentive Plan (SIP) share schemes within these companies to subsidise the shortfall in their pensions by using these share opportunities.

There is a big concern within these workers, that although they agree with the public ownership of utility and energy companies and many of them will be potential Labour voters, it would be like turkeys voting for Christmas, as they feel that the share price would collapse in the event of a Labour government winning power and re-nationalising these industries. This would have a catastrophic impact on the retirement prospects of a lot of these industry workers.

The branch feels that the hard-working long suffering workers within these industries should be protected from any panic slump in share price caused by the intention to re-nationalise.

This branch proposes that a future Labour government should consider carefully the impact they would have on the workforce who are small shareholders via the Share Save schemes and SIP schemes of these companies. This could be done by pledging to ensure these workers will be compensated fairly by either paying the pre-nationalisation 5-year average or current share price whichever is the greater. Or alternatively reinstating a DB pension scheme and giving the workforce the option of being credited into the scheme with the equivalent amount.

This branch believes that the above affects are not only potential Labour voters but the highly skilled committed workforce that the government will rely heavily on if they are to make a success of re-nationalising and running these industries successfully.

We call upon the Energy Service Group Executive to:

- 1) Note that this motion has already been raised and approved at West Midlands Regional Council in November 2018;
- 2) Work with UNISON Labour Link to promote re-nationalisation through Labour Party channels;
- 3) Work to ensure that jobs, pay and conditions and pensions of members in the Energy Sector are protected during any future re-nationalisation;
- 4) Work closely with the appropriate UNISON committees to increase understanding of the impact of re-nationalisation on members' working in this sector.

National Grid Energy

4. Policies on dealing with abusive customers in call centres

Conference notes that many energy members work in call centres and operational centres where they take calls from operational colleagues and customers. While most callers are reasonable, there is always a proportion that are unreasonable and

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some who are extremely abusive. In workplaces with generally high levels of stress, this can be intolerable.

People who deal with customers and clients by telephone may experience aggression and verbal abuse. The Health and Safety Executive's definition of work-related violence includes verbal abuse and threats as well as physical attacks, and employers have a legal responsibility to reduce the risk of any form of violence to staff. Within the NHS and many other organisations that deal with the general public on a daily basis normally on a face to face interaction there is a zero-tolerance policy towards abusive and violent behaviour that is perpetuated against any member of staff.

This however does not appear to be the case when a call centre agent is faced with dealing with a customer who is using abusive or offensive language to that member of staff on the telephone. A report by UNISON carried out in 2016 called UNISON Calling showed that 78% of respondents to a survey said that they had been sometimes subjected to abuse during a call with a customer and 31% of those surveyed advised that the help they had received to deal with an abusive caller was poor. The stress levels felt by call centre agents who deal with customers such as these are noted to be higher and this in turn leads to higher levels of sickness within the call centre putting pressure on other employees.

The zero tolerance policies that are used by many public sector organisations threaten a member of the public with prosecution for any action that is taken against a member of staff. However, this is not the case in many energy companies with few penalties being used against customers who feel it is their right to use at times very derogatory or offensive language because they happen to be speaking a person on the telephone. If the same conversation was happening face to face it is highly unlikely that the same actions would be taken by that customer.

Therefore, Conference calls upon the National Service Group Executive to:

- 1) Carry out research across branches to see how companies deal with abusive customers and what support there is for staff affected by dealing with these customers;
- 2) Promote and share best practices and 'name and fame' those employers who implement and operate Zero Tolerance policies in their call centres;
- 3) Provide bargaining support to branches where there is not a policy in the company so that one can be negotiated;
- 4) Work to update the UNISON Call Centre Charter with new emphasis on dealing with these customers and the consequences of not having such a policy.

Yorkshire and Humberside Region

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5. Turbulent Times Indeed! Training for UNISON Stewards and representatives on reorganisations, redundancies and TUPE

The Energy sector is undergoing an unprecedented level of change, arguably the most change since the privatisation of the sector in the 1980's. The sector is facing real challenges from competition within the sector; political challenges from all political parties and the media; the need to meet OFGEM requirements; opinions from the consumers whose switching awareness and ability means that switching is becoming more prevalent and also supported by the increased use of mass group switching organisations. There are many new players coming into the sector which in and of itself is not a bad thing but these are often start up companies with no level playing field, operating at a loss and not bound by all the requirements put on the Big 6 (or should that be 5?) Generally there is an unknown future of the sector in terms of what Energy will look like next year, indeed, the next decade.

Over the last few years and as a result of all of the above, we have experienced large scale job losses and reorganisations in our employers including British Gas and Centrica, EON, EDF and Npower. British Gas announced 4,000 job losses, EON announced 500, Npower announced 2,400 job losses a few years ago with another 900 this year. Although there was no specific figure announced for EDF, 6% of the workforce will be or has been affected globally between 2017 and 2019. Plus 10 smaller employers went into liquidation in the last year resulting in overnight job losses.

As a result of this, local UNISON stewards and branches are having to react and support our members through these redundancy and reorganisation programmes, protecting our members' jobs and job security, securing employment and getting the best for our members through redundancies and TUPE transfers.

To help support our stewards and representatives we believe they would benefit from sector specific training. To this end, we call on the Energy Service Group Executive to:

- 1) devise and promote bespoke Energy Sector training on redundancies and reorganisations and TUPE;
- 2) provide tool kits and checklists on what to do in the event of reorganisations, redundancies and TUPE transfers;
- 3) promote and support pan-regional training to benefit from collective experiences across regions and across employers.

Yorkshire and Humberside Region

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6. Raising the profile of Black activists

UNISON is committed to fair representation and proportionality (Rule D4.1). However, within the Energy sector we do not see enough Black members represented at branch, regional and national committee level.

Raising the profile of Black activists within Energy employers and increasing the number of Black members involved at branch, regional and national levels within the Energy service group and wider union is critical in meeting UNISON's recruitment and organising objectives.

Conference also notes the Leadership School where activists can take steps to develop their leadership skills and take up positions of increased responsibility. Members who have attended this school have gone on to become branch secretaries and employed staff.

Black members play a valuable role in ensuring the union and branches identify and take up equality issues and actively challenge discrimination within the workplace. This is key in meeting the unions current challenges as no workplace where discrimination exists can be truly organised.

Conference asks that the Energy Service Group executive works across regions to encourage Energy branches to do what they can to empower Black workers to become activists and to become involved with their self organised groups. Encouragement should be given to help Black workers become stewards and to increase participation in their Branch Committees with the view to becoming active in their regions and the wider union.

Conference asks that the Energy Service Group Executive seek to:

- 1) Conduct a survey of energy branches nationally to establish how many branches have Black self organised groups and how we can encourage this development in branches to support promotion of becoming active in Energy and UNISON;
- 2) Work with the National Black Members Committee on joint initiatives that will encourage Black workers to join UNISON and become active within its structures;
- 3) Remind branches and members by circulating information of the support and guidance available to Black members to become activists;
- 4) Report on progress to the Energy conference 2020 with a view to continuing the work and providing regular updates to the Energy sector.

National Black Members' Committee

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7. Making the LGBT group more inclusive – the + factor

Conference celebrates UNISON's work over the past 25 years to promote women's equality and participation and to tackle sexism and sex discrimination at work, in our union and across society. Like other service groups, the Energy service group has a majority of women members and our rules and practices to encourage women's participation are vital to achieving our equality objectives. Likewise, in our negotiations, it is vital that we demand employers consider the impact of policies and practices on women workers and take active steps on equal pay and to tackle all forms of workplace discrimination. Considerations of gender and monitoring of women's progress or experiences are key to much of this.

Conference notes however that an overemphasis on gender where gender has no relevance can have the effect of reinforcing gender stereotypes, which can in turn reinforce gender job segregation and the glass ceiling and have no recognition for workers who do not identify as women or men.

Conference believes that workers should be able to attend work according to their gender identity, whether this is female, male or non-binary. This may mean small but important changes to systems and facilities so that they are inclusive, such as inclusive gender and title options in electronic records and non-gendered dress codes.

By becoming more inclusive for our members we also become more inclusive to the people we work with.

Conference notes that the lesbian, gay, bisexual and transgender (LGBT) self organised group (SOG) has always sought to be fully representative of its diverse membership, in line with UNISON's rules. It notes that the LGBT group works with inclusive, umbrella definitions of bisexual and transgender. Its bi network is for all members who feel attraction to more than one gender, and its trans network is for all types of self-identifying trans people; for people with trans backgrounds and members whose gender identity does not fit into the gender binary i.e. non-binary members.

However, despite these inclusive definitions some members who the LGBT group considers to be part of the group are put off. The LGBT group hears repeatedly that when members attend its meetings, they feel welcomed and included, but before they attend they had been unsure. This is particularly the case for members who do not personally use the label LGBT about themselves, for example members who identify as queer. It is clear that there must be many other members who are put off and never get over that barrier.

Conference notes that the national LGBT committee undertook consultation during 2018 on making the LGBT SOG fully inclusive. This followed a motion from the national young members' forum to 2017 LGBT conference highlighting the growth in the number of people, and young people in particular, identifying their sexual orientation and gender identity in many different ways beyond a binary definition, and expressing their preference to see the LGBT group move to organise on an LGBT + (plus) basis.

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The overwhelming majority of the consultation responses were in favour of the proposal to change the group's name to LGBT plus (+).

Putting the + in the group's name would not change its existing remit of being a self-organised group for all members who experience prejudice because of their gender identity or sexual orientation, but would demonstrate an inclusiveness beyond that conveyed by the current name so that people who the group consider to be members are not put off from participating.

Conference calls on the Service Group Executive to:

- 1) Gather good practice examples from branches organising in the Energy service group of inclusive employer policies and practices, including in record-keeping, language, any dress codes and in the provision of safe and accessible gender-neutral facilities;
- 2) Continue to promote good practice across the service group;
- 3) Encourage support amongst Energy members for the rule change from LGBT conference to national delegate conference on the LGBT group changing its name to LGBT+;
- 4) Circulate the national LGBT committee's briefing on the group's name becoming LGBT+, LGBT bargaining factsheets and how to be a good trans ally leaflet to branches organising in the service group.

National Lesbian, Gay, Bisexual and Transgender Committee

Campaigning

Campaigns

8. Unlocking the potential of Hydrogen

This energy conference welcomes the work UNISON is doing to promote the potential of Hydrogen in the energy system. This includes helping to get the all-party parliamentary group for hydrogen set up, engaging with key stakeholders and informing members of the key issues.

We recognise that while it is imperative that we meet and surpass the climate change targets set for the UK we have to also ensure secure and affordable energy is provided to all and that thousands of good energy jobs are protected.

Hydrogen is a clean fuel which if used in the energy system would decrease significantly the carbon emissions that take place when energy is consumed. It will need to be produced initially through the cleaning of methane gas via steam reformation and carbon capture and storage but eventually it will be able to be produced via electrolysis using renewable energy. The ability to store hydrogen easily makes it a great accompaniment to renewable energy.

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Conference is however disappointed and frustrated at the governments lack of planning and action to ensure we have a clean energy future and as each day passes we get closer to a time when it might be too late to effect a proper transition.

Thousands of unionised jobs are at stake in the gas industry that could be put to good use in a national hydrogen programme. UNISON has a good track record in recruiting these workers. These jobs once gone will be hard to replace in the time frame needed to decarbonise the energy system. We cannot let this happen.

Conference therefore calls on the SGE to:

- 1) Continue to lobby for a hydrogen future for the gas industry which will decarbonise the gas network and protect our energy members' jobs and futures;
- 2) Support the work of the All-Party Parliamentary Group for Hydrogen;
- 3) Work with the Labour Party through the UNISON Labour Link to ensure Labour future energy policy includes a clear commitment to a hydrogen gas future;
- 4) Continue to brief UNISON members on the benefits of Hydrogen Gas.

Energy Service Group Executive

9. Training Mental Health First-Aiders in Energy Workplaces

Conference notes that since 1981, workplaces have been required to provide adequate and appropriate first aid equipment, facilities and people, to ensure that employees can be given immediate help if they are injured or taken ill at work. Yet in 2019, there is still no statutory requirement for employers to provide mental health first aid assistance to employees.

Nonetheless, branches can still negotiate locally with Energy employers to invest in mental health first aiders.

Since 2007, Mental Health First Aid (MHFA) England has trained over 300,000 people in Mental Health First Aid and aim to train 5 million. Scotland's Mental Health first Aid (SMHFA), MHFA Wales and Action Mental Health in Northern Ireland do similar work. Mental health first aid does not teach people to treat or diagnose mental health problems. Instead, the training teaches people how to offer initial support until appropriate professional help is received or until the crisis resolves – just like traditional first aid.

We know mental health first aiders are no substitute for professional support or adequate prevention of work-related stress. However encouraging employers to sign up to mental health first aid training for staff should form part of a wider strategy for addressing mental health in Energy workplaces.

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The Department of Health encourages all employers in England to provide mental health first aid training and has recently announced plans to train 15 million people in mental health first aid.

Conference welcomes the renewed focus on mental health and wellbeing from some Energy employers such as National Grid and British Gas but these remain exceptions rather than the rule and more work needs to be done.

Conference calls on the Service Group Executive to:

- 1) Raise awareness of MHFA training with Energy branches and regions, encouraging them to include this in their overall mental health bargaining with Energy employers;
- 2) Continue to publicise UNISON's mental health bargaining guide;
- 3) Reflect on any lessons learned at employers such as National Grid and British Gas and use this learning to inform future negotiating;
- 4) Support the campaign to require employers to provide mental health first aid as well as physical first aid.

National Disabled Members Committee

10. Negotiating disability leave policies with Energy employers

Disability leave is time off from work for a reason related to someone's disability. It is an example of a reasonable adjustment which Energy employers have a duty to provide to disabled staff under the Equality Act 2010. It is different to sick leave – in many cases the worker is not actually sick – and it can be planned or un-planned.

Not all disabled workers need to take disability leave. However those that do often find that Energy employers refuse to acknowledge their legal duty. These workers can find that what should be counted as disability leave is instead logged as sick leave and they end up on a capability, with the potential to lose their job.

However, if jointly negotiated workplace policies are in place, then this can overcome this reluctance to recognise the right to disability leave as a reasonable adjustment by some Energy employers and managers. Some Energy employers have already agreed a disability leave policy and where this is done jointly with the union it can give guidance to both managers and staff and ensure fairness and consistency.

UNISON has produced bargaining guidance for branches to help negotiate with employers and this includes a model policy that Energy employers can agree with the union. The guide gives some examples of disability leave including:

- 1) Rehabilitation training for a newly disabled worker learning to manage a condition;

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- 2) Cancer treatment and rehabilitation;
- 3) Waiting for the employer to make reasonable adjustments;
- 4) Assessment for conditions such as dyslexia;
- 5) Counselling for a mental health problem;
- 6) Period of sickness related to disability;

UNISON's key bargaining aims when negotiating with Energy employers on disability leave are that disability leave should be:

- a. Paid leave;
- b. Counted separately to ordinary sick leave;
- c. Removed from trigger calculations in capability procedures etc;
- d. There should be no maximum duration, the legal test is what is "reasonable".

Agreeing a disability leave policy with Energy employers not only helps individual members and reduces the time our stewards spend on case work but it can also be a good news story about the benefits of collective bargaining to use in recruiting new members.

Conference therefore calls on the Service Group Executive to:

- i) Collect information from Energy branches to identify existing policies on disability leave and share good practise;
- ii) Circulate the UNISON Disability Leave bargaining guide and model policy to Energy branches and regional Energy service groups and urge them to raise and negotiate disability leave policies with their employers;
- iii) Where possible, support appropriate campaigns for disability leave to be a statutory requirement written into legislation.

National Disabled Members Committee

Efficient and Effective Union

11. Just Transition

Conference notes that ambitious targets for moving to a low carbon industry are essential in the context of climate change and our country's commitments to the Paris agreement. Taking responsibility to limit temperature increases and avoid catastrophic global warming will require significant transformations across our economy and industry.

Conference believes that Just Transition must take into account the fair treatment of workers and communities most affected by change as we move to a lower carbon

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world. Just transition requires that action to reduce emissions must not be at the expense of the workforce and communities which currently extract or depend on the use of fossil fuels. A just transition means moving to a modern day low-carbon economy in a way that protects workers' livelihoods creates a new industrial base, and delivers a fairer society.

The concept of a just transition is central to a successful response to climate change, and to build popular support for action to cut emissions. A just transition must:

- 1) Put protecting workers' livelihoods, creating new jobs which provide training and re-skilling of its current energy workforce at the centre of a move to a low carbon economy;
- 2) Involve trade unions, communities and environmentalists at the heart of the process.

Therefore Conference instructs the Energy Service Group Executive to:

- a) Raise awareness of the work being done by UNISON on Just Transition among Energy Branches;
- b) Hold a session on Just Transition at the 2019 Energy Seminar which will help to raise the awareness and begin a conversation on just Transition throughout the service group.

Gas Branch Scotland

12. UNISON Activists and Mental Health

Conference is concerned to note that increasingly both branch activists and lay officials are finding themselves suffering extreme stress and anxiety when dealing with the levels of case load that they are presented with.

In some cases representatives in Energy have been placed under extreme personal pressure by employers.

Conference notes that these pressures on activists are forcing them to think seriously about giving up being an activist. The fewer in number the Energy activists, then the more caseload we have to do in branches. Attacks on facility time are reducing numbers even further.

We need to be fit and well in order to represent our members, particularly those who are also suffering from poor mental health.

In the Energy sector staff suffering poor mental health are increasingly are being subjected by management to harsh sickness absence and performance procedures and policies. If or when these members get dismissed there should be no question that they will get the full support of our union by representatives who can think and work effectively on their behalf.

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This is a major issue in our union. Activists in Energy are asking what can we do when facing these challenges and where do we go as activists for support when we need it?

Conference therefore calls upon the Energy service group committee to:

- 1) Work with the National Executive Committee to produce specific guidelines on dealing with support for stewards and activists dealing with workload pressures;
- 2) Look at providing resources to promote mental health first aid training to activists in UNISON and appointing mental health champions in branches.

National Women's Committee

13. LGBT Mental Health Workplace Initiatives

Conference notes that there have been some staff wellbeing initiatives by employers in the Energy service group related to mental health support, these are not consistent and there is still further to go for employee wellbeing.

Conference recognises that at least one in four of us will experience mental health problems at some time in our lives. We believe that awareness needs to continue to be raised amongst Energy employers about mental issues in the workplace, and recognises that this must be inclusive of mental health issues relating to Lesbian, Gay, Bisexual, Transgender, (LGBT) staff.

Reports by Stonewall and Scottish Trans Alliance highlight that LGBT people are more likely to have mental health issues with 3% to 5% lesbian, gay and bisexual people attempting to take their own life. This increases to 16% for young lesbian and bisexual women and to 5% for Black gay and bisexual men. 84% of trans people had thought about ending their lives at some point, 35% overall had attempted suicide at least once and 25% had attempted suicide more than once.

Conference welcomes the UNISON branch guidance "Bargaining on mental health policies", which includes steps Energy branches can take to raise mental health issues with their employers. The Guidance recommends that branches seek to work with employers to review the organisations policies to promote mental well being and to support staff with mental health problems.

We call upon the Energy service group executive to:

- 1) Continue to promote the bargaining guidance to energy branches;
- 2) Urge Energy branches to revisit wellbeing, sickness, harassment and equalities policies and make sure that they are inclusive and up to date;
- 3) Continue to campaign for better support for the mental health of staff and to consider using events such as world mental health day as a focus for raising mental health awareness within the service group and promoting good practice;

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- 4) Promote the training of stewards and health and safety reps in energy branches on mental health awareness;
- 5) Encourage energy branches to urge their employers to provide training on workplace mental health issues and to ensure that this is inclusive of the equality dimensions.

National Lesbian, Gay, Bisexual and Transgender Committee