

From ACAS Code of Practice 3 – Time Off for Trade Union Duties and Activities

Union Learning Representatives

13. Employees who are members of an independent trade union recognised by the employer can take reasonable time off to undertake the duties of a Union Learning Representative, provided that the union has given the employer notice in writing that the employee is a learning representative of the trade union and the training condition is met. (See paragraphs 22 - 27 for further information on the training condition.) The functions for which time off as a Union Learning Representative is allowed are:

- analysing learning or training needs
- providing information and advice about learning or training matters
- arranging learning or training
- promoting the value of learning or training
- consulting the employer about carrying on any such activities
- preparation to carry out any of the above activities
- undergoing relevant training

In practice, the roles and responsibilities of Union Learning Representatives will often vary by union and by workplace but will include one or more of these functions.

14. Many employers have in place well established training and development programmes for their employees. Union Learning Representatives should liaise with their employers to ensure that their respective training activities complement one another and that the scope for duplication is minimised.

Training For Union Learning Representatives

22. Employees who are members of an independent trade union recognised by the employer are entitled to reasonable paid time off to undertake the functions of a Union Learning Representative. To qualify for paid time off the member must be sufficiently trained to carry out duties as a learning representative:

- either at the time when their trade union gives notice to their employer in writing that they are a learning representative of the trade union
- or within six months of that date

23. In the latter case, the trade union is required to give the employer notice in writing that the employee will be undergoing such training and when the employee has done so to give the employer notice of that fact. It should be confirmed by the union in a letter that the training

undertaken is sufficient to allow the Learning Representative to undertake their role and it is good practice for the union to give details of the training which has been completed and any previous training that has been taken into account. In the interests of good practice, the six month qualifying period during which an untrained Union Learning Representative must receive sufficient training to continue operating as a learning representative may be extended,

with agreement, to take into account any significant unforeseen circumstances such as prolonged absence from work due to ill health, pregnancy or bereavement.

24. To satisfy this training requirement an employee will need to be able to demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of the following areas of activity relevant to their duties as a Union Learning Representative:

analysing learning or training needs;

- this could for example include understanding the different methods for identifying learning interests or needs, being able to effectively identify and record individual learning needs or being able to draw up a plan to meet identified learning requirements.

providing information and advice about learning or training matters;

- including, for example, the development of communication and interviewing skills
- knowledge of available opportunities, in order to be able to provide accurate information to members about learning opportunities within and outside the workplace
- the ability to "signpost" members to other sources of advice and guidance where additional support is needed, for example, basic skills tutors or fuller in depth professional career guidance.

arranging and supporting learning and training;

- for example, obtaining and providing information on learning opportunities, supporting and encouraging members to access learning opportunities and helping to develop and improve local learning opportunities.

promoting the value of learning and training;

- some examples of this activity could be, understanding current initiatives for the development of learning and skills in the workplace, promoting the value of learning to members and within trade union networks and structures and working with employers to meet the learning and skill needs of both individuals and the organisation.

25. An employee could demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of these areas of activity by:

- completing a training course approved by the Trades Union Congress or by the independent trade union of which the employee is a Union Learning Representative, or by
- showing that they have previously gained the relevant expertise and experience to operate effectively as a learning representative.

In the latter case, previous experience and expertise gained in areas such as teaching, training, counselling, providing careers advice and guidance or human resource development, may well be relevant, as may periods of extensive on-the-job training and experience gained in shadowing an experienced Union Learning Representative.

26. Reasonable time off should also be considered for further training to help Union Learning Representatives develop their skills and competencies.

27. Although not required by law it is recognised that there would be clear advantages both to the individual and the organisation if training undertaken leads to a recognised qualification standard.