

ROYAL MAIL

RELEASE FROM DUTY FOR CWU REPRESENTATIVES

GUIDELINES AND PROCEDURES

November 2001

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1.1 Local Reps

Local Reps are sometimes referred to as unit reps but are one and the same. Their role is to represent members in either a single unit e.g. a small Delivery Office, or members in a specific section in a large unit e.g. Warehouse employees within a Mail Centre.

All release from duty for local reps should be on an ad-hoc basis but it can be Paid or Unpaid (see 2.5-2.6) depending upon the activity involved. The cost of Unpaid leave can be re-claimed from the CWU as explained in section 6.

1.2 Area Reps

Area Reps are elected for each Function i.e. the Area Delivery Rep represents all Delivery employees within an Area Managers area, the Area Processing Rep represents Processing employees and the Area Distribution Rep represents Distribution employees.

Area Reps normally have an element of pre-scheduled release granted. This can range from a couple of hours per week to full time release depending on the Area involved. This is classed as Paid leave and the cost borne by Royal Mail.

1.3 Divisional Reps

Two Divisional Reps are elected for each of the old Divisions. They normally receive pre-scheduled, full time release, the cost of which is borne by Royal Mail.

1.4 Technical Services Reps (Ex- Engineering)

They have a similar status to local reps and will represent a group of engineering employees within a unit, normally a Mail Centre.

1.5 Branch Secretaries

Their role is mainly CWU focused and therefore any release that they receive should be on an Unpaid basis (i.e. the cost claimed from the CWU - see section 6). However, following the IR Structure Review in 1996 some Areas granted Branch Secretaries an element of pre-scheduled Paid release. Where local agreements exist they continue to be valid and may only be changed by re-negotiation.

1.6 Other Branch Officials

They include the Branch Treasurer, Chairman, Political Officer etc. These are purely CWU posts and have no role in the IR Framework so should not attract pre-scheduled release.

Any release that they require should be on an ad-hoc basis and should be Unpaid leave (the cost of which is claimed back from the CWU - see section 6)

1.7 Safety Reps

Safety reps do not have a role in the Industrial Relations Framework and are covered by separate guidelines. Information can be obtained from the Safety Manager.

1.8 Cross Business Unit Representation

Reps who are employed in Royal Mail Service Delivery may also represent employees in other Business Units eg an Area Distribution Rep employed in a Mail Centre may also represent Logistic Solutions employees in a nearby RDC.

Whenever the rep has to deal with issues regarding the other Business Unit (eg the RDC) they must first complete form AV2.1 requesting Unpaid leave for the task. (see section 6)

1.9 Representation at Interview

Under current legislation employees have the right to be represented **at interview** by the Rep or union official of **their** choosing.

CWU reps must comply with the same standards as every other employee and may not be absent from duty without the authority of their line manager.

Any rep who takes release without first having it authorised by a manager may be liable to disciplinary action. (NB. The process for dealing with Conduct issues involving union reps differs from the normal code. It is explained in appendix 4 of the Conduct Code)

2. CATEGORIES OF RELEASE

Reasonable levels of release from duty are provided to CWU representatives to enable them to carry out their function as described in the IR Framework

Purposes for which release will be granted:

2.1 For Representation purposes

In short this can be described as activities which jointly involve Royal Mail and the CWU.
eg Representing individual members at Conduct interviews etc, participating in the negotiation and consultation process, attending joint Royal Mail/CWU briefings or joint training etc.

2.2 For Union purposes

This can be described as activities which are purely CWU focused.
Eg. Updating Branch records, organising election ballots, attending CWU briefings/meetings, attending CWU organised training etc

Types of release that are granted:

2.3 Pre-Scheduled Release

This is usually only granted for Representation purposes and normally only to Area Reps and Divisional Reps. However in some circumstances it may have been agreed locally that an element of pre-scheduled release is warranted for Branch Secretaries also.

Pre-scheduled is defined as release which a rep receives on a regular basis (ie. every week) and must be agreed in writing between the CWU and the relevant member of the Area Management Team.

2.4 Ad-Hoc Release

All release for Unit Reps should be ad-hoc (ie. on an as and when required basis) and in **ALL** cases an application must be made on form AV2.1 before the leave is granted.

Categories of release which can be granted:

2.5 PAID Leave

The cost of this leave is borne by Royal Mail and is granted for Representation purposes ie. activities which jointly involve Royal Mail and the CWU

2.6 UNPAID Leave

The cost of this leave is borne by the CWU. It is granted for activities which are purely union focused.

These issues are explained in more detail in Sections 4-6 of this guide.

3. CREDENTIALS

3.1 Issue of Credentials

Release from duty for Industrial Relations purposes should only be granted to accredited union reps. Therefore all reps must be issued with credentials which detail:

- Their name
- Their position eg Local rep or Area rep etc
- The unit or Area that they represent
- In large units such as Mail Centres, the groups of employees that they represent
- In the case of Area reps the function that they represent eg Area Processing Rep
- The date from which they were elected
- The date on which their term expires
- The type of release which they are to be granted ie. pre-scheduled or ad-hoc
- In the case of pre-scheduled release the weekly amount must be indicated
- The name / title of their line manager

Whenever a new rep is elected the Branch Secretary should notify the persons line manager and provide a signed copy of the credentials form. The Personnel Manager will keep copies of all credential forms for the Area.

3.2 Authority

The credential should be signed by the appropriate CWU Branch Secretary certifying that the person is the nominated representative and also by the persons line manager, authorising the type and amount of release granted.

In the case of Area Reps or Branch Officials the authority should be signed by the Area Manager.

3.3 Copies

Copies of the credentials should be held by the Rep, their Line Manager, the Branch Secretary and the Personnel Manager

3.4 Review etc

Personnel Managers are responsible for the issue and maintenance of credentials and Branch Secretaries are responsible for notifying the Personnel Manager of any changes in representation. Credentials should be renewed annually and at the same time any pre-scheduled release reviewed in order to confirm that the levels granted are still appropriate.

3.5 Resignation

A rep who resigns from their position must provide written notification to their line manager stating that they are no longer the CWU representative for the unit or section. The line manager should annotate both their own copy and the reps copy of the Credential form (in the Authority section) stating that the rep has resigned their position and the date of their resignation.

The Personnel Manager should be notified by the unit manager in order to ensure that records are amended.

If a rep who has previously resigned informs their manager that they have been re-elected as rep then they must be asked to provide written notification from the Branch Secretary in order that new Credentials can be issued.

Release from duty and other Facilities should not normally be granted until written notification has been received.

An example of a Credentials document is contained in Section 11

4. PRE-SCHEDULED RELEASE

4.1 Definition

- Pre-scheduled release is defined as that which is granted to a rep on a regular weekly basis.
 - It is normally only granted to Area and Divisional Reps.
- (Some Areas have local agreements whereby Branch Secretaries receive pre-scheduled leave)
- Normally this leave is granted for representation purposes so the cost is borne by Royal Mail.
 - Less than full time Pre-scheduled release may be topped up with ad-hoc leave where appropriate. (using Form AV2.1)

4.2 Determining Levels of Pre-Scheduled Release

There are no automatic rights to pre-scheduled release and all such release that is granted must be workload driven. Examples of the factors which should be taken into account when calculating the appropriate level of release for Area Reps are:

- The number of Stage 2 and 3 Disagreements that they will be involved in (based on previous)
- The frequency at which they will be required to meet with managers
- The time required to consider proposals, construct counter-proposals etc
- The number of Strategic Involvement meetings that they will attend

There is no specific requirement around the number of visits that an Area Rep should make to the units in their area. Again it is activity driven; the more change initiatives taking place the more there may be a need for the Area Rep to visit local units.

Under the IR Framework Area Reps are entitled to meet with Local Reps once every two months. This should take the form of one meeting which the Area Rep and all their Local Reps attend rather than separate meetings with each individual Local Rep.

4.3 Agreeing Release

Once release has been agreed it should be laid down in the form of a written agreement detailing the amount of time each week that has been agreed. It may also be useful to show how it is made up eg. Four hours per week for Disagreements, 2 hours per week representing employees at interview etc.

The agreement should also contain an annual review date when the amount of release will be reviewed against current activity.

The agreement should also specify that the rep will complete a weekly movements sheet which they will forward to the SOM or MCM. Arrangements for reporting absence as detailed in section 6 should also be included.

If agreement cannot be reached then the rep should diary in detail their activity over a 2 - 4 week period in order to provide base information from which further negotiation may take place.

The agreement should state clearly that on occasion pre-scheduled release may be suspended and the rep returned to duty when there are periods of Operational difficulties.(eg staff shortages)

4.4 Signing-On

For safety reasons reps who are on full time release should sign on each day at the unit in which they are based whilst on release.

4.5 Long Term Backfilling of Duties

The duty left vacant as a result of a rep going on long term release may be lapsed if appropriate, or be filled on a temporary basis for the period of the reps election. It should not be covered using overtime.

5.1 Definition

- Ad-hoc release is that which is granted as and when it is required for specific events.
- All release for unit reps should be on an ad-hoc basis.
- All applications **must** be made on Form AV2.1 before the leave is taken.
- Ad-hoc leave can be granted on either a Paid or an Unpaid basis.
- The cost of Unpaid leave **must** be re-claimed from the CWU .
- Release may be denied if it will cause Operational difficulties.

5.2 Levels of Release

There are no hard and fast levels of release set against tasks (eg representing someone at interview does not automatically mean release is required for a full shift).h

The amount of ad-hoc release required will be dictated by the activity in which the rep is involved.

When granting release consideration should be given to factors such as preparation for meetings, time to consider proposals, etc.

5.3 Travelling Time

Release is not normally granted for travelling time to attend CWU organised meetings(eg a rep from Newcastle who has to attend a one day union meeting in London will be granted one days release). Exceptionally, in cases where it is unreasonable to expect the person to travel there and back on the same day, additional Unpaid leave may be granted, the cost of which will be claimed back on form AV2.1

Where the meeting has been arranged by Royal Mail and a difficult journey is involved, then additional leave up to a maximum of one day may be granted at the line managers discretion.

5.4 Night Shift Reps

Night workers who have to be released to attend meetings etc during the day may be granted release from duty **either** the night preceding the meeting or the night following; the choice is theirs.

If by attending the meeting they cannot comply with the Worktime Directive (ie. appropriate break between shifts) then consideration should be given to altering their start/finish times for that day/the next day.

Alternatively any additional leave over and above one day may be granted on the basis that the time is made good at a later date.

5.5 Step by Step Guide

- Step 1 - Rep makes request for leave using form AV2.1
- Step 2 - Manager decides if it is operationally possible to release the rep
- Step 3 - Decide if the release is for Representation purposes (for issues jointly involving Royal Mail) or for Union purposes (issues which are purely CWU focused)
More detail is contained in section 6.
- Step 4 - If the release is for Representation purposes then PAID leave should be granted and the front page of form AV2.1 completed then sent to Transaction Services. If the release is for Union purposes then UNPAID leave should be granted and both sides of forms AV2.1 completed

6.1 Definition

- Paid leave is granted for activities which jointly involve Royal Mail and the CWU
- Unpaid leave is granted for activities which are purely CWU based
- In both cases the rep receives their pay from Royal Mail as normal
- The cost of Unpaid leave is re-claimed from the CWU using form AV2.1

6.2 Paid Leave

Paid leave should only be granted for the purposes of Industrial Relations activities which jointly involve Royal Mail and the CWU. Examples of such activities include:

- Participating in negotiation and consultation
- Representing members at Conduct and Attendance interviews etc
- Attending the local two-monthly liaison meetings with the Area Reps
- Attending Training courses and briefings which have been arranged or agreed by Royal Mail
- Participating in projects, trials, Joint Working Groups etc

The cost of Paid leave is borne by Royal Mail and the rep receives their pay in the normal way. However the front page of form AV2.1 must be completed by the rep and their line manager and then forwarded to Transaction Services who will record the leave.

6.3 Unpaid Leave

Ad-hoc Unpaid leave may be granted for activities which are purely Union focused. Examples of these activities would include:

- Updating Branch records
- Doing Union legal and medical work
- Organising Branch elections (**NO** leave is allowed for Industrial Action ballots)
- Attending Branch or Committee meetings
- Attending CWU training courses or briefings which have not been agreed with Royal Mail
- Fulfilling any role outwith the IR Framework (eg Branch Chairman, Legal & Medical Secretary, Political Officer etc)
- Fulfilling a role not previously agreed with AMT (eg FTD “expert” for the Branch)

A representative granted Unpaid leave receives their pay from Royal Mail as normal but we re-claim these costs back from CWU HQ. The line manager must therefore ensure that Form AV2.1 is completed, detailing on the reverse of the form the number of hours that the rep was released for along with any shift payments, cost of substitution etc before forwarding it to Transaction Services.

Transaction Services will then calculate the amounts involved and will produce a bill which is sent off to CWU HQ for payment.

Ad -hoc leave is granted at the discretion of the line manager and may be refused if operational requirements will be compromised by allowing it. However requests must not be unreasonably refused.

7.1 Absence Reporting etc

All reps and union officials regardless of whether they are on full time release or not must report sick absence, accidents etc in the normal way.

Divisional Reps should report such events to the Industrial Relations Support Manager for their Territory.

Other Reps and Officials on release should report to their line manager. Their line manager is defined as the manager that they would report to were they on normal duty.

Union Reps who come under the Attendance Procedure should be treated in the same way as other employees. (Please note that **this does not apply to Conduct issues**; see appendix 4 of the Conduct Code)

7.2 Annual Leave

Reps who are on full-time release may normally take leave at a time of their choosing. At the start of the leave year they should notify their line manager or the IR Support Manager in the case of Divisional Reps, of the leave periods (ie one week or more) that they wish to take and at the same time advise the Area manager of any substitute who will be covering their position.

The substitute should, at the same time, advise their own line manager that they will be seeking release for the period of substitution.

For leave of less than one week the line manager should be notified as early as possible.

Reps Leave cards should be held by their line manager at their parent unit.

7.3 Substitution

If for any reason a rep is absent for one week or less their post should not normally be covered by a substitute. Any urgent issues which need to be progressed during this time should be dealt with by the next person in the representative chain eg. If a Local Rep is absent then the Area Rep should become the point of contact.

In the case of absences of more than one week a substitute may cover the post and in the case of positions which attract Pre-scheduled release this can be transferred to the substitute. However, the level of release may be adjusted depending upon whether or not the substitute is performing the full representative role.

Where absences of more than one week can be foreseen (eg annual leave) the substantive rep must inform their line manager, in advance and in writing, of the name of the substitute and the period of substitution. At the same time the person acting as substitute, must inform their line manager in writing that they seek to be released from duty for the period of substitution.

A part-time employee who substitutes for a rep who is a full time employee, should not have their hours increased for the purpose of substituting.

8.1 Allowances

The IR Framework operates on the principle that employees who carry out representative duties should not be financially disadvantaged nor advantaged. Therefore accredited reps who are on full time release will have their pay maintained at the level of the 12 months preceding their election.

For example an employee who holds a night shift duty and is elected as an Area Rep on day-time full time release will continue to receive the allowances that they would have received had they continued to work on that duty (That does not include overtime)

Payment of allowances will cease if a rep chooses of their own volition, to sign for a different duty (one which does not attract the same allowances) during their term of election.

If during their term they sign for a duty which attracts higher allowances they will not receive these payments until they actually perform the duty.

8.2 Overtime

Overtime must not be paid for Industrial Relations purposes.

However there may be occasions when reps have to work beyond their conditioned hours because of IR issues and in such cases they may be granted time off in lieu.

There is no reason why reps cannot work normal overtime (pressure, SA etc) but whilst they are performing this they are doing so in a non-representative capacity and should not be carrying out CWU activities during overtime.

8.3 Travel and Subsistence

Royal Mail does **not** pay the cost of travel and subsistence for reps and the recovery of any costs incurred is an issue between the rep and the CWU. This applies equally to journeys made on joint Royal Mail / CWU business as well as journeys made purely on CWU business.

8.4 Use of Official Vehicles

Provision of Pool cars and official vehicles for CWU reps is not permitted although they may be allowed to travel in scheduled vehicle services but **only** if authorised in advance by the manager responsible.

8.5 Travelling Time

Additional payment should not be granted for travelling time. See section 5.3 regarding travel outwith the Area.

9.1 Annual Conference

CWU Annual Conference is held each year, normally in June and Paid release is granted to the following in order that they may attend:

- Area Delivery, Area Distribution and Area Processing Reps
- 2 delegates from each Branch (normally the Branch Secretary and another official)
- 2 trainee delegates (normally 2 local reps)
- Area Safety Rep

The decision on who goes as delegates and trainee delegates is an issue which the CWU decides but they must provide the Personnel Manager with a list of all reps/officials who will be attending, two weeks before Conference starts.

The Branch may request the release of additional delegates which can be granted if it is operationally possible. However these additional delegates would be granted Unpaid leave, the cost of which must be re-claimed from the CWU.

Travel costs to and from Conference are borne by the CWU.

9.2 CWU Training Courses

Paid release is granted to enable newly appointed reps to receive the following induction training:

- Area Reps - 5 day induction course normally held in Bournemouth
- Local Reps - 2 day induction course normally held in Bournemouth
- Local Reps - 2 day Conduct code training, held locally

These courses are arranged and run by the CWU.

All other CWU arranged courses normally attract Unpaid leave, the cost of which is re-claimed from the CWU.

If a rep seeks Paid release for courses other than those listed above the Personnel Manager should be consulted before any leave is granted.

Reps seeking release to attend training courses should provide their line manager with a copy of their call up papers.

All travel and subsistence costs for training courses are met by the CWU.

APPLICATION FORM FOR PAID AND UNPAID UNION LEAVE

(All applications must be submitted and authorised before the leave is taken)

Section 1: TO BE COMPLETED BY THE APPLICANT IN ALL CASES

Full Name (Block Capitals) Grade: Pay No:

Function: Union Position:

Office: Union Branch:

I wish to apply for PAID/UNPAID* leave from: (Time and Date)
(Delete as applicable)

to: (Time and Date)

No. of hours

Reason for application: (specific details of meetings, training courses, etc.)
.....

Sign at Section 2

* Examples of Paid Leave: Negotiation, Consultation, Representation, Consideration of Proposals

Examples of Unpaid Leave: Ballots, Elections, other Branch work, legal & medical union policy

Section 2: TO BE COMPLETED BY THE LINE MANAGER AND VERIFIED BY APPLICANT

PAID/UNPAID LEAVE is authorised as above.

(Delete as applicable)

Line Managers Name (Block Capitals):

Budget Code to which repayment is to be credited:

1. In the case of UNPAID LEAVE central billing arrangements will apply and I certify that the application is with the knowledge and approval of my Trades Union who will reimburse Royal Mail for the Unpaid Leave or coverage costs as appropriate.
2. The hours of unpaid leave have been detailed overleaf and have been verified by the applicant.

Signature of Line Manager: Signature of applicant

Date: Date:

Forward to Transaction Service Unit upon completion

Section 3: TO BE COMPLETED BY TRANSACTION SERVICE UNIT

1. Details of PAID/UNPAID (delete as applicable) leave have been recorded & coverage costs detailed overleaf
2. Application has been sent to CWU Branch Secretary for concurrence (*only when leave is Unpaid*)

Signature of Personnel Administrator: Date:

Name (Block Capitals)

Section 4: TO BE COMPLETED BY THE BRANCH SECRETARY (Please return to TSU within 7 days)

I have examined the details of this application and confirm payment is now due

Name: (Block Capitals)

Signature of Branch Secretary: Date:

Section 5: TO BE COMPLETED BY LOCAL INCOME CENTRE WHEN INVOICE RAISED AND SENT TO CWU HQ FOR PAYMENT

Invoice Number Divisional Income Centre

Full name of Local Income Administrator (Printed)

Signature of Local Income Administrator Date

Revised July 2000

FORM A v2.1

Appendix 1

COST OF UNPAID LEAVE

(Please keep this form intact throughout

INSTRUCTIONS FOR COMPLETION charging process)

1. Line Manager to enter the number of hours unpaid leave incurred by the individual together with the hours used for coverage by a substitute. Time spent on duties involving shifts and where Skill and Responsibility Allowance are payable along with any Personal Supplement or overtime should be detailed BUT scheduled attendance's are NOT applicable.
2. Transaction Services are to enter the standard hourly rates or where not available enter 1/40th of the weekly rate per hour then multiply this by the number of hours to obtain the costs. At the foot of the column 12% should be added to account for the employers NI and Pension Contributions.
3. Personnel Administrator to forward completed form to Branch Secretary for agreement & then onto Finance so that the invoice can be raised with CWU HQ.

<u>PAY AND ALLOWANCES</u>	REPS HOURS	SUBS HOURS	REPS £ph	SUBS £ph	REPS COST £	SUBS COST £	COMMENTS
Basic Pay							
RRIS							
Pay Protection Supplement							
Personal Supplement (eg EX PHG)							
Shift Payment							
Goods Vehicle Driving							
Other Driving							
TPO							
Other Skill							
Overtime @ Single Rate							
Standard Rate Overtime <= 10 Hours							
Lower Rate Overtime > 10 Hours							
Lapsed Hours			no costs	no costs	no costs	no costs	
TOTAL COSTS							
ADD OVERHEAD COSTS:- NI & PENSION @			12%				
TOTAL COSTS INCLUDING OVERHEADS							

TOTAL OF CWU BILL

(Highest costs total plus employer's overheads

£

.....
 Line Manager (Printed) entering Hours and Allowances

.....
 Signature

.....
 Date

.....
 Name of Payroll Officer (Printed) entering costs

.....
 Signature

.....
 Date

11. EXAMPLE CREDENTIALS

CREDENTIALS FOR CWU REPRESENTATIVES

This is to certify that _____ *(print name of rep)*

holds the position of _____ *(local rep or area rep etc)*

for the period from _____ to _____

and represents the following units/sections/Area

_____ *(eg xyz Delivery Office, Mail Centre Warehouse etc)*

Signed _____

Date _____

CWU Branch Secretary

AUTHORITY FOR UNION REPRESENTATIVE FACILITIES

It is agreed that _____ *(print name)*

of _____ *(name of reps unit/office)*

is designated by CWU to hold the following representative position

_____ *(position and unit/section)*

The following facilities are authorised for the purposes of representing Royal Mail Service
Delivery employees _____ *(ad-hoc release or xx hours per week)*

for the period from _____ to _____

Signed _____

Date _____

Line Manager