

2020.02.25

9 Deputy R.J. Ward of the Chairman of the States Employment Board regarding interaction with the unions in respect of the new employee relations framework: (OQ.55/2020)

May I ask, further to the suggestion made in response to Oral Question 14/2020, that meetings with the unions will be part of the future negotiation process, will the Assistant Chair of the States Employment Board commit to meeting the unions directly in respect to any significant issues with any new employee relations framework?

The Connétable of St. Ouen (Vice-Chairman, States Employment Board - *rapporteur*):

I thank the Deputy for his question and I also thank him for his understanding in allowing me to answer it, although, unfortunately, circumstances rather overtook that information.

[11:00]

The States Employment Board is committed to reconvening meetings of all the trade unions to discuss the development of a new framework for consultation and engagement and negotiation. In this respect, officers met with the unions on 18th February about this very subject. At this meeting, it was reiterated by officers that the States Employment Board would meet directly with unions when it is reasonable to do so and within the machinery of the revised framework. I should make the point, however, that the States Employment Board will not negotiate directly with unions and such meetings will be there to listen to the position and concerns of the unions and also to update them on matters that we would wish to put before them.

3.9.1 Deputy R.J. Ward:

Given that in that statement it was said you will not meet directly with the unions, can you reassure that when officers meet they are at a paygrade where they have genuine negotiation powers to make genuine offers and not have to come back again, have one negotiation with the trade unions and then come back to say: "We could not have negotiated that", which has happened so often in the past?

The Connétable of St. Ouen:

I thank the Deputy for his question. The process is that we give the officers a mandate to go to engage with the unions. We try to negotiate that mandate with the unions. On occasions we are successful and on other occasions we are not. Then officers are bound to come back to the States Employment Board to discuss the situation with us and possibly to seek a fresh mandate. At no stage does an officer ever go in front of a union representative without a mandate from the States Employment Board to achieve an agreement with that union.

3.9.2 Deputy G.P. Southern:

Is it not the case that in establishing a negotiating position, both economic, fiscal and political considerations need to be involved? In that case, it requires, I would have thought, that not just officers were negotiating with their limited powers, but the politicians were in and talking face to face with the unions. That, certainly, has caused a lot of trouble in the last year, that the union representatives never saw a politician, in their view.

The Connétable of St. Ouen:

I thank the Deputy for his question. I just simply restate the point that it is the Board's policy that direct negotiations with the unions are undertaken by officers. The States Employment Board is there to set policy and to brief officers and give them a mandate to negotiate with the unions on matters that need to be negotiated on.

3.9.3 Deputy G.P. Southern:

Does the Assistant Minister, thereby, deny that there is any need for political considerations to go into negotiations and not just simply some form of consultation?

The Connétable of St. Ouen:

I thank the Deputy for his question. It is not a question I deny. There are obviously political considerations in every discussion with officers before they go into a meeting with the unions. However, it is not appropriate for political discussions to take place in front of unions. The officers are there with a mandate from the Board, who are elected politicians and who have given them a mandate based on the considerations of the States Employment Board. The States Employment Board debates should not take place in front of union representatives or, indeed, officers who are participating in those debates.

3.9.4 Deputy M. Tadier of St. Brelade:

A cursory search of Twitter would show that Ministers - and I would add quite rightly - are very used to engaging with organisations such as the Chamber of Commerce and the Institute of Directors, where they are invited to speak, or make sure they keep good relations with. It seems that Government has a not very good track record of engaging with trade unions, especially outside of negotiation times. Does the Deputy Chair of the S.E.B. (States Employment Board) agree that stronger relations should be had between Ministers and our trade unions in Jersey in peace time, so to speak, so that better relations can be established?

The Connétable of St. Ouen:

I thank the Deputy for his point. I firstly make the point that we never feel that we are at war with the unions. We certainly have had some strong disagreements and with some unions they have been based on principles on both sides. Moving on from that, it is very much our policy, going forward from the last rather bruising discussions about pay, that we improve our relationship with unions and, indeed, strenuous efforts are being made in that direction. I should also make the point that we do not just meet unions at the time of pay disputes, or other disputes. There is an ongoing series of meetings with unions at all times during the year. Officers, who are employed in that role, are constantly meeting unions and constantly discussing matters with them. I am pleased to report that matters are definitely on the up. We do seem to be seeing an improved relationship with our colleagues in the unions at the moment.

3.9.5 Deputy M. Tadier:

Could I just ask: I hope that the efforts that are being made to improve relationships with the unions are not too strenuous for the Minister?

The Connétable of St. Ouen:

I can assure the Deputy that I am more than up to the job and quite fit and able to keep up with our union colleagues, particularly Deputy Ward.

3.9.6 Deputy R.J. Ward:

Is it not clear to the Assistant Minister that he has just described the problem beautifully himself? He gives his officers a mandate, which they present to the unions, which is take it, or leave it. Therefore, it is not negotiation. Those discussions in regards to the underlying principles need to be had. There are lots of discussions going on with the unions, but there is no real negotiation going on. That is what leads to the issues that we have. Can I ask the Assistant Minister to genuinely look at the nature of negotiations, meet with the trade unions and discuss that topic before anything else happens, so there is a greater understanding of the issues that are faced there?

The Connétable of St. Ouen:

Much to the Deputy's surprise, he will find that I agree with him. This is exactly what we are doing at the moment. We are laying the groundwork for future negotiations over matters like pay and terms and conditions. He may, or may not, believe this, but in that respect I do agree with him. We, the States Employment Board, will be meeting with the unions in the very near future. This will not be a negotiation meeting. This will simply be a discussion to lay the groundwork for future negotiations, which will continue to be handled by officers, as they have done in the past.