

2016 Water, Environment & Transport Service Group Preliminary Agenda

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Bargaining, Negotiating and Equality

1. Location Tracking and Telematics in Water, Environment and Transport

Over the past decade, many employers in water, environment and transport have introduced tracking or “Telematics” technology in some form. This technology can track the location and movement of both vehicles and individuals in real-time, providing statistical and geo-locational information. Conference acknowledges that there can be some benefits regarding health and safety when this technology is used in a sensible way on liveried vehicles.

However, Conference has serious concerns about the way in which telematics is used within the service group where, for some employers, it has become routine to pursue disciplinary and performance procedures using this data. This has led to numerous perverse and unintended consequences such as:

- a. Employees being disciplined for accelerating a vehicle to avoid a collision.
- b. Employees becoming distracted by monitoring telematic information, leading to road traffic accidents.
- c. Employers inappropriately accessing private information about the lives of their employees.

Conference believes it is time for WET employers to return to a more sensible approach to this issue.

Conference calls on the WET Executive to:

1. Campaign for an end to telematics information being used as a disciplinary tool.
2. Produce guidance for all WET branches on the use of telematics.
3. Work with Branches across the service group to negotiate for improvements in the way telematics is used.

Water, Environment and Transport Service Group Executive

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2. Protecting Pensions in the Water Industry

This WET Conference notes that adverse changes have recently occurred to defined benefit (final salary) pension schemes in Severn Trent, Dwr Cymru, Northumbria Water and United Utilities as a minimum.

The Water Industry has been a licence to make money since privatisation in 1989 when Thatcher wrote off all the debts and remains a monopolised industry despite the mooted advent of separation between Wholesale and Retail.

Long serving employees, many of them UNISON members have given many years and in some cases a lifetime's service to the Water Industry and deserve a decent pension on retirement.

WET Conference congratulates the Unions in United Utilities in organising industrial action in response to wholly unnecessary changes put forward by the employer culminating in the threatened closure of the D B scheme.

UNISON has to stop this race to the bottom when it comes to pensions and asks the Executive to organise a seminar in the winter of 2016 to cover lessons learned from disputes to encourage others who may be affected in organising against such proposals.

United Utilities Branch

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3. The Impact of Pension Changes on Workers in the WET Sector

Conference notes that from 6 April 2016 the Basic State Pension and Second State Pension (S2P) will end and be combined/ replaced by a new State Pension.

The majority of members in the WET service group are currently paying reduced rate NI Contributions because they are in a work place pension scheme that is better than the Second State Pension. However, in April they will have started to pay the standard NI contributions and to earn a higher State Pension.

The personal costs will be significant – a meter reader earning almost £13,000 per year will pay an additional £16 per month, a laboratory manager on £20,000c will pay £16 per month and a lead service delivery manager on £35,000c will pay £36 per month more.

However, for many older workers there will not be sufficient time for their increased contributions to equate to the new full state pension before they retire.

There are also concerns that the WET employers' additional contributions to the scheme have not been funded by government, and the costs will be significant – potentially costing jobs and destabilising the occupational pension scheme.

For women members this is in addition to the significant and speeded up increase in the state pension age, announced with little notice and impacting adversely on their retirement plans.

Conference therefore calls upon the WET service group executive to work with all appropriate bodies in UNISON to:

1. Raise awareness of the implications of the new pension arrangement, and provide information on options for older workers in the WET sector who may be adversely affected;
2. Work with the wider union in campaigning for a genuinely independent commission to review State Pension Age changes, include the impact on older women;

And to

3. Work with appropriate bodies in the WET Sector to look into the impact of working longer on the workforce; how members will be able to plan for earlier retirement; the potential for flexible retirement including drawing part pensions and working reduced hours;

National Women's Committee

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4. Equal Pensions for WET Workers

Conference welcomes the growing recognition of same sex partnerships, including the 2005 Civil Partnership Act and the Marriage (Same Sex Couples) Acts that came into force in England and Wales and in Scotland in 2014. However, conference echoes UNISON's condemnation of the inequality entrenched in these laws with regard to surviving partner workplace pensions. The law requires only that benefits for surviving same sex civil partners and spouses are calculated on contributions since 5 December 2005 following the introduction of civil partnerships, not for the whole period of pension scheme membership.

Conference welcomes UNISON's continuing campaign for a change in law, but recognises that this is unlikely under the current Westminster government. Conference notes that UNISON has negotiated full equality for surviving partner benefits, irrespective of the gender of the partners, for many of the pension schemes in which we have members, but not all. The schemes that have introduced full equality acknowledge that the cost to the schemes of this is negligible, while the difference it makes to the individuals concerned can be considerable, particularly at such a time of loss.

Conference calls on the Water, Environment and Transport service group executive to check the workplace schemes to which UNISON WET members contribute and where there is unequal provision for same sex surviving partners, negotiate for full equality as a matter of urgency.

National Lesbian, Gay, Bisexual and Transgender Committee

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5. Ensuring the Living Wage for all in the Water Industry

WET Conference congratulates the Water Industry Sector Committee and the Executive for the work done to date in trying to ensure all within the Water Industry whether directly employed or via contract are paid the Living Wage.

It cannot be right whereby two people sat side by side are paid different amounts, one the Living Wage, the other not, dependant on whether or not they are employed by the Water Industry or via a third party.

The correspondence to date has had a reasonable effect in securing the Living Wage for all employees in the WET Service Group including many UNISON members but we need to keep the pressure up to benefit all.

This Conference agrees to ask the Executive as a priority piece of work to send follow up communications to those not compliant in the Water Industry with a closing date after which our findings will appear in the public domain to expose those who refuse to pay the Living Wage despite being very able to pay this not extortionate amount to all, whether directly employed or not.

United Utilities Branch

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6. Mental Health in WET Workplaces

This WET Conference congratulates the Environment Agency North West branch in running a pilot course backed by United Utilities branch in aiming to address mental health issues in workplaces covered by the WET service Group.

Particularly in call centre environments, mental health can be a major issue caused by unrealistic timescales placed on employees including UNISON members which also include being timed for toilet breaks etc.

This issue is not exclusive to call centre workers however and can affect any member within our Service Group caused by a range of factors both inside and outside of the workplace or a combination of the two. Conference notes however that more and more UNISON members in the WET Service Group are experiencing mental health problems.

We therefore call on the Executive to organise a seminar of WET branches in the spring of 2017 on this subject possibly facilitated by “experts” from the TUC to highlight the issue in all branches within our Service Group.

United Utilities Branch

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7. A Stronger, growing Passenger Transport Forum

Over the last year UNISON has done a huge amount of work to save the Passenger Transport Forum (PTF) as a functioning negotiating body. In 2015, Transport for Greater Manchester (TfGM) management gave notice to exit the negotiating element of the PTF, citing a need for greater “flexibility.”

UNISON has a proud tradition of defending sectoral and national negotiating because this has been shown to be in the best long-term interests of our members. For that reason the union ran a concerted campaign and persuaded TfGM to “pause” their exit decision pending a refresh of the PTF’s terms of reference. Conference welcomes the fact that TfGM are fully engaged with this process.

As a result the PTF is now becoming re-invigorated and the member organisations are taking a more active role in its work.

In order to further strengthen the PTF, Conference calls on the WET Executive to work with sector representatives to approach other transport and combined authorities currently engaged in local bargaining, to see if they will join or re-join the PTF and increase the number of UNISON members who come under its remit.

Water, Environment and Transport Service Group Executive

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8. Working Time Regulations and the Water Industry

Conference notes that Working Time Regulations stipulate that workers must have: At least a twenty minute break if they work more than six hours a day; At least eleven hours rest between working days, and; at least an uninterrupted twenty four hour rest without any work each week or an uninterrupted forty eight hours without any work each fortnight.

Over the past year UNISON water industry branches have reported an increase in the number of members being pressurised to work without these minimum rest periods. Long term reductions in staff numbers and the fragmentation of the workforce means that many members have little choice but to work long hours with little opportunity for rest. This has long term implications for the individuals concerned and the water industry itself. It is well established that the stress and strain of working long hours can shorten working lives and damage the health of workers.

In addition, workers who are tired from over-work are less able to deliver the high standards of service which are demanded of them. Office-based and operational site-based workers need to be provided with adequate rest areas and kitchen facilities, so they can actually take a break away from their working zone. For example, Control Centre staff who work night shifts (when normal on-site facilities may be unavailable) are likely need their own breakout area (with fridge-freezer, kettle, microwave, washing up facilities, etc).

Conference believes that decisive action needs to be taken to deal with this problem. Conference calls on the WET Executive to:

1. Distribute guidance on rest periods and the working time regulations to all WET Branches
2. Raise the issue of working time with the water industry via the new strategic consultative forum which OFWAT have instructed Water UK to convene with the trade unions.
3. Raise awareness of UNISON WET members, particularly those working in the water industry, about their rights to rest breaks under working time regulations

Thames Water (M) Branch

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9. Negotiating Workplace Domestic Abuse Policies

Conference notes that domestic abuse has been demonstrated to have a significant impact on business productivity and the UK economy.

Government statistics demonstrate that:

- i. 1 in 5 women each year take time off work because of domestic abuse.
- ii. 2 in every one hundred will lose their jobs
- iii. of those who remain in work, 75% will be harassed, abused, threatened or assaulted at their workplace

Currently similar statistics are not collated on the impact of domestic abuse on men, however it is recognised that both men and women are affected, and that the scale of the problem is therefore larger than suggested by these numbers.

The impact on employers – in terms of sickness absence, the cost of recruitment and retention of staff, lost productivity and disruption in the workplace is significant. The financial cost is estimated to be £9.1 billion per year.

This is recognised by the employers' organisation – the Chartered Institute of Personnel and Development – which worked with the Equality and Human Rights Commission to produce guidance for employers, and the local government and health employer organisations who have also produced guidance. No such umbrella guidance exists for employers in the WET sector.

Where approaches have been made, employers in the WET sector have proved reluctant to negotiate with UNISON branches on workplace policies to support those experiencing domestic abuse. Where approaches have been made, employers have said that their employee assistance programme adequately covers the issue, and/or that management guidelines are sufficient.

However, the recommendations in UNISON's guidance are far more extensive, and include:

- a. Training for managers and employees to ensure that all staff are aware of the domestic abuse policy, how support should be accessed and the need for confidentiality;
- b. Named staff in human resources with responsibility for, and appropriate training in, dealing with employees experiencing abuse;
- c. Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare, and for court appointments;
- d. Temporary or permanent changes to working times and patterns;
- e. Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role;
- f. Redeployment or relocation where appropriate;
- g. Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls;

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- h. Access to counselling and support services in paid time;
- i. An advance of pay, where it is needed.

Recognising the significant impact that domestic abuse will have on many of our members working in the WET sector, Conference calls upon the SGE to:

1. issue further guidance to branches on negotiating workplace domestic abuse policies.
2. this guidance to include the business case for supporting workers experiencing domestic abuse and good practice examples, to assist branches in persuading employers to enter into negotiations.

National Women's Committee

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10. Stonewall Workplace Equality Index

Conference notes that the charity Stonewall produces an annual workplace equality index, which it describes as an evidence-based benchmarking tool used by employers to assess their achievements and progress on lesbian, gay and bisexual (LGB) equality in the workplace. From 2016, they have pledged to also assess achievements and progress on transgender equality within the index.

In 2015, over 400 employers entered for the index, the highest number to date. Stonewall showcases the 100 employers it gives the highest rating as 'the best employers for LGB staff'. Employers can seek to boost their rating by becoming Stonewall Equality Champions, which means hiring Stonewall expertise to look at their policy and practice. Currently, local government, education and health employers dominate the index, with private companies and government departments also increasingly represented. In 2015, the Environment Agency was one of the very few WET companies on this index, coming in at number 72.

Conference acknowledges the long-time concerns from the UNISON lesbian, gay, bisexual and transgender (LGBT) group, other unions and the TUC about how Stonewall has operated the index. Repeated attempts over the years to work with Stonewall have been unsuccessful and both the index and their best practice guides have made no reference to trade unions or acknowledgement of our role in representing and supporting our members or negotiating policies, terms and conditions. The index strongly pushes for LGB staff forums, which can be highly unrepresentative of the full diversity of LGB staff and which can be used to bypass consultation with trade unions over LGB equality issues.

However, conference notes that competitions such as these can be very attractive to employers, who see benefits to their public image, in terms of recruiting and retaining staff and for boosting business by enhancing their customer appeal. Conference further notes that many of the highly ranked employers within the index are those where UNISON has had a long history of LGBT organising. UNISON branches in other service groups have found that the index can be used as a tool to push our LGBT demands higher up the bargaining agenda.

Conference welcomes early indications that Stonewall is now willing to take some steps to acknowledge trade unions in its guidance and workplace equality index.

Conference therefore calls on the WET service group executive, working with the business and environment equal opportunities working party, to:

1. seek information from WET branches about contact with Stonewall by the employer
2. encourage these branches to seek advice from UNISON branches where one of their employers is already part of the workplace equality index on how to gain maximum benefit from work with Stonewall and what pitfalls to avoid, via the national LGBT committee.

National Lesbian, Gay, Bisexual and Transgender Committee

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11. Facility Time

Conference, these are incredibly turbulent times in the public sector, especially those employers in the Water Environment and Transport Service Groups. Conference motions continue to reappear especially those of facility time, out sourcing and privatisation.

Conference the nature of the barriers facing disabled workers is so diverse and complex this can affect how disabled people are treated in reorganisations or when a service is privatised and without representatives having decent facility time to assist in their representation it increases pressure on those workers.

Conference, our activists in transport are raising concerns that this is happening in their employers and more and more facility time is being taken away, particularly as a result of out sourcing and privatisation.

We ask that the Water Environment and Transport Service Group work with National Disabled Members Committee to

1. Consider what support can be given to members affected by reorganisation and or redundancy
2. Seek to ensure protection of facility time for representatives in employers

National Disabled Members Committee

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Campaigning

12. Securing Adequate Funding for Flood Defences

WET Conference 2016 will remember the devastation caused by floods in late 2015 in Cumbria, Lancashire and Yorkshire in particular which had a devastating effect on the general public including many UNISON members both as employees and victims of the floods.

Inadequate resources by this Tory Government have played a major part in flood defences not being “up to the job” for which they were intended in many places which can’t continue. The lack of Government resources has adversely impacted on the job and/or working conditions of UNISON members in the Environment Agency.

Conference asks the Executive to request a meeting with the appropriate Minister as soon as is practicable to try to ensure proper provision is restored as a priority and to campaign by all means necessary to ensure a future Labour Government has this subject high on their policy agenda. Conference also asks the Executive to work with Labour Link to ensure a future Labour Government adequately funds flood defences in future.

United Utilities Branch

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13. The Environment Agency and Major Flooding Incidents

Conference commends the incredible amount of hard work carried out by Environment Agency employees, including many UNISON members, (and employees from other organisations with flood relief responsibilities) during the flooding which took place in the final days of 2015 and the beginning of 2016. As a service group we are very proud that our members were doing so much to protect people's homes and businesses. As our General Secretary said at the time: "They exemplify everything that is good about public service."

In 2014 and 2015 the Environment Agency was subject to massive job cuts as part of the 'Strategic Reviews Response Programme' which led to the loss of approximately 2,000 jobs. The job losses would have been far greater had it not been for the organising, campaigning and negotiating work of UNISON.

UNISON members dealing with the December 2015 floods reported the huge strain the organisation was under as a result of the cuts. During major incidents, employees came from across the whole organisation, including back office staff, to take on major incident roles. They monitor river levels, operate pumps, build flood defences, clean trash screens, staff emergency hotlines and take on many others. Members are reporting that there simply are not enough people available to cover all the required posts during a major flooding incident. This news will be alarming to anybody who is concerned about the ability of the Agency to adequately respond to future incidents, which climate change may make more frequent.

Conference therefore calls on the WET Executive to:

1. Carry out a detailed survey of Environment Agency members to gather robust information about the level of strain the organisation is under.
2. Use this information to campaign within Parliament, Government and the media against any further cuts to employee numbers in the Environment Agency. Where appropriate, the WET Executive should work with UNISON Labour Link on this campaign.
3. As part of the campaign, specifically make the case for more resources to be allocated to adequately maintain flood defences to protect homes and businesses.

Water, Environment and Transport Service Group Executive

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Recruiting, Organising and Representation

14. Contracting Out of Services in the Water Industry

Much of the water industry does not directly deliver key services, but instead contract them out to private sector organisations. The kind of services contracted out include meter reading, water pipe maintenance, water testing and facilities services. For those employees who are transferred to a new employer this can mean huge uncertainty over their jobs and almost inevitable moves to degrade their terms and conditions of employment. For those people who are directly employed by the contractor after the point of transfer it can mean working alongside people doing the same job, but on worse terms and conditions – the two-tier workforce.

UNISON has consistently opposed the practice of fragmenting service delivery both because of the impact it has on workers and the long-term impact on service quality. Performance league tables on issues such as leakages consistently show that those in the water industry who directly deliver services outperforming those that contract out.

Conference believes that UNISON branches organising in the Water Industry should take a two-pronged approach to this issue: both encouraging the water industry to in-source their services and recruiting and organising more effectively with private contractors operating within the industry.

Conference calls on the WET Executive to:

1. Issue a briefing to all WET branches on the issue of outsourcing in the water industry referencing the relevant UNISON guidance and training to support branches dealing with fragmentation
2. Raise the issue of outsourcing with the water industry via the new strategic consultative form which OFWAT have instructed Water UK to convene with the trade unions
3. Include how to organise within private sector contractors as a topic within the recruitment and organising training provided to branches
4. Highlight this crucial issue in UNISON's 'Network' Magazine, the dedicated UNISON magazine for WET members

Southern Counties Water Branch

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Efficient and Effective Union

15. Continuing to Increase the Participation of Black Members in WET

Conference notes the resolution from last year's WET conference to look at increasing Black member participation in the service group. When looking at measurements of engagement such as representation on branch and national committees and attendance at service group and Black members' conferences the activism levels of Black members in WET remains an area of concern.

Last year the conference resolved to undertake a mapping exercise to better identify the representation and engagement levels of Black members in the WET service group and further to identify how many branches have Black members self-organised groups.

UNISON is committed to achieving equality for all and one of the ways the union promotes equality is through self-organisation. Self-organisation brings together members from certain groups that face discrimination and helps the union identify and challenge discrimination and build equality.

Conference commends the work in other service groups and regions in the union that have seen branches come together to organise regional or geographical cluster groups for Black members where individually union membership has been persistently low and it has been more challenging to organise.

Conference therefore asks the WET Service Group Executive Committee to look at utilising this good practice to support WET branch Black member self organisation by:

1. utilising the mapping information collected last year to identify areas where Black members from various branches with low levels of Black membership can come together in cluster meetings where geographically possible
2. working with regions to facilitate these meetings and ensure that they are properly resourced
3. reporting on this progress at the next National WET conference in 2017

National Black Members' Committee