

Report of NEC Meeting 21st March 2007

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 an important meeting, with the decision taken on membership of the Joint Executive Council – the body that takes over the government, management and control of the new merged union, and that is responsible for drafting the new rule book that will be central to the running of the new union.

Colleagues will know by now the result of the merger ballot: a relatively high turn out of 27%, with 70.5% voting in favour of merger with the TGWU and 29.5% voting against.

Branch Membership Review

The General Secretary reported that the recent Yorkshire and Humberside Regional Secretary election had thrown up anomalies where members belonged to a branch in one area but their home address was a significant distance away. He proposed that the Union should identify such people and allocate them to the geographical branch nearest to their home. This would need to be done before the election of regional representatives for a new Executive Council. Several NEC members raised possible problems – that this would not cater for construction workers who typically work away from home, that allocation to geographical branches might be inappropriate for e.g. many health workers or IT workers who often have industry specific branches, that there might be a whole range of different and legitimate reasons for people belonging to a branch away from their recorded home address.

The NEC agreed that proposals around this would be drafted and put to a future NEC meeting. **It would be useful to have peoples' views so that these can be fed into the discussion.**

Brussels Office

The General Secretary reported that the Union will be acquiring a property based in Brussels, for the purposes of developing closer work with the European Parliament.

Employment Tribunal

The NEC had a detailed discussion on an Employment Tribunal finding with regard to Des Heemskerk, a member of staff in the Amicus Communications Department who was dismissed from the Union last year. A central allegation against Des Heemskerk was that he had leaked confidential documents. The Tribunal's view was that the finding that Des Heemskerk was responsible for the leaks was 'unwarranted'. The Employment Tribunal had ruled unanimously that this was unfair dismissal, with a judgement that was very critical of the investigatory and disciplinary processes used by Amicus prior to the dismissal.

The General Secretary introduced the debate. He said that he thought that the Tribunal was wrong, and reported that Amicus would be opposing reinstatement of Des Heemskerk at the 'remedies hearing' due to take place in May.

Many NEC members expressed concerns about this position. The argument was put by a series of speakers that this was a matter of principle, and that the Union should offer reinstatement. NEC members made the point that this was TUC policy, and that it was damaging to the Union if we did not reinstate. It risked making us a laughing stock with employers when we represented unfairly dismissed members.

Others felt that it was better to wait until the outcome of the remedies hearing. Not all NEC members had had time to read the Tribunal judgement. Possibly NEC members did not have the authority to decide reinstatement. The NEC should trust Derek's judgement. We should wait until everything was 'done and dusted'.

The General Secretary responded to the debate in a lengthy contribution. He restated the view that the Tribunal decision was wrong. He outlined much wider issues that he believed the Tribunal had overlooked. His view was that there had been attempts to undermine the leadership of the Union and create chaos.

The NEC voted to wait until the outcome of the remedies hearing, with perhaps 7 or 8 NEC members voting against this position.

Joint Executive Council

The General Secretary introduced the election of the Joint Executive Council and the Rules Commission. He highlighted the authority of the new JEC, and that questions on the interpretation of rule would be decided by the JEC. He said that the General Secretary 'veto' was necessary as there would possibly be tensions between Amicus and TGWU on issues of principle – for example, there could be disagreements between Amicus and the T&G on the question of Trident. The veto wasn't about giving power to the General Secretaries but about defending our Union.

Later in the meeting, the election for the JEC took place. A slate was proposed by GPFC member Howard Turner consisting of the existing General Purposes and Finance Committee and two others. An NEC member commented on the lack of public sector representation, and was advised by the Chair that this was why Malcolm Vass had been proposed.

A further four nominations were received: for Jane Stewart, Ged Dempsey, Gill George and Brian Rice. There was a brief discussion over whether the slate should be voted on 'en bloc', or whether individual elections should take place. The latter course was adopted, and the following were elected:

Steve Davison	Yorkshire and Humberside
Howard Turner	General Industries and Servicing
Peter Taylor	General Industries and Servicing
Pauline Fraser	Women's Seats
Margaret Hazell	Finance/ Unifi
Brian Pemberton	North West
Tam Mitchell	Aerospace and Ship Building
Gordon Whitman	Eastern
Alan Mercer	General Industries and Servicing
Judy Box	Women's Seats
Alistair Fraser	Aerospace and Shipbuilding
Jane Lewis	Finance
GPM Vacancy	GPM
Graham Hunt	Finance
Malcolm Vass	South East

A slate was proposed for the Rules Commission, which will assist the JEC with a new rule book.

In addition to the slate, the following two NEC members were proposed: Jane Stewart and Ged Dempsey. Again, elections were held on an individual basis. The following NEC members were elected:

Steve Davison (on Rules Commission under rule, as Chair of the NEC)

Alistair Fraser (on Rules Commission under rule, as Vice Chair of the NEC)
Gordon Whitman Eastern
Dave Hutchinson Health
Ray Bazeley South West
Peter Taylor General Industries and Servicing
Pauline Frazer Women's Seats
Margaret Hazell Finance/Unifi
Stewart McGhie Energy
Jane Lewis Finance

Labour Party Leadership

The question of the Labour Party leadership was raised by individual NEC members several times during the meeting. There were also three motions from branches calling for the Union to support John McDonnell's leadership bid. Under rule, all Union members who pay the political levy are entitled to vote in any ballot on the question of Labour Party leadership.

Deputy General Secretary Tony Dubbins said that a previous NEC meeting had decided that the question of Labour Party leadership would be considered by the National Political Committee and would come to the NEC after this. An NEC member did not recollect this decision, believing that the decision last Autumn had been that the issue would be considered by the National Political Committee or the NEC in due course, but that the process and timescales agreed by Labour's NEC meant that the meeting that day was likely to be the only opportunity the NEC would have to influence the outcome. An outcome of Gordon Brown and Job Cruddas would be catastrophic for our members in the public sector, as both supported privatisation. Another member shared Tony Dubbins' recollection that the matter would be considered by the National Political Committee. The Chair proposed to the meeting that the matter should in any event be referred to the National Political Committee. This was agreed by the NEC.

The three motions from branches were therefore not discussed.

A written report to the NEC confirmed that the National Political Committee agreed to provisionally back Jon Cruddas for Labour Party Deputy Leader when it met in September.

Equalities

The NEC approved a brief equalities report and suggested nominations for the TUC Women's Committee, Race Committee, LGBT Committee, Disability Committee, Young Member's Committee, General Council Young Member's Seat, and TUC Women's Gold Badge. I am happy to give further details of nominees on request.

Correspondence

Several motions were noted by the NEC, including a motion calling for support for a CWU campaign to maintain a sustainable post office network, a motion on reporting on equalities courses and considering setting up a college in Northern England, and a motion calling for the maintenance of a staffed Education Department. Further financial support for the Fujitsu dispute in Manchester was declined at this stage of the dispute. A motion calling for implementation of conference policy of a national demonstration against privatisation was declined as the Union had already supported similar events. The NEC agreed to reinstate obituaries in the Amicus magazine, and agreed observer status for a member to attend Policy Conference following confusion and poor communication on whether or not he had been elected in the first place.

Gill George
31st March 2007

gill@ghg.me.uk