

AMICUS NEC

JURY'S HOTEL LONDON

11TH MAY 2004

Present:

Derek Simpson, General Secretary

Arthur Adshead, Sharon Allen, Ian Allinson, Derek Barlow, Judy Box, Allan Cameron, Steve Davison, Dave Dutton, Alastair Fraser, Pauline Frazer, Gill George, Eddie Grimes, Simon Hemmings, Jerry Hicks, Graham Hunt, Dave Hutchinson, Bobby Irvine, David Jones, John King, Jane Lewis, Alan Mercer, Stuart McGhie, Mick McLoughlin, Mick Millichamp, Tam Mitchell, Janet Moir, John Oliver, Brian Pemberton, Rod Pickford, Sue Sharp, Bill Spiers, Mickey Stewart, Dean Taylor, Peter Taylor, Ian Templeman, Meurig Thomas, Dave Trafford, Howard Turner, Malcolm Vass, Colin Walker, Gordon Whitman

In attendance:

Walter Wilson [observer]; Roger Lyons, Joint General Secretary, Lucy Anderson [Deputy General Secretary – Designate], Les Bayliss [Assistant General Secretary], Danny Carrigan [Assistant General Secretary], Doug Collins [Assistant General Secretary], Paul Talbot [Assistant General Secretary], Richard O'Brien, Georgina Hirsch, Michael Cardell, John Gibbins, Chris Matheson, Siobhan Endean

29/04 Apologies

Billy Ayre, Ray Bazeley, Brian Cole, Dave Nestor, Mo Reideman, Brian Rice,

30/04 Obituaries

The NEC stood as a mark of respect for deceased colleagues Vi Huddart, Amicus NEC and GPFC Member, Mel Barras, Regional Officer, Mike Hubbard, former Amicus JEC Member and Lyn Jones, Branch Secretary

31/04 Minutes of the previous meeting

The minutes of the meeting held on the 16th March were APPROVED.

32/04 Matters Arising

Arising from the minutes it was confirmed that branch honoraria due to secretaries of former MSF section branches would be paid shortly, that the GPFC had an on-going open-ended remit to look at the role of NEC members, that wherever possible the GPFC Report would be circulated to the NEC in advance, that the General Secretary would obtain an independent legal opinion about the status under Rule of the Craft Sector.

33/04 General Secretary's Report

[a] NEC Vacancy

The General Secretary reported that rule required that the vacancy created by the death of Vi Huddart would need to be filled. After discussion it was **AGREED** to endorse the GPFC's recommendations that:

- [i] the election be called;
- [ii] the distribution of ballot papers be co-ordinated with an appropriate general mailing [eg new membership cards];

[b] GPFC Vacancy

Pauline Frazer was **ELECTED** unanimously to the GPFC.

[c] Finance Report

The General Secretary reported that the Union had expected to break even in 2003 but had, in fact, made a loss of £0.7 million. The cost of the NEC elections had been one contributory factor. The main priority was now to have an integrated report on Amicus finances against budget, which would be considered at a special GPFC meeting next month. The loss in the first three months was as expected.

[d] Internal Wage Claims

The General Secretary reported that claims were on-going and were being considered in tandem with a review of contractual arrangements and wages to eliminate anomalies arising from sectional integration. Certain arrangements at bank holidays had been harmonised.

[e] Pensions paid to former Executive Members

The General Secretary reported on the current position.

[f] Campaigns

The General Secretary reported as follows:

[i] Pensions

The Union would be strongly supporting the TUC demonstration on the 19th June. Campaigns on retrospection and the Pensions Bill, backed by the work of Amicus MPs, particularly Dave Crausby, appeared to be having an effect.

Arising from this, expenditure of £150,000 to support transport to the TUC demonstration was **APPROVED**.

[II] Bullying at work

That the GPFC had endorsed the rejection of a joint Amicus/DTI survey-based alternative to legislation. It was confirmed that such an approach could be best pursued in conjunction with the TUC. Meanwhile Amicus would continue its campaign for the Government to honour its manifesto commitment to legislate to outlaw workplace bullying.

[iii] Manufacturing

Regional rallies would take place in Birmingham on the 22nd May and in Manchester on the 5th June.

[g] Property Report

The General Secretary presented a provisional property report, further consultation with Regional Secretaries will follow. The General Secretary made recommendations, which were **AGREED**, to allow the union to provide educational facilities for members in the north of England.

The report was **AGREED**.

[h] Unifi and GPMU Mergers

The General Secretary was pleased to report that Unifi had voted by over 9 to 1 on a 30% poll to endorse the transfer of engagements to Amicus. The transfer would be effective from the 1st July.

The NEC sent a message of congratulations to Unifi. The message read:

The Amicus National Executive Council, in session today, 11th May 2004, has received the results of the Unifi Merger Ballot. The Amicus NEC sends to the Unifi NEC its congratulations on a tremendous result and looks forward to the completion of the merger, which will provide great benefits to members throughout the financial services and banking sectors.

[i] Senior Full Time Officials

The General Secretary reported that six National Officers, two Regional Secretaries and the Directors of Research and Legal Services had taken voluntary redundancy or early retirement. Replacement appointments were as follows:

Paul Reuter	SIMA/AMPS, Chemicals and Railways
John Allott	MOD, Food, Drink & Tobacco, Local Authorities
Mike Robinson	Higher Education, Universities, League Managers' Assoc.
Tony Murphy	Motor Components, Motor Vehicles, Craft Sector [Terry Pye would continue to liaise with the GFTU and assist with the Craft Conference]
Gordon White	Civil Air Transport and Cabin Crew 89
Mark Jones	To assist in the Health Sector including the CPHVA
Rachel Maskell	Voluntary and not for profit
Chris Ball	Health and Safety
Cath Speight	Regional Secretary for Wales

Acknowledging the heavy work load of some National Officers, the General Secretary reported that all Regional Officers had been invited to volunteer to work in a sector rather than have regional duties.

Roger Jeary had been appointed the new Director of Research

This left two vacancies, Regional Secretary for Eastern and a replacement for Mel Barras, Regional Officer in the North East, who had sadly died the previous week.

After discussion, it was **AGREED** that:

- [i] an appointment panel be created to deal with these two vacancies, consisting of the General Secretary, Deputy General Secretary designate, the AGS responsible for Full Time Officials and the Chair and two Vice Chairs of the NEC;
- [ii] the Eastern Regional Secretary vacancy would be advertised internally amongst officials and senior staff;

[iii] the vacancy for a Regional Officer in the North East would be open to members of branches which meet in that region or members employed in that region in line with the formula contained in Rule 21;

[j] Branch Donations to Industrial Disputes

The General Secretary reported that Rule prevented branch on industrial action and this could only be rectified by a change of rule at next year's Conference. It was, however, noted that as Rule 19, Clause 13 provided that branch general purposes payments could only be made to assist individual members and their dependants. This was **AGREED**.

It was also **AGREED** that guidance for branches should be drawn up to clarify what payments should come out of the 3% general purposes expenditure. Room rents and postage for most branches would generally be paid from the General Fund.

[k] Tribunal Cases

The Director of Legal Services reported on current applications to Tribunals by members and staff and on the recent judicial review of discrimination on the grounds of sexual orientation.

[l] Regional Councils

The General Secretary reported that Standing Orders were being drawn up for Regional Councils and would be discussed by the GPFC on the 2nd June. **AGREED**.

[m] Joint General Secretary's Report

Roger Lyons reported on meetings with the UK Government on the continuing atrocities against trade unionists in Colombia, the recent General Council review of TUC structures, priorities and campaigning [meetings had taken place with the Chancellor and Prime Minister], the TUC Black Workers' Conference, the STUC and an international visit for May Day in Havana.

[n] Policy on EU Referendum

It was confirmed that campaigning would continue to highlight the democratic deficit in the EU and our position on the referendum would await the final negotiations on the EU constitution.

34/04 GPFC Report

The NEC received a report from the General Secretary and it was **AGREED** to endorse the following recommendations:

[a] Lay Expenses

- [i] that a member could claim for loss of all earnings provided that loss could be authenticated with written evidence from the employer;
- [ii] for conferences which involved at least one overnight a subsistence allowance of £25 per night would be paid instead of the previously agreed subsistence payments
- [iii] that regional secretaries and national officers should be reminded of the need to strictly follow NEC decisions concerning lay expenses.

[b] NEC Standing Orders

The NEC confirmed that individual members could not submit motions to the NEC outside normal constitutional structures and that the procedure was laid down in Standing Orders 6.2. Members of the NEC could submit proposals as laid down in Standing Orders 10.2.

[c] TUC Delegation

This would consist of:

Two delegates elected by each Regional Council

One delegate elected in rotation by the four Equalities Conferences

Delegates elected from National Sector Conferences and the Women's Conferences based on representation on the NEC

Eight delegates from the NEC

The General Secretary, General Council and GPC nominees

Full Time Officials and staff determined by the General Secretary

The full paper agreed by the NEC is attached to these minutes as Appendix 1.

[d] Status of Self-employed members

The General Secretary outlined the position of self-employed members, who are unable to attend regional and national industrial conferences under rule because they do not have workplace reps, being self-employed. This problem affects members in the Professional Sales Association (PSA) Section and the Association of Professional Tour Guides (APTG) section.

It was **AGREED** the NEC invite the APTG branch and the PSA Section Executive respectively to nominate guests to attend the Voluntary Sector and FPA/CMA national conferences. The General Secretary shall consult the PSA Executive and APTG branch and the relevant national officers on the exact attendance.

Following the completion of the Review of Groups & Associations within Amicus as initiated by the NEC in February 2004, further proposals will be presented to the NEC for consideration.

33/05 Political and policy matters

The NEC endorsed the political report presented by Assistant General Secretary Danny Carrigan. The NEC recorded its congratulations to Margaret Wall on her elevation to the House of Lords.

It was agreed that a few members of the NEC would be invited to attend the ACTSA event in number 11 Downing Street. Members were asked to speak to Danny Carrigan to express their interest.

33/06 Other Reports

The Director of Legal Services, Georgina Hirsch, reported that the decision of the Certification Officer regarding the complaint by Lisa Simms regarding the 2003 NEC elections had been received. The Union had admitted a technical breach of the legislation regarding changes to an election address (due to an inadvertent scanning error). The CO had accepted that the change was not deliberate. He had noted the General Secretary's declared intentions re the conduct of future elections and had made no enforcement order. Therefore the result of the Yorkshire and Humberside Regional Seat stands. There are now no outstanding complaints to the CO regarding the 2003 NEC Elections.

35/07 Correspondence

- a. Request of Roy Cattle, Accrington Branch, to revoke previous decision on Branch officers' Honoraria.

Noted.

- b. Motion from clergy & Church Workers on equality of provision of health services across UK

“This branch asks the NEC to press Amicus to include in their policy the right for all citizens of the United Kingdom to receive equality of funding, treatment and provision for health care education at all levels and in the care of the elderly, regardless of where within the United Kingdom they happen to reside”

Agreed, with the recognition that health care is devolved in Scotland.

- c. Request from Dick Croft, Acting Regional Secretary, Yorkshire & Humberside Region, to merge Hull1 and Hull 2 branches.

Agreed.

- d. Nev Jackson, Regional Secretary, East Midlands Region, requesting dispute benefit for members employed at William Cook Ltd

Agreed.

- e. Mr LW Rogers, on behalf of Dagenham Auto Branch: re-instatement of French Trip

Noted, pending investigation of cost.

- f. Ted Knight, permission to hold lay office under rule 6(5) (branch secretary, delegate to branch conference, delegate to trades council, delegate to CLP).

Agreed, on the proviso that there is no other qualified member able or willing to undertake these offices.

- g. Billy Hayes, General Secretary, CWU, donation to Unite Against Fascism.

Agreed – donation of £10,000.

- h. John Quigley, Regional Secretary, Scotland, to merge South East Scotland Education Branch with Edinburgh University Branch.

Agreed.

- i. Frank Gale, Wirral Branch, permission to hold lay office under Rule 6(5) (Wirral Trades Council).

Not agreed – another member suitably qualified under rule is willing to take the role.

- j. E Mason, Secretary, PSA East Midlands Branch – permission for George Davies to hold lay office under Rule 6(5).

Agreed – the member provided evidence of employment.

- k. MJ Davey, Cannock Branch – Motion on pensions & pensioners

We feel that our union should be in the vanguard to support a fair and decent state pension for our members. A full page of our journal should be dedicated to this issue to give support and a voice for pensioners. We therefore call on the union to use all means at their disposal to secure good and equitable pensions for our retired members.

Agreed.

- l. John Bamford, Hazards Campaign – seeking support for the Hazards Conference 2004.

Agreed to give £500 support. In addition the NEC would send a delegation to the conference.

- m. Terry Pye, Regional Secretary, West Midlands, to merge Birmingham North & Precious Metals branch with Birmingham City branch; and Birmingham No1 branch with Birmingham & District branch.

Both agreed.

- n. Kevin Coyne, Regional Secretary, North West, informing members of the manufacturing rally, Manchester 5th June.

Noted and agreed to support rally.

- o. Carol Kirk, Loughborough General Branch, Motion on Iraq

This Branch now believes that the USA and Great Britain acted illegally in declaring war on Iraq. The reasons given for war were WMD and now both President Bush and Prime Minister Blair are accepting that this 'Intelligence' was in error. Therefore the decision to go to war must now be deemed illegal.

We call on the NEC to demand that the British and USA Governments apologise to the UN and take full financial responsibility for the destruction caused to the Iraq economy and not to rob the Iraqi people of their resources.

Not agreed.

Recorded vote: in favour 26 against 8

Four members of the NEC requested that their vote in favour of the motion be recorded in the minutes: Ian Allinson, Gill George, Gerry Hicks, Colin Walker

- p. Nanette Cormack, Regional Secretary, London Region, to merge Crayford 19gh branch, Dagenham 13 GH branch, Kilburn 27 GH branch, London 3g branch, North London MM branch, Stoke Newington 37 GH branch; South West London MM branch, to form one branch, London United Craft.

Agreed.

- q. Pete Gillard. London Computer Staffs branch – motion on NHS IT Outsourcing

This Branch notes:

- 1. The Government is pursuing an outsourcing of IT in the NHS by awarding contracts to private companies worth an initial £2.3bn rising to £6bn over 10 years.*
- 2. The NHS IT planned development is considered the most complex IT development globally ever undertaken.*
- 3. The National Audit Office has issued multiple reports of wasted public funds on public sector computer projects, mostly undertaken by private contractors.*
- 4. The Department of Health has issued, over the signature of John Reid, a document, an overview of the contract for the care records system, which denigrates the 20,000 NHS computer professionals.*
- 5. The British Computer Society has estimated that NHS Trusts will require double the contract costs to implement the new systems, and that the Government has made no provision for additional funding to NHS Trusts to meet this requirement.*

This Branch believes that the implementation of the current plans will have a major negative impact on the NHS:

- 1. NHS Trusts will be forced to use funds intended for patient care to implement the new IT systems.*
- 2. NHS IT professionals, who are dedicated to the NHS, will no longer be allowed to play the major role in ensuring that IT systems meet the needs of patients and health professionals.*
- 3. Private companies will be able to extract more and more NHS funds under contracts that allow for cost escalation.*

This Branch, therefore, calls on the NEC to oppose the DOH national programme for IT, unless there are guarantees that:

- 1. The future control of IT development remains with NHS IT professionals.*
- 2. Private sector companies will not be able to extract escalating amounts of NHS funds.*
- 3. NHS Trusts will be provided with sufficient additional funds to cover the total cost of implementation of the new IT systems.*

This Branch requests that the NEC promote this policy with the Amicus Parliamentary group and produce briefing material for our members to enable them to take up the issue at a local level.

Noted, it was agreed to seek further information from the branch.

35/08 AOB

Graham Hunt proposed that guidance on the effective operation of National Sector committees be produced

Agreed

Simon Hemmings proposed that the NEC ask the General Secretary to advise Regional Secretaries to move forward with Regional Sector Committees

Agreed

Simon Hemmings also asked that Regional Secretaries and Regional Political Officers were be asked to call the initial meetings of the Regional Political Committees.

Agreed

AMICUS TUC DELEGATION 2004

The deadline for submitting delegates' names is Monday 19 July.

The National Industrial Conferences take place in the week commencing Monday 28th June.

The following paper is put forward to the NEC as the recommended size and allocation of the delegation giving a total of 76 delegates.

Rule 34 specifies the following:

	<u>Total</u>
2 delegates elected by each Regional Council	24
1 delegate elected in rotation by the four Equalities conferences.	1
Delegates elected by the National Sector Conference <i>number not stated in rule – see recommendation</i>	
Delegates elected by the Women's Conference <i>number not stated in rule – see recommendation</i>	
Members of the Amicus NEC <i>number not stated in rule – see recommendation</i>	
General Secretary and General Council members	5
TUC GPC Member nominated by Amicus	1
Full Time Officials	to be determined by the GS

It is proposed that the allocation per sector be as follows.

The numbers of National Sector Conference and Women's delegates are based on representation on the National Executive Council.

Women	4
Aerospace and Shipbuilding	3
Chemicals, Pharmaceuticals & Process	2
Construction	2
Education, Government Depts, Local Authorities	3 (one each)
Electrical Engineering	2
Energy	1
FPA, CMA, Manufacturing	2
Finance	3
Food & Drink and Tobacco	1
General Industries	4
Servicing	1
Health Service (to include CPHVA)	3
Foundry & Metals	2 (one each)
Motor Components	2
Motor Vehicles	2
Transport	1

Voluntary & not for Profit 1

National Executive Council 8

(The 48 members of the NEC serve for three years, this suggests that up to eight would go to the TUC and Labour Party Conferences in each of 2004, 2005, 2006)

Total 76

Plus Full Time Officials

Plus Staff working at the Congress