

Report of NEC Meeting 20th September 2006

This is not an official or comprehensive report, but picks out issues that may be of particular interest to members in Health.

This report is written under guidelines for all NEC members on collective responsibility. Like other NEC members, I am now allowed to outline my own position in debates or votes only if I am specifically asked about my personal position.

This was a short meeting, ending just after 2pm rather than the usual 5pm. There was little discussion on many agenda items. Many NEC members had sent their apologies (some being in South Africa as part of an Amicus delegation).

Peugeot Campaign

Amicus has run a campaign urging people not to buy Peugeot cars, following the company's decision to close a car plant in Coventry and outsource jobs to Slovakia. The General Secretary reported that Peugeot had been forced to spend more money than usual on advertising, and were experiencing lower than expected sales (although they were using 'smoke and mirrors' to conceal this).

CSEU

The Confederation of Shipbuilding and Engineering Unions (of which Amicus is a part) owns a 'fighting fund' of around £16 million specifically ear-marked for industrial action to progress a 35 hour working week. The General Secretary reported on options to enable this money to be used for more general purposes.

Election of Full Time Officers

The NEC agreed procedures for the election of Full Time Officers. An NEC member argued that - as the rule requires the election of 'all future/new National Officials' – it was incorrect to interpret this as referring only to 'National Officers'. This excluded election to positions such as Assistant General Secretary and Deputy General Secretary. The NEC endorsed the narrower interpretation of the rule as meaning National Officers only.

Equal Pay Claim/ Pay Review

This was one of the longer discussions of the meeting. The General Secretary reported on an equal pay claim lodged by an employee of Amicus working in the Union's Education Department. He explained that the merger of four unions had left employees on different rates of pay, which were protected even though a pay review had led to harmonised pay rates. A job evaluation scheme had been offered but turned down by union reps. A member of staff had lodged an equal pay claim, as her pay was below that of male comparators who were on protected pay (despite her pay being above market rates for the job). The General Secretary's view was that a GMB rep acting for the employee had a personal financial interest in winning the case. Amicus had been advised that the case had a chance of success, so a letter had been issued to the male comparators giving them notice but offering re-employment on lower pay. The Union had a fiduciary duty to our members, and we could not expose ourselves to equal pay claims that could be used to jack up pay to protected pay levels.

Questions were asked around aspects of pay protection. One NEC member commented that if we levelled everyone up we would be bankrupt in a week, and we were not there to negotiate on behalf of staff. An NEC member agreed in principle with the full job evaluation scheme proposed by the General Purposes and Finance Committee as long as this was agreed with employees. We also might not want to carry out job evaluation twice, given that we were due to merge with the T&G. An NEC member said that the union had to be 'squeaky clean' as we were a trade union as well as an employer, and that there could be long-term damage to our reputation. It didn't matter how messy or complex the background – we should not deal with it this way. It was bad employment practice to

sack male comparators and re-employ them on lower pay, and we wouldn't accept it from employers. The legality was questionable, and this was a breach of the EOC Code of Practice. There could be a breach of the rule requiring NEC authority to change terms and conditions. If there was a legitimate equal pay case, we should settle; if there wasn't, we should fight it at tribunal.

The General Secretary said nobody's terms and conditions had changed. Contract notice had been given but terms and conditions remained the same. The job evaluation exercise was needed, although we didn't know what the reps would do.

The Head of Legal Services said that the situation had arisen because of our commitment to pay protection. We knew it was not sex discrimination but a lay person might not without knowing the history. If the NEC decided to pay staff the highest rate going, there would be no money for campaigns. The NEC's approval was needed for a job evaluation.

The NEC endorsed the General Secretary's actions and delegated authority to him to amend terms and conditions of individual staff as appropriate for legal protection and to achieve a balance of interests. Around five NEC members voted against this.

Merger

The General Secretary anticipated a need for a special NEC meeting in October to discuss the Instrument of Amalgamation. The T&G Executive would be considering this at the same time, and would then brief National Officials, hold a second wave of consultation and a recall delegate conference. Amicus was engaged through a merger committee and 'three by three' committee. The General Secretary would do a road show on the merger. There might be a ballot of members early next year, with a possible 'vesting date' of 1st May 2007. An NEC member said that there had been far more consultation in the T&G, very few Amicus NEC members had been privy to information about the merger, and it was important to have detailed information in order to make such an important decision. Another was confident that the merger group was doing a good job, and that we didn't need to know the detail. We should get the Instrument of Amalgamation and move on. Information might be leaked. A second NEC member agreed that information should not be given to NEC members, and that some NEC members would use it for their own narrow political ends.

The General Secretary said that the Executive would initially be on a 50-50 basis. Discussions were taking place around industrial sectors, and it was likely that the Executive would have representation from regions and industrial sectors. Equalities would be well catered for but driven down to the workplace, not people on committees who became self-serving and had nothing to do with the workplace. The T&G has 8 regions; Amicus has 12. There might be a compromise on 10 regions. Members didn't want to know the detail. NEC members would be expected to 'sell' the document once it was agreed.

Finance

Both expenditure and income remain below budget. Overall, we are living within contribution income. Branch and Regional Council costs are currently under-spent. To date, 56 employees have left under the voluntary redundancy programme.

Lebanon

The NEC agreed a statement on the recent conflict in Lebanon. The statement condemned Hezbollah, recognised Israel's right to defend itself from attacks but felt the response not to be proportionate, and condemned the British Government response of following the US in endorsing Israeli attacks on civilians. In a very brief discussion, one NEC member felt that the statement should have condemned Israel, in view of the high number of civilian deaths in Lebanon; another felt Hezbollah was primarily responsible for the conflict. The statement was endorsed, with five or six NEC members voting against. Motions from four branches on the same subject were noted.

Labour Party Leadership

Following a brief discussion, the NEC agreed that no position could be taken on the question of the Labour Party leadership, and that the matter would be considered by the NEC and National Political Committee in due course. Three motions were received from branches. One, stating that leadership candidates should be expected to support the Trade Union Freedom Bill, was noted; as was a motion supporting John McDonnell for leadership. A motion calling for support for the candidate most in tune with Amicus policies was agreed on the basis of Amicus support for the candidate most able to implement our policies. An NEC member put forward a resolution calling for the Amicus Parliamentary group to give strong consideration to nominating John McDonnell, to ensure he received enough nominations to stand. This was not discussed.

Health

The General Secretary commented on the outrageous comments from Patricia Hewitt on privatisation of the NHS, and on the growing loss of jobs in Health. He pledged that the union would throw its full weight behind its members in Health. An NEC member said that Hewitt's call for no limits to privatisation of the NHS amounted to tearing up the Warwick Agreement and throwing the pieces back in our faces. We needed a robust political response, and a commitment to putting ample resources behind the important 'NHS Together' campaign.

Equalities Strategy

NEC members received copies of a proposed equalities strategy, intended to mainstream equalities in the delivery of services to activists and members. An NEC member agreed with virtually all of the strategy but expressed concern over support for a single equality act, as this is a contentious area. The strategy is intended to be consulted on widely prior to final approval.

Supporting UK Manufacturing

Two NEC members put forward a motion requesting that goods and services used by Amicus should be provided by UK firms with TU recognition, and that the Amicus should use unionised hotels. The General Secretary reported that Amicus always tried to source from organised workplaces, but that sometimes this was not possible.

Other Correspondence

A motion from a London branch noted that London members were disenfranchised as the London NEC member never attended NEC meetings, and called on the NEC to consider a rule change to stop this being repeated. This was not agreed, although consideration will be given to the rules of the new union. A motion supporting non-nuclear power in preference to nuclear power generation was opposed as this is covered by conference policy. A motion on campaigning for a 35 hour week was noted. A motion criticising the 'Keep Ryton open' campaign for its use of 'Peugeot or England' slogans and its use of the St Georges Cross was noted. A motion on the defence of council housing was supported other than the call for Amicus to submit motions to the TUC and the Labour Party Conference. A motion critical of the NEC's interpretation of the rule on election of Full Time Officers was noted. A motion on support for the expansion of Heathrow Airport was noted. A motion opposing any further enlargement of Amicus was noted.

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