

CIRCULAR NIJC 04 - Issued October 2009

MODEL UNION LEARNING AGREEMENT

Introduction

The Council and the recognised trade unions view investment in learning as a central driver in improving organisational performance for the benefit of citizens and value this highly also for the benefits it brings in terms of personal and career development for employees.

The Council and recognised trade unions by signing this agreement make a joint commitment to working together to promote and support lifelong learning that underpins organisational and individual development, including ensuring equity of access to learning in all its forms inside and outside the workplace.

The Council and recognised trade unions will encourage employees to take up learning activities and share responsibility for developing and maintaining a learning culture in the Council.

The Council and recognised trades unions believe that Union Learning Representatives (ULRs) are a core component of developing a learning culture in the workplace and that they have a central role in working with the Council in formulating workforce development strategies and plans

Aims

The aims of this agreement include:

- The building of a joint learning strategy which is actively and positively supported by the council, its employees and trade unions.
- Supporting organisational and personal improvement and development.
- Encouraging employees to participate in Lifelong Learning.
- Providing access to learning, development and Lifelong Learning opportunities.
- Working with relevant organisations such as Education Guidance Service for Adults (EGSA), appropriate Sector Skills Councils etc to ensure learning initiatives are successful.
- Ensuring support for the role of the Union Learning Representative(s).

Who the Agreement Covers

This agreement relates to all employees of the council.

Neither this agreement nor any operating structures arising from it are intended to impinge on the normal arrangements within the council for trade union consultation or negotiation, or procedures for the handling of individual grievances etc, and both parties undertake not to utilise them in a way which could cause such conflict.

The Establishment of a Union/ Employer Joint Learning Committee (JLC)

The parties agree to establish a Union/ Employer Joint Learning Committee (JLC), which will act as a forum for discussion on learning and development issues and which may also introduce, implement and monitor learning and development initiatives subject to agreement.

The main functions of the committee will include:-

- Identifying the learning needs and priorities of both the Council and its employees.
- Identification of those groups and individuals who would benefit from particular learning initiatives.
- Agreeing a Learning and Development Plan, setting goals and targets for the learning and development provision within the workplace.
- Agreeing and monitoring standards and monitoring delivery of learning and development programmes.
- Ensuring that the Learning and Development Plan is effectively implemented so that the JLC meets their goals and targets for learning provisions.

The parties agree that any learning and development needs analysis is undertaken with the full co-operation of all parties, is updated regularly and that any such analysis will be solely for learning and educational purposes. The analysis will not be used for any other purpose.

The JLC will comprise of equal numbers of management and trade union representatives and the Council will place at least one senior member of its management team on the joint JLC, so that the committee is able to conduct its business effectively and authoritatively. All decisions taken will be communicated to appropriate parties including the Joint Consultative and Negotiating Committee (JCNC) in a timely fashion.

The parties agree to ensure that the composition of the JLC is reflective of all parts of the workforce, and that members of the JLC are provided with all relevant information concerning the learning and development provision and their duties and responsibilities as members of the committee.

The parties will have the responsibility of disseminating all information on matters relating to learning and development in the workplace and will ensure that all employees are made aware of the learning and development opportunities available and the work of the JLC.

The JLC will meet once a month (or as otherwise jointly agreed) to carry out the tasks as identified by this learning agreement.

A Chairperson and Secretary will be appointed at the first meeting of the JLC, and once a year thereafter, to facilitate the future meetings of the committee.

Employer Responsibilities

- To make a commitment to lifelong learning for all employees in Council and to the agreed policy.
- Demonstrate a commitment to the policy by supporting the Union Learning Representatives (ULR) in carrying out their duties, responsibilities and training within their role.
- Provide suitable resources to support lifelong learning and assist the ULR in their duties e.g. office space, filing cabinet, stationery, telephone, access to electronic equipment including email, fax, photocopier and to notice boards etc.

Trade Union Responsibilities

- Co-operate positively with the Council in developing learning and development strategies, policies and programmes that meet the needs of the organisation and individual employees.
- Demonstrate a commitment to lifelong learning and the policy.
- Provide relevant training for the development of Learning Representatives.
- Support, advise and guide the Union Learning Representatives within the Council.
- Develop and support a network of ULRs.

Union Learning Representatives Responsibilities

- Co-operate positively with the Council in developing learning and development strategies, policies and programmes that meet the needs of the organisation and individual employees.
- To promote the value of learning or training.
- To provide information and advice about learning or training that is available.
- To analyse learning and training needs that are not job specific.
- To assist members to access training and learning opportunities that are available.

Union Learning Representatives Statutory Functions and Rights

The Employment Act 2002 and the Employment (NI) Order 2003 gives statutory recognition to the role of ULRs and rights to time off etc to perform this role. The key features of the law are:

- ULRs are entitled to reasonable time off for:
 - Analysing learning or training needs.
 - Providing information and advice about learning or training matters.
 - Arranging learning or training.
 - Promoting the value of learning or training.
 - Consulting the employer about carrying out any of the above activities.
 - Preparing to carry out any of the above activities.
 - Undergoing any relevant training.
- The ULR needs to be sufficiently trained to carry out his/ her duties either at the time the employer is given notice of the appointment or within 6 months. They are entitled to reasonable paid time off training and to carry out their duties.
- Union members will have the right to time off to consult their ULR, and those members needing to access their ULR have the right to do this in work time.

Equal Opportunities, Equal Access

The parties recognise the importance of equal opportunities and equal access to enhance skill levels in order to meet both the business objectives of the employer as well as the individual learning and development needs of the employees.

The parties will ensure that all sections of the workforce will have access to appropriate training and development opportunities.

The Joint Learning Committee (JLC) will:-

- Make every effort to ensure that when any learning takes place the specific needs of specific individual employees are taken into account.
- Ensure that Union Learning Representatives are given the opportunity to take suitable training enabling them to offer support, advice and guidance to their members and work with the employer to introduce a learning culture into their workplace.
- Assist the individual employees/ learning representatives to make informed choices with regard to learning programmes, giving those concerned the ability to secure the maximum benefits possible from the opportunities available.
- The terms of this agreement will be reviewed by the committee at regular intervals to ensure that they continue to reflect the needs of the Council.

Although participation by employees will be on a voluntary basis (except in circumstances where the learning and development is essential for specific reasons), the Unions agree to actively encourage their members to fully participate in all learning initiatives and opportunities.



Signed _____

NIJC Trade Union Side



Signed _____

NIJC Employers

Dated 1 October 2009

NOTE: The terms used in this Model Agreement can be amended to reflect the terms used by specific employers and their negotiating forums.