

No. 575/2017

26th October 2017

Dear Colleagues

POST OFFICE: ATTACK ON OUR REPRESENTATIVE STRUCTURE

Further to LTB 560/17 dated 18th October which provided details of the National Briefing called for 31st October for Representatives and Branches with Post Office members. I wish to update Branches with regards to the Post Office's vicious attack on our Representative structure. We have made it very clear in our extensive correspondence with the Post Office that we find their position totally unacceptable and we will not accept the attack on our Union democracy and our members' rights to representation.

Six Months' Notice Served on the CEIRF Agreement

In May 2017 the Post Office served six months' notice on the CEIRF – Collective Engagement and Industrial Relations Framework Agreement 2015 and proposed a new IR structure for the future under what the Post Office is calling the CEF – Collective Engagement Framework. The CEIRF and the associated Representative structure are due to cease on 9th November and as it stands, our Territorial and Sector Reps are scheduled to return to duty on Monday 13th November.

Representative Structure Under Attack

We currently have 19 full-time Representative roles as follows:

- 2 Postal Executive members
- 4 Territorial Reps
- 10 Sector Reps for Crown Offices / Admin (8 in situ with 2 vacant posts)
- 3 Sector Reps for Supply Chain

The Post Office proposal is to reduce the 19 Representative roles (currently there are two vacancies) to just 3 full-time Representatives which they are describing as "National". The Post Office is currently refusing to continue to fund release for Lynn Simpson and Mole Meade, Postal Executive members. In effect 16 Representative roles are at risk of ceasing with the options open to the individuals of either returning to duty or taking an enhanced VR package.

Fair and Reasonable Counter-Proposal Rejected by the Post Office

It should be noted we have not sought to defend the status quo in respect of the numbers of Representatives as this would be impossible due to our declining membership levels arising from major business change such as the ongoing Crown Office franchising and the closure of Supply Chain depots. Consequently our counter-proposal below was supported by our Representatives as being reasonable and pragmatic in the circumstances.

Our counter-proposal was presented to the Post Office on 15th September and seeks to retain the Sector Representative structure albeit reduced from the current 13 roles (11 Reps in post) to 8. This counter-proposal in the main is feasible due to the significantly reduced size of the Supply Chain operation following the decision of the Post Office to jettison the majority of the external work, which they claimed was heavily loss making. Supply Chain now only has just 15 depots and 4 cash centres in shared sites.

Post Office Refusing to Move from its "Red Line" Position and Relies Upon Threats

Disappointingly the Post Office has dismissed our counter-proposal and is sticking to its position of just 3 full-time Representative roles which is, in the words of John Whitefoot, Employee Relations and Policy Director, a "*Red Line for the Group Executive*". The Post Office's "Red Line" position of just 3 Representative roles means this is an area of non negotiation from the Post Office's perspective.

The outrageous position as described above is further exacerbated by the appalling attitude of the Post Office, which is as follows: If the Union does not agree to the 3 full time Representatives, then come 10th November 2017 when the six months' notice expires the Post Office will rely upon the statutory position in regards to release time, which basically is all ad hoc. In simple terms, the Post Office is putting a gun to the head of the Union by saying "agree to the 3 National Representatives or else you will lose them as well".

The Postal Executive has taken a principled position in response to this threat. Basically we are not going to give in to threats and intimidation and as such no agreement is better than an agreement that we have been coerced into accepting. This position was been confirmed in writing to Paula Vennells, Group Chief Executive (**Appendix A** dated 13th September). In any event, even if we had an agreement, the Post Office, on current form, will break it without hesitation.

Post Office is Refusing to Engage in the Collective Dispute Resolution Procedure (CDRP)

Despite our attempts to invoke the Collective Dispute Resolution Procedure (as contained within the CEIRF Agreement) which ultimately entails escalating the dispute to ACAS, the Post Office is refusing to engage via this procedure and is seemingly anxious to avoid any third party involvement. Indeed the Post Office is doing

everything possible to avoid abiding by the terms of our Agreement including not recognising a meeting held on 9th October as a "Stage 1" meeting as per the CDRP.

The actual wording from the CEIRF Agreement reads as follows:

"Where the parties fail to reach an agreement at any level of the business, then the Collective Dispute Resolution Procedure ... will be adopted and followed"

Stage 1 Exhausted – Instigation of Stage 2

Due to the Post Office's refusal to engage with us at Stage 1 of the Collective Dispute Resolution Procedure, I instigated Stage 2 of the procedure by writing to Martin Kirke, Group HR Director (**Appendix B**) on 9th October seeking a meeting with him within 10 days (this timing is in line with the CEIRF).

Stage 2 Exhausted – Instigation of Stage 3

As no response to my letter of 9th October was forthcoming, I considered Stage 2 of the procedure to be exhausted and as a consequence I wrote again to Martin Kirke on 23rd October to instigate Stage 3 (**Appendix C**). In line with the agreement, a Stage 3 meeting must be held within 5 days. In the event that an agreement is not reached by Tuesday 31st October, the policy of the Postal Executive is for us to escalate to ACAS unilaterally for the purposes of conciliation or mediation.

A totally inappropriate response was received on 25th October by John Whitefoot on behalf of Martin Kirke (**Appendix D**). This letter maintains the Post Office's position of refusing to engage in the CDRP and reaffirms the non-negotiable "Red Line" stance. Branches will also find attached at **Appendix E** a comprehensive rebuttal of the position taken by the Post Office whilst also reaffirming our policy to refer this matter to an independent third party in ACAS.

Next Steps

Clearly all of our efforts are now concentrated on getting the Post Office to move its dogmatic and unreasonable "Red Line" position. This will be either at a Stage 3 meeting with the Group HR Director or ultimately via an escalation to ACAS. We do, however, have to seriously consider our next steps if the Post Office continues with its current attitude and this is why the National Briefing next Tuesday 31st October is so important.

When determining our next steps, our first consideration naturally is to do what is best for our members, who deserve first class representation in a timely manner from experienced and professional Representatives. The attack on our Representative structure is so severe that ultimately we may have to ballot our members for strike action; not just to defend our Representatives, but more importantly to defend the principle that members have a right to decent representation. We are not at that stage yet as we have not exhausted the Collective Dispute Resolution Procedure; however, if the Post Office continues to refuse to engage in a meaningful way we may

be left with no option other than to prepare, sooner rather than later, to instigate the ballot process.

Further developments will be reported.

Any queries in relation to this LTB should be directed to Lea Sheridan on 020 8971 7361 or ls Sheridan@cwu.org

Yours sincerely

Andy Furey
Assistant Secretary