

DRAFT
MODEL UNION LEARNING AGREEMENT BETWEEN NIPSA AND
(ORGANISATION)

Introduction

The employer and trade union recognises the benefits that comes from lifelong learning for the employer, the individual and the union.

The employer and trade unions are committed to working together to promote and support lifelong learning and to ensure fair and equal access to learning opportunities inside and outside the workplace.

Both parties will encourage staff to take up learning activities and share responsibility for developing and maintaining a learning culture within (Organisation).

Both parties will work to build upon departmental and governmental learning initiatives. The employer recognises that Union Learning Representatives (ULRs) are essential to developing the learning culture in the workplace.

Aims

- ◆ To build a joint learning strategy in (Organisation).
- ◆ To encourage the staff within the workplace to participate in Lifelong Learning.
- ◆ To provide access to Lifelong Learning.
- ◆ To establish a learning centre within the workplace.
- ◆ To build upon the Government's current learning initiatives.
- ◆ To work with relevant organisations such as Education Guidance Service for Adults(EGSA) to ensure the learning initiative is a success.
- ◆ To support the role of the NIPSA Union Learning Representative.

Who The Agreement Covers

This agreement covers all full and part-time employees of (Organisation).

The employer will undertake to ensure that this agreement will not be used as an alternative to collective bargaining with NIPSA and agrees to maintain and use existing negotiating procedures and arrangements other than those specified in this agreement.

The parties agree that all individual grievances arising from any educational or learning initiative shall be subject to the existing grievance procedures.

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

The parties agree to establish a Union/Employer Joint Learning Committee (JLC), which will be responsible for introducing, implementing and monitoring learning initiatives.

The main responsibilities of the committee will include:-

- ◆ Identifying the learning needs of both the members and the employer.
- ◆ Prioritising learning needs.
- ◆ Identification of those groups and individuals who are to benefit from the various learning initiatives.
- ◆ Producing a realistic Learning Plan (LP), setting goals and targets for the learning provision within the workplace, which will include establishing a learning centre.
- ◆ Establishing the standards for learning.
- ◆ Determination and monitoring of the provisions available.
- ◆ Maintenance of any contracts with outside education and training providers.
- ◆ Ensuring that the Learning Plan is effectively implemented so that the JLC meets their goals and targets for learning provisions.

The parties agree that any learning needs analysis is undertaken with the full co-ordination of all parties, and that any such analysis will be solely for learning and educational purposes. The analysis will not be used in relation to other issues such as pay, performance appraisal, redundancy, disciplinary procedures etc.

The parties commit to regularly updating the learning needs analysis of participants in any learning programme.

The JLC will comprise of equal numbers of Employer and Union representatives and the employer will place at least one senior member of its management team on the joint JLC, so that the committee is then able to make effective decisions. All decisions taken will be communicated to the Joint Consultative and Negotiating Committee (JCNC) in a timely fashion.

The parties agree to ensure that all sectors of the workplace are represented equally on the joint JLC, and that members of the JLC are provided with all relevant information concerning the learning provision and their duties/responsibilities as members of the committee.

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

The JLC will meet once a month (or as 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.

Company Responsibilities

- ◆ To make a commitment to lifelong learning for all employees in (Organisation) 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

- ◆ 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 Reps within (Organisation)
- ◆ Develop and support a network of ULRs

Union Learning Representatives Responsibilities

- ◆ 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 ULRs and rights to time off. The key features of the law are:
 - ULRs will be entitled to reasonable time off for:
 - Analysing their members' learning or training needs.
 - Providing their members with information and advice about learning or training matters.
 - Arranging learning or training for their members.
 - Promoting the value of learning or training to their members.
 - Consulting the employer about carrying out any of the above activities.
 - Preparing to carry out any of the above activities.
 - 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 training and development will be provided to all employees.

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 Workplace Union Learning Reps 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 reps 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 (Organisation).

Although participation by employees will be on a voluntary basis, the Unions agree to actively encourage their members to fully participate in all learning initiatives and opportunities.

Signed _____ Dated _____
(NIPSA)

Signed _____ Dated _____
(Employers)

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