

TUPE transfer of London region

As you will now be aware The Manchester College (TMC) will be taking over the running of the London OLASS region with effect from 1 February 2015. This transfer is covered by a piece of legislation called the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). This legislation applies to organisations of all sizes, and is there to protect employees' rights when the organisation transfers to a new employer. TUPE means that your terms and conditions and your continuity of service transfer with you. It also gives you some protection around dismissal and redundancy.

UCU isn't the recognised union with A4e (we don't have the right to negotiate pay and conditions), and so each affected workplace should have elected local TUPE reps who must be consulted about the transfer. The process of electing TUPE reps must be fair. No one can be excluded from standing for election, and any vote must be by secret ballot, not a show of hands. If a TUPE rep stands down, then the employer must arrange for the election of a replacement. Failure by an employer to adhere to the rules around selecting reps can result in them being fined. Please get in contact if you have any concerns about the process to select TUPE reps in your workplace.

TMC have provided A4e and the TUPE reps with the 'measures' which are changes to your employment arrangements. All affected employees should be consulted about these proposed changes, so make sure you let your TUPE reps know what you think.

As a result of the TUPE transfer, staff will be entitled to join either the Teacher's Pension Scheme (TPS) or the Local Government Pension Scheme (LGPS). KCC staff who were in TPS, transferred to A4e and do not have a break in service of more than five years, can return to the final salary section of the scheme, and that link with final salary will be retained.

It appears that a bulk transfer of funds from the A4e broadly-comparable scheme to the TPS could be arranged by TMC and A4e. UCU is lobbying to ensure this happens.

If you have any queries or concerns about the TUPE process, then please contact the union at A4ebranch@ucu.org.uk

Union recognition at TMC and what that means for you

UCU is recognised by TMC and meets with them regularly to address issues of importance to our members. UCU is also consulted about any changes TMC plan to make, and the union was recently involved in negotiating a redeployment agreement to prevent staff from losing work.

What does this mean for staff in the London prisons? It means that the UCU reps in prison education will be entitled to paid time off to do their work – one hour a week for the local reps, with additional time for representation; four hours a month for the health and safety reps, and three hours a week for anyone who takes on the role of London rep on the TMC branch committee. TMC accepts that the work of union reps is important enough that staff need proper time away from work to complete it.

TMC meet with UCU eight times a year, in two different negotiating forums, one of which is focused entirely on work in the justice sector. We can raise issues that matter to our members, and get answers, as well as influencing policy.

The TMC branch also has a health and safety convenor on the committee, who attends the college health and safety committee. This committee has the power to address concerns about risks within workplaces like yours.

As TMC mention in their 'measures' for London OLASS staff, UCU is shortly due to begin talks about changes to the terms and conditions of staff across TMC's different divisions, including Justice. These talks came out of a claim by the prison education branch for pay parity with the college staff, and a joint claim with the college branch to harmonise the contracts of TMC staff. We will ensure that all union members are able to feed into this process, and are fully consulted before any changes are agreed.



JOIN THE UNION!

With so much going on in the London OLASS region, there is no better time to join the union.

We will be working to ensure that the transfer goes smoothly, lobbying A4e via our regular discussions with HR and through our TMC branch reps, but we need to hear from our members if there is a problem.

Once the London region has been transferred to TMC, we need to increase the influence of the branch by recruiting more members and getting reps in place. If there isn't a UCU rep in your workplace, have you thought about becoming one? Or do you know someone who would be prepared to take on the role?

TMC branch has a clear strategy to improve the terms and conditions of its members. But UCU can only make this a reality if we are well organised in your workplace and have strength in numbers.

UCU really wants to hear about and address the issues that matter most to you, and good workplace membership makes this possible.

NOW IS THE TIME TO MAKE YOUR VOICE HEARD. NOW IS THE TIME TO JOIN UCU.

Go to: join.ucu.org.uk today