

Report of Unite Executive Council Meeting, 21st to 22nd May 2008

This report is written for members in the Health Sector of Unite. This is a purely personal report, reflecting my own impressions of the meeting. This is of course not a formal record of the Executive Council meeting, and should not be considered as such.

This was the first meeting of the newly elected Unite Executive Council. This was therefore a significant meeting, as it might be seen as setting the tone for the future direction of the Union. The different traditions of the two predecessor unions were very apparent in much of the debate, so I have indicated whether speakers are from the Amicus or T&G Sections where this seemed relevant. In general, T&G Section colleagues played a more prominent role in the meeting.

The meeting opened with some introductory words from the Joint General Secretaries, commenting on the historic nature of the meeting, and outlining the important business to be done.

Chair

Tony Woodley, speaking for both General Secretaries, proposed an arrangement for a joint or rotating Chair of the Executive Council. This was rejected by the Executive Council. There were then two nominations for Chair: Tony Woodhouse from the TGWU Section, and Steve Davison from the Amicus Section (former Chair of the Amicus NEC). On a show of hands, Tony Woodhouse won by a comfortable majority, with around eight Amicus Section EC members voting for him in preference to Steve Davison. Tony Woodhouse will therefore be Chair of the Executive Council.

I was one of the Amicus Executive Council members who voted for Tony Woodhouse, as was Frank Wood (also representing Health Sector members). My view is that it makes no sense to think of ourselves as 'Amicus' or 'T&G' going

forward, and that the interests of our members are the same, whatever our predecessor unions. We are now one Union: Unite. I voted for the candidate for Chair who I believed would be best placed to ensure debate and control by lay members on the Executive.

Standing Orders (including FGPC and Sub-Committees)

There was a great deal of discussion about the Standing Orders for the Executive Council, with many points made in the debate reflecting the different traditions of the two predecessor unions. After discussion, it was agreed that attendance at Executive meetings (by officers, staff and advisers of the Union) should be agreed by the Joint General Secretaries in consultation with the Chair, rather than by the Joint General Secretaries alone.

It was clear that this debate was at least in part about industrial reports being given to the Executive Council. In Amicus, the NEC has discussed industrial matters relatively rarely, as these have been considered the business of industrial sectors. In the T&G, the Executive has evidently been much more involved in the industrial business of the Union, with direct reports from National Officers. JGS Tony Woodley expressed the view strongly that the T&G practice had often been a waste of time, and was unnecessary with the larger number of meetings. He argued it was unrealistic to suggest either a rota system for National Officers or all National Officers reporting to the Executive.

FGPC

A major debate took place regarding the Finance and General Purposes Committee. In Amicus, this body (known as the GPFC) has been fundamentally important, making recommendations to the NEC on virtually every item of business. In the T&G, its role has been much more restricted, and its concerns have been primarily the administration and finance of the union.

A T&G Section member (speaking on behalf of a great many T&G Executive members) called for an FGPC of 20 people, rather than the proposed 14. He said that a membership of 14 was too restrictive.

This had been widely discussed by colleagues from the T&G Section, and there was a great deal of support for the proposal. Some T&G Section members wanted the FGPC to have representation from across regions (the former practice), while others simply felt a larger body would be more open and accountable.

Both Derek Simpson and Tony Woodley argued against an increased FGPC membership. Derek Simpson said an FGPC of 20 would be larger than either union had had before. If you looked at committees in general, the Amicus Section had seen its Executive members reduced from 60 to 40. For the FGPC, the Amicus 12 was reduced to 7, and the T&G 8 reduced to 7. The number of 14 had already been agreed.

Tony Woodley said that T&G colleagues had to understand these were changing times. We had to look at the Union as a whole, and understand the politics of compromise. There were more Executive and FGPC meetings. The compromise we had worked so hard on should not be disrupted.

There was a brief debate. One T&G Section member called for the larger committee, arguing for regional representation on the FGPC. An Amicus Section member said he could argue that the Amicus industrial sectors were disenfranchised. A T&G Section member said the way to keep the FGPC accountable was to keep it small and in its place, and to ensure that the Executive Council ran the Union.

Derek Simpson said he understood the appeal of looking at 10 regions. He added, 'There's a danger the committee gets so big you can't control it', and said that with respect we didn't want to elect an FGPC unless we'd got confidence in it. He asked if the Chair intended to put this particular amendment to a vote.

The Chair (Tony Woodhouse) explained that all amendments would be discussed, and would be put to the meeting following this discussion.

Debate on the Standing Orders continued. A T&G Section member voiced concern about the role of the FGPC, and argued for an amendment to Standing Orders that would restrict the remit of the Committee to finance and administration only. JGS Tony Woodley responded that we would be looking at the role and responsibilities of the FGPC, and bringing proposals back to the Executive. This was accepted by the colleague who had proposed an amendment.

There was discussion about the proposed standard agenda for Executive Council meetings. An Amicus Section colleague pointed out that 'Correspondence' was not on the agenda, while a T&G Section colleague said there was no item on 'Remits'. This was effectively the same point, but reflecting the different language of predecessor unions. It was eventually agreed (a little later in the debate) that this could be

accommodated. Colleagues also highlighted that there was no item for reports, and no routine mention of the organising campaign. (Organising has been a high-profile work stream in the TGWU). JGS Derek Simpson felt that reports could be taken under AOB.

The debate also returned to the question of industrial reports – clearly an important matter for many T&G colleagues, and closely related to the organising agenda. Three T&G Section members argued for industrial reports to be given to the Executive Council, as the industrial work of the Union was crucial. Tony Woodley said that the General Secretaries' reports would cover all the work of the union, and that he and Derek would discuss the best way of ensuring this. It might be a 'watch this space' situation. He said that he looked forward to industrial work being expanded not diluted. However, there was already agreement on the way forward, which was that the Joint General Secretaries would take responsibility for bringing forward industrial issues. The T&G Section had voted unanimously to do it this way, and if we didn't, he didn't know where the Executive would be. We'd found a process that was acceptable.

Derek felt that things would be clearer in time, with industrial sector committees and equalities committees. There was no point taking industrial reports on a rota basis, as this might not reflect what was going on. He said the General Secretaries were tasked with the business of running the Union and would report the work of the union. He asked how interested people would be in reports not relevant to their sector, and felt there was no point giving National Officers five minutes in the spotlight.

An Amicus Section member said that in Amicus, if Derek didn't do his job, we told him so.

There was debate around a requirement that Executive Council members should give 14 days written notice of items to be placed on the agenda. Executive Council members from both sections expressed unhappiness with this, arguing that this could not apply to proposals arising in the course of the debate, or to items that arose at short notice. JGS Derek Simpson felt that people should have a bit of confidence – we were the Executive, and of course we could have items on the agenda.

A T&G Section colleague was unhappy about the requirement to submit amendments to minutes in writing in advance (the Amicus practice). Derek Simpson commented that this was just to see consensus around minutes before the meeting.

There was also debate around accountability and reporting back, with a T&G colleague strongly expressing the view that reporting back to constituencies and the recording of votes should take place as a matter of policy. (I strongly agree with this).

Sub-Committees

A sharp argument took place on the issue of sub-committees of the Executive Council. Several T&G Section members argued in favour of Industrial and Education Sub-committees, allowing more detailed involvement by Executive Council members in specific items of work. An Amicus Section member said she knew that sub-committees had been valued in the T&G and also in MSF as one of the Amicus predecessor unions, and we should support these; also that we should consider a Public Sector Committee to identify common issues and to raise the profile of our public sector sections.

Both Derek Simpson and Tony Woodley were strongly opposed to making

provision for sub-committees in the Standing Orders. Tony Woodley felt that these committees would need to be considered, but we weren't at that stage today. On Education, we did not have a fully agreed Unite position. Derek said that there would be lots of opportunities for involvement through the FGPC and the Executive. Sub-committees might be sensible at some point in time. There would be colleagues who thought the International committee had done a good job and Amicus people who would think we were better without committees. We had to reach a consensus, and at that moment there wasn't a consensus in the Secretariat. The way to stop committees getting out of hand was that all Executive members would participate directly. If something was a concern to the T&G, Amicus wouldn't want to roll it out.

The T&G colleague who had originally proposed this amendment spoke several times. He said he had been asked to raise it in this section of the meeting, and that he wasn't insisting on every committee that the T&G had in the past, but wanted provision for the Executive to call sub-committees as needed. Tony Woodley asked him not to labour this. Derek Simpson said if it was in the Standing Orders, it was a sure-fire thing it would happen, but if it wasn't in Standing Orders there would be nothing to stop people bringing it back. We were trying to build a union on consensus. He urged the colleague to re-think.

Voting on FGPC and Sub-Committees

The debate briefly re-opened on the issue of membership of the FGPC – whether membership should be 10 from each section or 7. Tony Woodley acknowledged that this was an issue of particular concern to the T&G Section, but said we should note the Amicus decision to cut its Executive membership from 60 to 40. By any measure of

compromise, it was right for the T&G to agree to the proposed FGPC. He urged T&G colleagues to note his advice and move on.

Two T&G Section colleagues asked for this to go to a vote. Derek Simpson said he had asked them to understand that the paper was written on consensus. He said he was telling them now that if it went to a vote he would exercise the 75% rule. *(Normal practice is that decisions are made by a simple majority. The '75% rule' is a special rule that requires a 75% majority in favour of a decision if either or both of the Joint General Secretaries believe that an issue is fundamental to the Union).*

The T&G Section member who had requested an amendment to increase the size of the FGPC from 14 to 20 withdrew his amendment at this point, but did this on the basis that the amendment making provision for sub-committees would still be put.

The T&G Section member who had proposed the amendment on sub-committees was asked by Tony Woodley to withdraw it. Tony Woodley said that we should use commonsense, and we should not be tearing ourselves apart at this first meeting. Derek Simpson asked again that the amendment should be withdrawn. The Chair asked that the amendment be withdrawn, perhaps to be raised as an agenda item at the next meeting. The implication during this discussion was that the 75% rule would be used to over-ride the amendment if it was put. The T&G Section member seemed genuinely puzzled, repeating that he had raised the issue prior to the Executive and had been advised to have it discussed under Standing Orders. He eventually agreed to leave the amendment on the table pending a discussion with the Joint General Secretaries in order to move business on.

After lunch, the amendment on sub-committees was withdrawn. There is therefore no provision for sub-committees in the Standing Orders of the Executive Council (although there is provision under rule).

After a brief debate, it was agreed that membership of the FGPC should be the business of the two Sections of the Union, each meeting separately to select its own 7 members.

The members of the FGPC from the Amicus Section will be Steve Davison, Alistair Fraser, Alan Mercer, Agnes Tolmie, Peter Taylor, Peter Russell and Ray Bazeley. Neil Sheehan and Jane Stewart were also nominated, receiving 8 votes each (including my own and Frank Wood's votes).

The T&G Section FGPC colleagues are Tony Woodhouse, Ivan Monckton, Brenda Pleasants, Dave DeLacy, Roberta Doble, John Murphy and Mark Lyon.

Vice Chair

A call for nominations for Vice-Chair led initially to no nominations being received. After lunch there were two nominations: Steve Davison from the Amicus section and Jane Stewart from the Amicus Section. A T&G colleague proposed that voting for Vice Chair should be restricted only to members of the former Amicus Section. Jane Stewart noted that everyone had voted for Chair of the Executive Council, and wondered if there was 'games playing' going on. She withdrew from the contest. Steve Davison (former Chair of the Amicus NEC) was therefore elected unopposed as Vice Chair.

Industrial Sectors

A paper on industrial sectors was discussed. This was introduced by Len McCluskey, who said that the discussions

that had taken place had indicated widespread support for the overall proposals. It was clear that there had been more consultation on the T&G side than the Amicus side of the Union, as most Amicus colleagues had acquired their information on probable sectors through informal routes.

It is proposed that Health will be one of 24 industrial sectors (which will meet an important aspiration of many of our activists in the Amicus Health sector). A number of other sectors are more contentious – for example, the possible location of local authority building workers in Construction, the proposed two sector approach to the Automotive industry, and the bringing together of Electrical Engineering and IT members with CMA members (Royal Mail managers) in a single sector. Further discussion is intended to take place on the areas where there is no clear agreement.

The T&G Section member representing Public Services said he welcomed the opportunity to work with comrades in Amicus, and this could only make us stronger. He welcomed earlier comments about the need to co-ordinate our work across the public sector.

Organising

Sharon Graham, Director of Organising in Unite, introduced a discussion on organising. The Organising Department now has 102 organisers. The intention of an organising agenda is not just to recruit, as we have tended to do historically – members leave as fast (or faster) than they are recruited, and we are no further forward. The intention is to build collective organisation in the workplace, rebuilding shop stewards organisation on the ground.

There will be Senior Regional Organisers, due to start in post on 23rd June. The only

region with an unfilled vacancy is currently the North East.

Organising initiatives will be targeted, with an emphasis not just on potential recruitment but on sustainability (for example, where there are major groups of workers and in growth areas of the economy). Some areas, however, may not meet every criterion, but we will still need to work around them.

There was a discussion both on the wider organising agenda, and the '100% strategy' with the objective of consolidating our membership in the areas where we already have members. Several Executive Council members expressed strong support for the organising approach. I highlighted the potential in the Health Sector, talking about the new members and new reps arising from a recent initiative in Bristol. Amicus has very obviously done work around organising, and in some cases very good work. What is new to those of us on the Amicus side is the sharp increase in the resources made available to organising, the very systematic approach, and the emphasis on building lasting organisation in the workplace. This is a model of trade unionism that I believe offers us a real chance of reversing the recent decline in union membership and organisation.

Integration

Tony Woodley reported on the progress in integrating the two predecessor unions. Work continued – for example in Research, Campaigns and Communication. The integration of Finance had yet to be achieved.

Although there would be a voluntary redundancy programme, it was not the intention to accede to all requests as this could impact on the ability to represent members. A meeting would take place the following week with Regional

Secretaries to discuss the staffing implications of voluntary redundancy requests.

Draft Rules

The Executive Council was unable to amend the draft rules, as the Instrument of Amalgamation and accompanying General Rules made provision only for the new Executive to arrange implementation. Again, informal discussion indicated that there had been a greater level of consultation over the content of the rules in the T&G Section.

The Executive Council endorsed a suggested timetable for the ballot of members regarding the rule book. The election will be conducted by the ERS. Every member will have a ballot paper and pack by 10th July. The closing date for the return of ballot papers will be 21st July, with the result declared shortly afterwards.

Assistant General Secretary Ray Collins reported that there was no need for all the new structures of the Union to be in place by 1st November. This should be seen as a start date rather than a completion date for elections to industrial, regional and equalities bodies.

Political Report

Temporary and Agency Workers

The item of greatest importance here was a discussion around the rights of temporary and agency workers. Employment rights of workers on temporary contracts are minimal, and employers have often used loop holes in the law to deny rights to their workers.

Although it was clear that the TUC had been discussing a proposed agreement, this was not available to Executive Council members. Decisions were

therefore made on the basis of verbal reports.

Derek Simpson introduced the debate. He said that the UK Government had been using blocking mechanisms to prevent the progress of a European Directive on the rights of temporary and agency workers. He reported that the UK Government had been closer to the CBI than to trade unions. The CBI wanted workers to have no protection for the first year of employment.

Gordon Brown had presented unions with a 'horrible choice'. He was prepared to give protection only from Week 12 of employment (while unions wanted protection from Day 1). The TUC had looked at who would benefit. Unite's view was that 75% of agency and temporary workers would benefit from this, with benefits around the same sick pay entitlement as core workers, and better monitoring of employment rights such as the minimum wage.

Derek added that it was the view of leading unions that this had to be agreed, although this had not yet been discussed by the full Council. If it wasn't agreed, it wouldn't be discussed again for two years. It was important to get it through as a European Directive as this would stop the Tories changing it. We knew that employers would try and avoid any new legislation – for example, agency workers could be employed as permanent workers but on zero hours contracts and a minimum wage. We'd need to discuss avoidance measures to stop them driving a coach and horses through new legislation.

Several Executive Council members expressed real unhappiness with this proposal. One speaker (from the T&G Section) said we shouldn't be supporting a fudge, and the TUC shouldn't enter into an agreement that we knew would be abused by agencies. Another speaker

from the T&G Section said he shared this passion, but felt we should back the General Secretaries. A third speaker (again from the T&G Section) expressed a fear that this would make it almost impossible for the Union to stop the exploitation of hundreds of thousands of agency workers. The Government had completely ignored us. We should not have painted ourselves into a corner.

Two Executive Council members from the Amicus Section also expressed concerns. One said that members in Construction would expect him to oppose this proposal. Another said it was a shame that the Executive was unable to take an informed decision, as we had not been given a copy of the agreement that had been circulated within the TUC. Perhaps this could be circulated, and a more informed discussion could take place after lunch.

Three other speakers (from the T&G Section) backed the stance taken by the General Secretaries. They felt that it was morally right to back them, that this was necessary to move forward, and that this was the best deal we were going to get for Black and migrant workers. It wasn't enough but it was a foot in the door.

Both General Secretaries also participated in this debate. Derek Simpson said if we gave way to some of the comments that had been made, the outcome would be much worse. We were too weak on the ground to force the situation. It was wrong to see it as a moral question and shout slogans.

Tony Woodley said the Union wasn't sat back and doing nothing. We'd spent 4½ years battling on this. The enemies in 'our' party should know better. This had been a battle with Prime Ministers and the Government.

The meeting agreed to accept the recommendation of the General Secretaries.

Other political items

A Health Sector member drew the Executive's attention to the campaign around health visitor numbers, and the other work that was ongoing or necessary – for example, to defend District General Hospitals, maternity units, and A&E departments.

Charlie Whelan commented on the expected defeat for Labour in the Crewe and Nantwich by-election.

Colleagues mentioned other issues – including opposition to ID cards, and the need for ongoing work against the BNP (through support for the forthcoming national demonstration, for example). Derek Simpson also highlighted the Union's work around Love Music Hate Racism, and Rock against Racism.

Political Organisation

The Executive Council discussed proposals around political organisation. Under rule, only individual Labour Party members can participate in Regional Political Conferences, Regional Political Committees, and the National Political Committee (although most political levy payers are not Labour Party members). This is consistent with previous Amicus practice – it has caused unease in the past in Amicus, and concerns were expressed at the Executive Council meeting by T&G Section colleagues.

Four or five EC members pointed out that this approach excluded most members, and sought alternatives. One proposal – which would not be outside rule – was that all members at Area Activists Committees and Regional Industrial Sector Committees should have a vote for political representatives, although only

Labour Party members could stand. Derek Simpson noted that the political bodies in the Union would act 'under the direction of the Executive Council'. The Chair commented that these were just guidelines, and the Executive Council would have the opportunity to change it in the future. A commitment was made that the General Secretaries would come back on the proposal for a slightly more inclusive approach.

Merger with United Steel Workers

The documentation around this was distributed at the meeting rather than in advance. The proposal is to create a global union, representing workers in the UK, Ireland, US and Canada. Some of the objectives of the new organisation are impressive, for example to:

- *Build global union activism, recognising that uniting as workers across international boundaries is the only way to challenge the injustices of globalisation*
- *Advance the interests of not only unite and USW members, but the millions of workers around the world; and:*
- *Challenge exploitation anywhere in the global economy since it is fundamentally unjust and is destructive of decent living standards everywhere.*

The concerns expressed by Executive Council members were not with the 'big picture' objectives, but with what this may mean for lay control. The structure to take merger forward was described by Derek Simpson as 'merger lite'. The new union will be run by a Steering Committee 'composed of 7 to 10 representatives appointed by each union according to criteria each is comfortable with'.

The Executive of the USW is composed solely of elected Full Time Officers – so USW lay members by definition will be

excluded from the Steering Committee. An Amicus Section member proposed that on the Unite side, a majority of our Steering Committee members would be lay representatives elected by and from the Executive Council. A T&G Section member agreed, saying his understanding had been that all those on the Unite side would be lay members. Others commented on the need to maintain existing international links between lay members, and for a bottom up as well as a top down approach.

Derek Simpson felt that the proposals for lay input were over the top. It might be sensible to include the Chair and Vice Chair, although not necessarily practical. The Executive would in any case have overall control. Tony Woodley said there was no steer by officials to take away lay control, and this would be very much an embryo – a bare bones minimum of researchers, people from the communications team and so on. Derek Simpson added that we were trying to pick our way towards final merger talks producing a single union, but only after a lot more discussion.

It's a little unclear where this goes from here in terms of lay control. A formal agreement is intended to be put to the USW International Confederation on 2nd July. There is no indication in the initial document approved by the Executive Council that the Steering Committee (or the possible alternative of a 'Working Group') will have a limited life span with check points for a review of lay membership. The question of lay input into a new global union is very likely to be one that the Executive Council will need to return to.

Financial Strategy

The Executive Council agreed a financial strategy for the Union going forward. A fundamental principle is that expenditure (excluding any strategic or non-recurring

items) should not exceed members' contribution income. This is sensible. Combined with an organising strategy that seeks to build sustainable membership and organisation, this is the best way of ensuring a strong long-term future. At the moment, Union finances are robust.

The Executive agreed a recommendation that subscriptions would increase no more than once every two years, and would increase in line with average wage increases. The next projected increase will be January 2009.

An Executive Council member from the Amicus side asked if branch finances would be 'clawed back' – the position that has prevailed in Amicus, but not in the T&G. Assistant General Secretary Les Bayliss advised that branch funds would be for the Executive to consider. This will be an important item for future debate – expenditure on lay bodies has historically been significantly greater in the T&G than it has in Amicus.

A T&G Section colleague raised questions about the expenditure on the Executive Council. He argued convincingly that there was no need for Executive Council members to be accommodated at a (very smart) hotel, when a cheaper hotel next door was routinely used by union members attending other events. There was no legitimate reason for Executive Council members to have accommodation better than that available to other union activists, and no excuse for using Club Class flights on Union business. Again, this may well be a matter for the Executive to return to.

Property

A full review of the Union's properties will take place. The intention is that a future strategy for Union property will look at membership density and the ability of members to access union offices. An

Executive Council member from Construction raised a concern that Union premises were being refurbished by non-union firms, in breach of policy. Tony Woodley gave an assurance that the policy was an important one, and that the policing of this would be looked at in a more serious way.

Member Benefits and Contributions

A small working party of senior officers is looking at membership benefits and contributions across the two sections. Benefits for members currently reflect the different membership base of the two sections – for example, 'Driver Care' in the T&G (insuring professional drivers against loss of their licence), and professional indemnity for groups of Amicus members in the Health sector.

Going Forward

There is agreement and enthusiasm amongst a clear majority of Executive Council members for many aspects of Unite. A Union of over 2 million members gives us enormous influence, and the potential to deliver for our members at work. The organising agenda offers long-term viability and an important opportunity to rebuild collective organisation.

The Executive Council will be meeting every two months, with meetings timetabled to last up to three days. This contrasts with the one day meetings that have been the Amicus practice. These much longer meetings offer the opportunity for the Executive to consider more detailed information, and to play a more 'hands on' role in the day to day running of the Union.

The sharpest debates over this first two day meeting were on aspects of lay input and the future role of the Executive Council – for example, the size and role of the FGPC, the future for sub-

committees, and the role of lay members in the global union project. The direction of travel on issues around lay control is likely to become clearer as we go forward.

Gill George

26th May 2008