

**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 12 March 2009**

Members Present: Councillors Peach, Croft, Fitzgerald, Holdich and Swift

Officers Present: Mike Kealy, Acting Head of HR
Samantha Cameron, Consultant
Amy Brown, Lawyer
Lindsay Tomlinson, Senior Governance Officer

Also Present: David Shamma, Mick Doherty, Roxanne Talbot, David Craik,
Brian Lynch and Rhona Hendry (Trade Union Representatives)

1. Apologies for Absence

Apologies were received from Councillors Lamb and Sandford.

2. Declarations of Interest

There were no declarations.

3. Exclusion of Press & Public

In accordance with Standing Orders 39(2) **IT WAS RESOLVED** that in view of the nature of the business about to transacted which would entail the disclosure of exempt information as defined by paragraphs 3 and 4 of Schedule 12A of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting.

4. Single Status Agreement

The Legal advisor detailed the procedure to be followed for this appeal. The Trade Union and management side representatives confirmed that they understood the procedure. The hearing then commenced in accordance with the agreed procedure.

During the course of the hearing, the Committee heard the cases put forward by both the trade union and the management side. In accordance with the procedure, the trade union, management side and members of the committee were able to ask questions of each party.

At the end of the hearing both parties summed up their respective cases, the Chairman confirmed that each party was satisfied that they had been able to present their case in full and had nothing further to add. The Parties left the room whilst the Committee debated and considered its decision.

The Committee considered all the evidence and **IT WAS RESOLVED** to support the management side case. The Committee agreed the following response:

“It is welcomed that officers and the Trades Unions have developed an improved working relationship. We greatly hope that the spirit of honesty and openness will ensure that future negotiations have an improved outcome.

In this particular case we find that the arguments of the Trade Union, whilst very strong, are not proven.

We accept the management proposition that these were genuine mistakes. We also find that the mistakes were known about in advance of the ballot. To be clear:

1. The reduction was a correction rather than a re-evaluation and therefore falls outside the appeals procedures. We acknowledge that HR have tried as far as is possible to align their treatment of employees in dealing with the anomalies with the spirit of the agreement. A proportion of the employees forming part of this dispute are benefiting from payment protection under the agreement due to their classification moving from green to red.
2. The decision around street cleansing grades is in line with the treatment of other job roles in similar circumstances. We accept that the management decision to correct grading errors in the manner they have been described was taken as early as July 2008 and in relation to this particular group of employees communicated on 3rd and 6th November 2008. Accordingly steps had been taken to put in place arrangements prior to the dispute being registered. The status quo was therefore to correct grading errors.

Again we feel that this case proves the learning need for both sides in ensuring that future negotiations are robust and detailed enough to ensure that absolute clarity can be guaranteed for employees.”

The Clerk agreed to formally confirm the decision in writing to all parties.

Chairman
9.00 – 12.00