



Offshore Catering Branch / Shop Stewards Meeting

Unite Transport House 42-44 King Street Aberdeen 4.6.10

Minutes

Branch Secretary Ian Mundie opened the meeting and welcomed those in attendance. Apologies were given for the time since the last Branch / Shop Stewards meeting on 4.12.09 but it was noted that during this period there had been a further 6 Joint Shop Stewards meetings to discuss the wage negotiations and paid leave provisions for offshore workers.

It was also noted that the Branch / Shop Stewards meeting scheduled for 14.5.10 did not proceed as quorum was not met. More disappointing than the low turn out was the fact that very few Shop Stewards had notified the Branch that they would not be in attendance.

Inspection of Cards

All cards of those present were checked and found to be in compliance.

Apologies for Absences

Apologies for absences for today's meeting were received from Graeme Henderson, William Mitchell, David Mitchell, Neil Hamilton, Gerry Lynch, Andrew Nunnen, Robert Farquhar, Barry Brooks, William Forbes, Murdo Calder-McPhee, Kyle Michie, George Booth, Isabella Troup, Ronnie Head, Corina McAllister, John Todd, Stuart Hunter, Alex Whyte and John Browne.

Minutes from Previous Meeting

It was confirmed that the summary of the meetings on 13th November and 4th of December 2009 had been received by those in attendance.

Latest Correspondence

Those present confirmed receipt of recent correspondence in regard to the 2009/10 wage ballot and the possibility of entering into negotiations for 2010/11. This information and other up-dates have been e-mailed to Shop Stewards and Members who have provided e-mail addresses and it has also been placed on the news page of our Branch website for ease of access. If any member wishes to be added to the Branch e-mailing list could they please provide a current e-mail address to the Aberdeen office.

Branch Report

Brother Mundie (Branch Secretary) confirmed that the Branch remains in good order. There has been an increase in applications for the £200 Branch hardship grant by those members who have been absent from work long term due to health problems.

All present were asked to remind members of Unite's incapacity benefit worth £12.25 per week for up to 10 weeks if a member is off work due to an accident at work. If a member has chosen "core and ancillary" (same as old T&G extra) level of cover they will also be covered for this amount while off due to illness or pregnancy.

Ian also reminded everyone that if a member is off ill and receiving less than 50% of their wages they should contact the Aberdeen office to have their union dues reduced to around 25p per week

Officers Report – John Taylor RIO

(Written report submitted)

Strategy for Growth/100% Campaign

Brother Taylor confirmed there is continued good work by Shop Stewards trying to achieve 100% Union membership within their work place.

He was also encouraged by the continued number of Members who are willing to take up the mantle of Shop Steward on their units, most recently David Whyte (Paul B Loyd), Andy Johnston (Brent Bravo), Derek Duffy (Dunlin Alpha), Robert Nibloe (BP Harding), Austen Mair (Ninian Southern), Daryn Petrie (Arbroath), Neil Hamilton (Douglas Platform) and Derek Brown (Bristol).

Should any Members be on a unit where you do not yet have a Shop Steward we would ask you to address this and try to get one elected on each shift. This importance of having a Shop Steward on each shift let alone on each unit is paramount given the upcoming wage negotiation.

A shop stewards credential form can be downloaded from the branch news page, completed and returned to the Aberdeen office where it will be processed. Once this is done, suitable training will be available to the new Shop Steward to allow them to fully represent their constituency.

John detailed some points which had been raised during the latest:

Wage Negotiations 2009/10.

The result of the recent ballot was

Accept a pay freeze for 2009/10 57%

Rejected pay freeze for 2009/10 43%

Therefore COTA have been notified that a pay freeze for 2009/10 has been accepted.

COTA Wage Negotiation 2010/11.

Following the COTA wage negotiation meeting on 24th May 2010 full details of the offer which includes a proposal to address the issue of paid leave will be communicated to all members at the earliest opportunity.

This communication process needs to be robust enough to ensure that the members have a full understanding of what is on offer so our member patience is appreciated.

Ballot dates to be confirmed but likely to be week commencing 5th of July, full details of the offer will be communicated to everyone home and offshore. All members are asked to participate. There will be an opportunity for Q&A's and also a dedicated Q&A's e-mail address at feedback@cota.org.uk which will be collated by a COTA employee.

John made it clear that should they reject the recommendation the membership would have to be prepared to take industrial action.

Area Activist Committee

Next meeting in Unite office King Street, Aberdeen on Friday 18th June at 9am.

Volcanic Delays

Further to the Branch letter dated 7th of May, we have now received a formal response from COTA in which they state that they "will be treating these delays as a weather delay and as such shall make payment in line with clause 14 of the COTA agreement".

Our opinion on this matter has not changed and we believe that these delays are not due to any type of weather bound situation and that in accordance within section 3 of the current COTA agreement overtime payments should apply, except where a client's enhanced rota gives provision for the use of claw back days.

In the meantime should any member be unhappy with the rate of pay your employer has proposed for these delays then you may raise a grievance on this matter stating the following in writing.

- I wish to raise a grievance due to the fact that I have been informed that the extra hours/days which I worked beyond my normal work cycle are to be paid at single time, when it is my belief that these delays were not as a result of any type of weather bound situation and should be paid as per section 3 of the current COTA agreement.

This can also be done as a collective if there is more than one Union member involved.

Regardless of any opinions the Union may have regarding the merits or otherwise of your case they in no way infringe upon your statutory rights to make an application to an Employment Tribunal as explained in the letter to every Offshore Branch Member dated 31.5.10.

Ad-hoc Workers

John Taylor has registered concerns with COTA about the number of ad-hoc workers they employ being far too large for the amount of work available. This is the single biggest contributory factor in the complaints which we are currently receiving about the lack of work being allocated and we can not allow this to continue. If this means reducing the size of the relief teams then so be it at least those that are let go will be able to claim benefits and look for other employment until the offshore work picks up again.

NRB request from RMT

A request from the Offshore Branch of the RMT to have the full time officers withdraw participation from offshore industries working groups in an attempt to pressurise clients to comply with the NRB guidelines was discussed. Those in attendance did not feel that this would be in our members best interest, quite the opposite was felt, especially given the struggle we had getting an officer on to the groups in the first place.

It was felt that the more involved the officers and members get within these groups the better for our membership in the long term, however we do expect Unite to ensure that the NRB guidelines are stringently adhered to and as a branch we will do everything we can to support this.

Total Petition

Prior to the latest wage negotiations ESS had informed us that Total are not going to increase the current two weeks paid leave which their catering staff get. This is very disappointing given the overwhelming support Unite's campaign received from all disciplines within the Total business. We will be discussing this in greater detail with the local Shop Stewards.

Shift Rotations

Since our last meeting there have been some positive changes to some members shift rotations, most noticeably within the Beryl Field were the client Exxon Mobil have done away with the 10 day clawback for catering workers, now giving them a full 2on 3off rotation, Taqa who's caterers had the same shift pattern as Shell containing a 7 day claw back have now went to a straight 2on 2off 2on 4off rotation with the 7 day clawback done away with, Premier Oil on the Barmoral have introduced a 2on 3off rotation with no clawback days. All these clients and COTA employers should be congratulated for treating the catering workers as equals amongst other contractors.

Chevron have however decided to start utilising all clawback days to be rostered as offshore working days and no longer be used for onshore training etc.

We will continue to fight to get our members improved work rotations and to ensure that everyone gets at least their statutory entitlement to paid leave. We as a Branch have had by

far, more Employment Tribunal claims submitted for our members than all the other offshore Unions put together.

AOB

COTA 2009/10 Wage Phone Ballot.

A question was raised on behalf of a member about the timing of the ballot result and whether this had preceded the closure of the actual phone ballot.

The following details were accepted as correct by those in attendance and prove this did not happen:

COTA 2009/10 phone ballot closed at 3pm on Friday 21st May 2010.

COTA and the full time Union officers formally notified of result 3:19pm the same day.

Union Shop Stewards informed of result by e-mail 3:25pm the same day.

Further to this the results were posted to every Offshore Branch Member's home address, posted offshore to Shop Steward, placed on the news page of the Branch website and e-mailed to members who have provided a current e-mail address.

COTA Wage Negotiation

A question was raised as to whether those on the negotiation committee had their own interests or the wider membership's interest in mind during the negotiations.

Those present were reminded that when Shop Stewards come to Branch and Joint Shop Stewards meetings they were expected to convey the feeling of the members on their units, when Shop Stewards are part of the negotiating process they represent the full membership not only one unit.

The Joint Shop Stewards Negotiating Committee is made up of Shop Stewards from both Unite and RMT working for each of the COTA employers, in the northern and southern sectors of the north sea, onboard platforms and other types of units giving as wide a perspective as possible.

Sodexo European Works Council

Angus Simpson (Branch Chair) wished to pass on thanks to his fellow Sodexo colleagues for voting him back on to the Sodexo European Works Council and he is looking forward to the challenges ahead. Angus also thanked the Branch and the Sodexo Shop Stewards for their support.

Offshore Safety Reps

Nicky Elphinstone detailed development within OPITO's Safety reps training and also the HSE's new inspection kit which checks that duty holders are fully compliant with their responsibilities and that the safety committees are fit for purpose. All Safety reps were encouraged to make the inspectors aware of any concerns they may have or assistance they may require when the inspectors arrive on their unit.

MIST (minimum industry standard training)

Those present were reminded that like all safety training MIST is payable and preferably done within normal working hours or paid at overtime rate if carried out offshore. If training is carried out onshore then normal training rates apply.

Len McCluskey

The nomination of Len McCluskey for the position of New General Secretary of Unite was unanimously endorsed by the Offshore Branch members in attendance as was a donation towards Len's campaign.

Everyone fully supports Len goal to unite the union while ensuring that we remain a lay led organisation with Branches retaining the autonomy capable of delivering for our membership.

Len will be in Aberdeen on the 21st of June and there will be an opportunity for activists to meet him, and find out more about his campaign and issues facing our membership. Any member interested please contact the Aberdeen office for further details.

Policy Motion

The following motion was sent to our first Unite Policy Conference by our Branch and the importance of being able to protect our existing agreements from social dumping is self evident:

Title of Motion: **European Court Of Justice Rulings on Viking, Laval, Ruffert and Luxembourg**

UNITE The Union deplores the profound attack on trade union rights resulting from the four European Court of Justice rulings – Laval, Viking, Ruffert and Luxembourg – and the legal primacy given to the EU court by the Lisbon Treaty over national laws.

The ECJ is an EU institution which has decreed that the right to strike and collective bargaining agreements can contravene rules governing the EU's 'single market'.

The rulings mean that an employers' right to so-called 'freedom of establishment' anywhere within the EU take precedence over fundamental trade union rights. They encourage 'social dumping' across the EU, reintroducing the 'country of origin' principle by the back door.

The ECJ has also ruled that it can impose restrictions on the 'exercise of fundamental rights, in particular in the context of a common organisation of the market'.

Conference congratulates our Union for its website www.lavalvikingruffert.eu and encourages members and activists to sign the online petition.

UNITE The Union calls on the union to carry out further research on these rulings, disseminate information to the membership, campaign with trade unions across Europe for their repeal, and pursue a case to the European Court of Human Rights to overrule the ECJ.

Offshore Catering Branch / Shop Stewards Meetings

The next Branch / Shop Stewards meetings will take place at the Unite office 42-44 King Street, Aberdeen, AB24 5TJ on:

Thursday the 9th September

Friday the 24th September

Friday the 1st October

All commencing at 10am sharp.

As discussed at previous Branch meetings, should any Shop Steward or Member be able to ensure sufficient numbers, the Unite Offshore Catering Branch will consider holding extra Branch meetings in other geographical locations of the UK. Please be aware that numbers must justify the expense of the Branch Officials attending these meetings.

In the meantime for the latest information affecting Offshore Members please keep checking the news page on Offshore Branch website at www.tgwuoffshore.org.uk

Thanks were given to all Members for their continued support in fighting for our employment right.

Meeting closed