# Activity B: Bargaining with employers exercise

You are the branch committee of ExertCo.

ExertCo is a provider of customer service systems to major companies, including BigCo.

BigCo has its own employees who deal with their customer interfaces, which include both business and personal customers.

It uses ExertCo for design, supply, installation and periodic upgrading of customer service software.

ExertCo’s employee relations manager has written to the branch on a ‘without prejudice’ basis.

ExertCo has a technical helpdesk for BigCo users of a personal customer service software application. The helpdesk is staffed by 25 ExertCo employees, many of whom are women and most of whom are in their thirties.

ExertCo wants to increase the hours covered by the helpdesk. You have agreed to meet the employee relations manager in a few days’ time.

At the moment, the helpdesk is staffed from Monday to Friday on a 9am to 5pm basis, with on-call cover for evenings up to 10pm and weekend daytimes only.

Cover over lunchtimes is arranged informally within the helpdesk team.

ExertCo wants to extend this so that the hours for full service will be 7am to 7pm, covered by two shifts of 7am to 3pm and 11am to 7pm respectively.

The out-of-hours and weekend cover arrangements will not be changed, except that obviously out-of-hours working will now start at 7pm rather than 5pm.

Attached are copies of:

* ExertCo’s working hours policy
* ExertCo’s on-call agreement

Both of these are collective agreements with Prospect.

As yet, you do not have formal proposals from ExertCo about how the proposed changes would be implemented, except that the company has stated that they do not intend to increase headcount on the helpdesk.

They are taking the view that there will still be a full complement of staff between the hours of 11am and 3pm and that demand is lower outside those hours.

You have checked the membership records and found that you have 10 members among the helpdesk staff.

As the branch committee, you need to consider how you will approach the meeting. Consider:

* What issues are raised for members and for Prospect by the information you already have?
* What information should you ask ExertCo to provide?
* What is your initial position on the proposals?
* What are you going to do next?

**ExertCo working hours policy**

ExertCo is conscious of its obligations to employees under UK and European law. It is agreed between ExertCo and Prospect that working hours within the company will be managed as follows:

**Hours of work**

1. The standard working week for ExertCo employees is 35 hours.
2. Every employee is entitled to a break of one hour each day.
3. Within their total working hours, employees will be flexible to meet the needs of the business.

**Additional hours and time off in lieu**

When an employee is required to work longer than their normal hours s/he will be entitled to compensatory time off on an hour-for-hour basis. The time off should be taken within the same week where possible and in the following week otherwise, at a time agreed with her/his manager.

In the event that operational requirements lead to an employee working more than seven additional hours in one week, s/he may choose to take one day’s pay rather than the equivalent time off.

Weekend attendances are exceptional, will be subject to at least two days’ advance notice by the company and will be compensated with pay at time-and-a-half.

**Family-friendly working hours**

If an employee requires time off for a medical appointment, or for a medical appointment of a child or relative or other dependant, this will be granted, and her/his line manager will specify how this time can be made up.

If an employee requires time off to care for a child or sick relative or other dependant, s/he must notify her/his manager as soon as possible, stating the expected duration of such time off. Paid time off will be available for five days each year under this arrangement, and unpaid time off thereafter.

Employees may request flexible working hours under the statutory arrangements, and ExertCo will make every effort to meet such requests, subject to operational requirements.

*Last updated 1 November 2003***ExertCo standby policy**

It is in the nature of ExertCo’s business that in some functions, flexible out-of-hours support to customers will be required. It is agreed between Prospect and ExertCo that:

1. The company will seek to provide such out-of-hours cover on a voluntary basis.
2. Employees who agree to provide out-of-hours cover will be provided with appropriate equipment to enable them to meet the operational need for such cover, ie a mobile phone and a laptop with access to ExertCo systems.
3. An employee who agrees to provide out-of-hours cover will be required to cover no more than one evening per week plus half a day at weekends, on a roster to be determined by the manager of the relevant department.
4. When on standby, calls should be answered as soon as possible, with due regard for safety (eg if driving) and in any case within 15 minutes. Work on the problem should begin as soon as is practicable and the customer should be advised of when this will be.
5. Employees who provide outside cover will be compensated on the following basis:

* One-quarter of their normal hourly rate for each hour spent on rostered standby; plus
* payments for responding to calls as follows:

|  |  |  |
| --- | --- | --- |
| **Duration** | **Weekday evenings** | **Weekends and public holidays** |
| Up to 60 minutes | £15 | £30 |
| 60 minutes – 120 minutes | £35 | £70 |
| More than 120 minutes | £50 | £100 |

1. A complex problem requiring, or projected to require, more than 120 minutes to resolve should be logged as a priority job for the next working day. ExertCo will not pay more than the maximum allowance if an employee on standby works on a problem for more than two hours.
2. An employee wishing to cease providing out-of-hours cover must give one month’s notice of her/his intention.

*Last updated September 2006*