

## Section 4

# ULR agreements

Some of the problems that ULRs experience could be overcome by a learning agreement. A formal agreement between a union and an employer on time off can avoid misunderstanding and ensure fair and reasonable treatment.

As the ACAS code states: “to take account of the variety of circumstances and problems which can arise, there can be positive advantages for employers and trade unions in establishing agreements on time off in ways which reflect their own situations.”

The agreement will form the basis of your organisation’s learning agenda and include rights of access to training and learning.

Unions in recognised workplaces have a statutory right to negotiate on pay and conditions. There is as yet however no statutory right for unions in recognised workplaces to negotiate on training issues for their members. Such negotiations over training are voluntary and happen in less than 10 per cent of recognised workplaces. The TUC has argued strongly that training should be a core bargaining issue under the statutory union recognition scheme.

Some unions who already have machinery for negotiating training may wish to include arrangements for ULRs. Some unions may have included them in a separate facilities time agreement with the employer that might cover all union representatives. Others might wish to establish a separate learning agreement. It will very much depend on the union and the workplace.

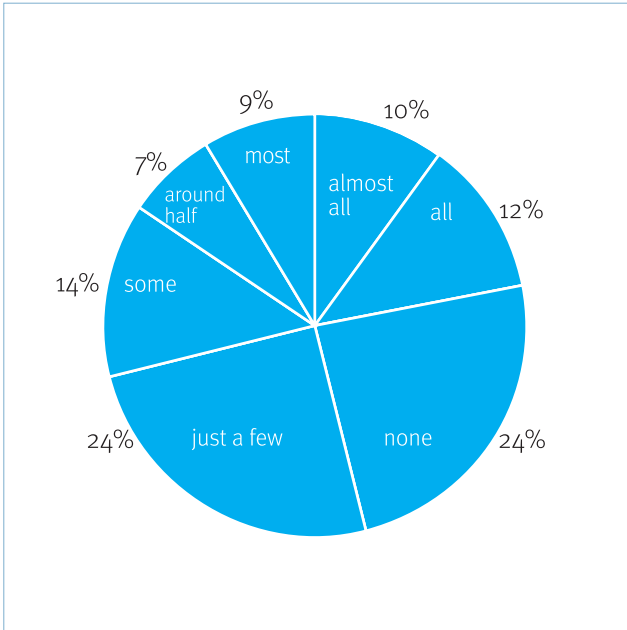
Union representatives or ULRs, depending on the union policy and practice, could negotiate a separate learning agreement. A learning agreement can include some or all of the following:

- a commitment from both parties to learning
- the number of ULRs and how the union will appoint them
- the amount of time off for ULRs to carry out their duties, and undertake training

- type and form of ULR training
- the amount of time off permitted for union members to meet their ULRs and if it could be paid time off
- the procedure for requesting time off
- the procedure for resolving disputes concerning providing time off
- arrangements for payment to be made for time off and whether payment might be made to shift and part-time employees undertaking trade union duties outside their normal working hours
- facilities for ULRs such as a room to conduct interviews, use of telephone, electronic mail, internet, notice boards etc.
- the establishment of a joint learning committee comprised of equal numbers of union and employer representatives
- the undertaking of learning needs surveys
- regular promotional activities regarding learning
- regular dissemination of information on training and learning opportunities
- paid time off to learn as well as employer contribution to course fees.

ULRs will wish to increase the numbers of employees in workplaces who get paid time off to train and this is best achieved through negotiation with the employer.

## Time off for training the workforce<sup>4</sup>



You may wish to negotiate a learning agreement around the model on page 28, which could be tailored to meet the policies of your union, the needs of your members and the context of your workplace.

<sup>4</sup> Proportion of union members ULRs represent given time off from their normal work duties to undertake training during the past 12 months

### A model framework learning agreement

- This agreement is between [insert name of union] and [insert name of organisation].
- Both [insert name of organisation] and [insert name of union] are committed to working in partnership to promote and support lifelong learning and ensure equal access to learning opportunities.
- Both parties will encourage staff to take up learning activities.
- The union will be responsible for recruiting ULRs and will inform management of the names and workplaces/departments of the ULRs.
- The number of ULRs will be [insert number].
- The functions of the ULRs should cover [insert functions based around ACAS code].
- Paid time off will be granted to ULRs to enable them to carry out their duties effectively [state an agreed minimum amount of time].
- Paid time off will be granted to ULRs in order to undertake training. Initial training will take place as soon as possible after appointment.
- Employees will also be entitled to time off (whether it will be paid or unpaid time off) to participate in promotional events and to access their ULR.
- A procedure will be established to resolve any disputes about the application of the ACAS code.
- Suitable facilities will be provided e.g. office space, filing cabinets, stationery, telephone, access to electronic equipment including email, notice boards etc.
- A joint learning committee will be established no later than [insert timescales for establishing the committee] from this agreement (see page 29 for possible terms of reference).
- The terms of this agreement will be reviewed by the learning committee at regular intervals to ensure that they continue to reflect the needs of the workforce.

*Example of an existing joint learning committee agreement***Site Learning Committee: terms of reference*****Role***

The overall aim of the group will be to promote, initiate, support and monitor lifelong learning activities across the site. It will work to make learning opportunities as accessible and affordable as possible to all employees, enabling them to increase skills and maximise their own potential.

***Membership***

The steering group will comprise of [insert number to be agreed at each site] nominated union learning representatives (ULRs), a senior representative from each recognised union, a senior operations manager, representatives from the human resources and training functions, project workers/advisors from the relevant trade unions and a nominated person from the partner college. The group will also reserve the right to co-opt representatives from other outside agencies e.g. unionlearn, learning skills councils etc., to assist as and when necessary.

***Meeting arrangements***

The steering group will meet on a regular basis as required, but no less than six times each year. The operations manager will chair the group and the ULR co-ordinator will take responsibility for collating items and compiling the agenda. A nominated member of the group will record action points from the meeting.

***Responsibilities***

These are to:

- identify learning needs and aspirations of employees on site in line with the ULR learning needs analysis
- develop and promote a range of on site learning initiatives, to encourage individuals back into learning, including a designated learning centre on site

- monitor and evaluate activities, feedback and effectiveness of the initiative in accordance with agreed criteria
- work together with colleges and other outside bodies to maximise potential for learning opportunities
- identify funding both internal and external, to assist with learning activity and explore options for making learning both affordable and sustainable
- support the network of ULRs in their role as advocates and organisers of learning
- explore new initiatives both within and outside of the company which will support the learning process
- administer and manage the site level learning fund in accordance with the jointly agreed learning fund regulations
- ensure effective communication with the existing trade union and company structures regarding the aims, objectives and progress of the Lifelong Learning Initiative
- provide a standard site level report to the National Learning Committee on a regular basis.