

Modernising Pay: Council launches push to get you to sign 'voluntarily'

DON'T SIGN FIRST TIME!

The Council is about to mount a campaign to get you to volunteer to give up your current conditions, despite not having given the unions its final proposals on 'Modernising Pay'.

The Council has still not responded to well thought out and reasonable proposals the joint unions presented over three weeks ago, which would help to reduce the impact of any losses on our members.

While the position may change once we have received and assessed any revised proposal, the current problems with the new pay system and cuts in terms and conditions mean that **UNISON's advice must remain that you should not sign to abandon your current contract voluntarily.**

If you volunteer at this stage to give up your current contract and

sign up to the new pay and conditions, you could lose rights to pursue a case against the Council at a later date.

This is because you would have voluntarily chosen, without the threat of losing your job, to change your contract.

You will **not** lose your job by refusing to sign up voluntarily and you **will** get another offer of a contract on the new conditions in July 2010.

But when this second offer comes, the situation is different. It will also give notice to terminate your current contract. Our advice is **you must accept the second offer**, albeit under duress, to keep your job.

You have nothing to lose - and possibly much to gain - by waiting until July and you will still retain your continuous service, accrued annual leave, sickness entitlement and pension rights.

Managers: Be careful you do not mislead staff on legal rights

UNISON understands that some managers and supervisors may be asked to try to "sell" the package of proposals and "encourage" voluntary sign-up .

UNISON advises managers that while it is your job to give your staff the information, it is **not** your job to "sell" your staff a change to their contract.

A contract is a legal document and the issues surrounding it can be complex.

Managers should not be asked to, or put themselves in a position of giving contract advice to staff, especially where this could undermine future legal remedies.

WHY YOU SHOULDN'T SIGN FIRST TIME

Don't Give Up Legal Rights:

By **not** volunteering to give up your current contract you will retain any rights you may have to pursue a legal case against the Council *even after you have signed the second offer.*

UNISON will offer legal assistance where we can subject to the usual rules and merit assessments.

Don't Weaken Negotiations:

Not signing the first offer voluntarily may help to strengthen the negotiating position for the trade unions by demonstrating the level of opposition to the proposals. ***Even if your new grade looks ok to you, take a close look at the conditions you may be losing. Even if you won't lose out, support your colleagues who will.***

No break in service:

Where staff refuse to change on a voluntary basis the old contracts will be terminated to implement new terms and conditions.

It is the contract that is coming to an end. Your job will remain, as will your employment rights, and it will NOT be regarded as a break in service.