

The Agency Voice is a national newsletter specifically targeted at agency workers to improve communication amongst our agency members and where at a national level of the union we can share with you some of the major issues and concerns that we are dealing with.

AGENCY LEGISLATION IN THE UK FOR EQUAL TREATMENT

After a lengthy and high profile campaign by the unions, in which the CWU played a major role, the *Temporary Agency Workers' Directive (TAWD)* was finally agreed in the European Union (EU) in November 2008. This Directive, which was amended in Europe to allow an amendment by the UK which will result in a qualifying period of up to **12 weeks** before equal treatment rights kick in. Equal treatment rights will include basic working and employment conditions. These are defined as any statutory or contractual entitlements relating to:

- The duration of working time, including overtime breaks, rest periods and night work
- Holidays including public holidays
- Pay

However, the Directive now has to go through the UK legislative process here and there is still some real issues relating to the terms of implementation that will need to be overcome.

Whilst the Directive must be implemented in the UK by December 2011 at the latest, it is expected that the Government will commence a consultation exercise in the first half of 2009 on how to implement the Directive.

It will therefore be the priority of the CWU to ensure that we can overcome some of the problems and that effective legislation for agency workers is brought about.

We are currently preparing ourselves for the consultation document and will be shortly arranging an Agency Forum at Head Office to update your local branch representatives.

POWER-UP FOR AGENCY PAY CAMPAIGN

The CWU continues to campaign for a decent annual pay increase for our agency members.

At our most recent demonstration a group of CWU carol singers descended on the Albert Hall for the BT sponsored carol concert just before Christmas to bring home the Dickensian reality of what static pay rates mean for BT agency staff.

The now infamous 'Power-Up for Agency Pay' campaign crack squad handed out specially designed Christmas cards to the public attending the BT sponsored carol concert and sang a series of adapted carols including:

*'God bless you BT gentleman
And can we have more pay
We've waited very, very long
And need more dosh today'*

The campaign team will be shortly arranging another demonstration which you can join in your local branch will be sent details.



MANPOWER JOB LOSSES

As a result of a number of recent announcements on the BT contract which has led to reductions in agency headcount a number of issues and concerns have arisen in respect of the contractual rights that affect Manpower employees.

The CWU has taken independent legal advice on the 'end of assignment' process that Manpower are using and whilst there is nothing illegal' individuals should be aware of their contractual and statutory rights.

END OF ASSIGNMENT PROCESS

- Manpower does not declare a redundancy situation it is called 'end of assignment' this is because Manpower want to continue to have the relationship with their employees and find them alternative work.
- It is Manpower's responsibility to find suitable alternative assignment during a 4 week period directly after the assignment ends. (28 days)
- The 4 week period (28 days) is unpaid.
- If no work is found during this 4 week, where an individual has worked continuously for at least **2 years** they can make a claim to Manpower for a statutory redundancy payment.

Manpower employees that are selected for 'end of assignment' also need to be aware of the following

- All individuals have the right to an explanation for selection
- If individuals feel they have been unfairly selected they have the right to use the Grievance Procedure.

INDIVIDUAL PROCESS

All Manpower Employees are entitled to the following procedure:

Step 1

Manpower will normally write to individuals notifying them of the reasons to terminate their assignments and invite them to a 1:1 to discuss the matter.

Step 2

A 1:1 will be held at which the employee has the right to be accompanied by the CWU. Manpower

will also advise the individual of their right to appeal against their selection; this will normally be via the Grievance Procedure.

Step 3

Manpower will hold an appeal meeting at which the individual has the right to be accompanied by the CWU.

Your Branch has been sent detailed guidance on how the 'end of assignment' process should be carried out and, if necessary, you should see advice and representation from your local CWU representative.

OTHER MANPOWER ISSUES...

The CWU is currently in discussion with Manpower on revising a number of their processes relating to **Probation, Attendance Management, Conduct and Performance** it will be our intention to consult with the branches on any changes that will affect our members and a further update will be made available shortly.

KELLY SERVICES

Due to a restructure of their UK operations Kelly Services have announced that they are currently in discussions with Hexagon Staffing Solutions LTD – known as 'Interaction Group' – regarding the potential sale of 31 of their commercial branches in England.

Some of the Kelly Service Branches named support the BT account and **IF** the sale goes ahead it is understood that agency employees will transfer to the new company – Interaction Group- via the Transfer regulations (TUPE) which protects your employment and terms and conditions.

The CWU has no further news at this stage but has advised Kelly Services that we expect consultation and negotiation to apply.

We will keep you updated of developments as they occur.

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