

Units 3 and 9
Lesson 10

Human Resource Management

What are TRADE UNIONS?

About: Trade Unions

Definition: Labour unions or trade unions are organizations formed by workers from related fields that work for the common interest of its members. They help workers in issues like fairness of pay, good working environment, hours of work and benefits. They represent a cluster of workers and provide a link between the management and workers.

Description: The purpose of these unions is to look into the grievances of workers and present a collective voice in front of the management. Hence, it acts as the medium of communication between the workers and management.

**What are the main roles of
TRADE UNIONS?**

Roles of a Trade Union

The principal purposes/roles of a trade union are to:

1. Negotiate wages and working condition terms
2. Regulate relations between workers (its members) and the employer
3. Take collective action to enforce the terms of collective bargaining
4. Raise new demands on behalf of its members
5. Help settle their grievances.

Types of Trade Unions

A trade union may be:

1. A company union that represents interests of only one company and may not have any connection with other unions. Also called house union, a company union is often a bogus one and generally illegal.
2. A general union that represents workers from several companies in the same industry. Also called industrial union.
3. A craft union that represents skilled workers in a particular field (i.e carpentry, welding, aviation etc).

TRADE UNIONS IN JAMAICA

TRADE UNIONS IN JAMAICA

- Bustamante Industrial Trade Union - The Bustamante Industrial Trade Union is a trade union center is affiliated to the 'Global Union Federation - International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association.'
- Jamaica Airline Pilots Association – Jamaica Airline Pilots Association is a trade union federation that represents airline pilots in Jamaica.
- Jamaica Association of Local Government Officers – The Jamaica Association of Local Government Officers (JALGO) is a 5,000-member public sector trade union in Jamaica which represents workers in local and national government, governmental corporations, quasi-government bodies and other agencies created by statute. Its members are non-supervisory personnel and include fire-fighters with the Jamaica Fire Brigade, workers at the National Water Commission, non-nursing personnel in the health service, non-teachers in the schools, workers at the National Irrigation Commission and government employees in the 13 Parish Councils
- Jamaica Confederation of Trade Unions - The Jamaica Confederation of Trade Unions (JCTU) is a national trade union center affiliated with the International Trade Union Confederation.
- National Workers Union – The National Workers Union (NWU) is a general trade union in Jamaica.
- Jamaica Civil Service Association - The Jamaica Civil Service Association is an association representing the civil servants of Jamaica.
- Jamaica Employers Federation
- Industrial Workers of the World

What is a Collective Agreement?

A collective agreement is the oral or written contract entered into between an employer or group of employers and a union that is negotiating on behalf of all of the employees that the union represents.

The terms and conditions of the contract are reached through **collective bargaining** between the employer and the union.

The kinds of terms and conditions covered by a collective agreement typically include wages and benefits, as well as terms and conditions of employment that relate to e.g., job postings; obligations and responsibilities of the employer, the employee and the union; and a dispute resolution process (usually a grievance and arbitration procedure).

COLLECTIVE BARGAINING

If a union is formally recognised by an employer, it can negotiate with the employer over terms and conditions. This is known as '**collective bargaining**'.

For collective bargaining to work, unions and employers need to agree on how the arrangement is to operate. They might, for example, make agreements providing for the deduction of union subscriptions from members' wages.

Both these agreements on procedure and agreements between employers and unions changing the terms applying to workers (like a pay increase for example) are called '**collective agreements**'.

Your contract of employment will probably set out which collective agreements cover you.

It's possible that a union may negotiate on your behalf even if you're not a member.

Grievance Procedures

Grievances are concerns, problems or complaints that employees raise with their employer. There is no legally binding process that you or your employer must follow when raising or handling a grievance at work.

- What mediums do you recommend to raise a grievance at work?

How to raise a grievance at work

Try talking with your employer informally before raising a formal grievance, to see if that helps.

If you tried to resolve your grievance informally and this approach did not work, you should raise the matter formally. You should do this using your employer's formal procedures for grievances (if your employer doesn't have a formal procedure the LRA (Labour Relations Agency) Code of Practice provides the necessary guidance).

Your employer should put their grievance procedures in writing. You should be able to find these in one of the following:

- Company Handbook
- Human Resources (HR) Or Personnel Manual
- HR Intranet Site
- Employment Contract

At the very least your employer must give you in writing the name of the person that you can apply to, to seek redress (put the matter right).

To comply with the Code, your employer's grievance procedure is likely to include the following steps:

- Writing a letter to your employer setting out the details of your grievance
- A meeting with your employer to discuss the issue
- The ability to appeal your employer's decision

Protection when raising a grievance

You should not be dismissed or disadvantaged for raising a genuine grievance about one of your statutory employment rights, such as discrimination. For example, your career prospects shouldn't be negatively affected.

The law also protects you from losing your job and/or being victimized if you are making a disclosure in the public interest.

Disciplinary Procedures

- How disciplinary procedures work

A disciplinary procedure is sometimes the best way for your employer to tell you when something is wrong. It allows them to explain clearly what improvement is needed and should give you an opportunity to put your side of the situation.

Your employer must put their disciplinary procedure in writing, and make it easily available to all staff. It should include the rules, what performance and behaviour might lead to disciplinary action, and what action your employer might take.

Statutory minimum disciplinary procedures

By law, at present there are certain minimum steps that must be included in a disciplinary procedure - these are known as the 'statutory minimum procedures'. Your employer's disciplinary procedure should include the following steps:

- A letter setting out the reasons or reasons why they are considering disciplinary action
- A meeting to discuss the issue
- A disciplinary decision
- A chance to appeal this decision

If your employer dismisses you without following this process, then if you make an unfair dismissal claim, the dismissal will normally be 'automatically unfair'. You normally need at least a year's service before you can make an unfair dismissal claim.

Redundancy Pay

You have the right to a statutory redundancy payment if you are an employee who has worked continuously for your employer for at least two years and you are being made redundant.

Statutory redundancy pay is also due when a fixed-term contract of two years or more expires and is not renewed because of redundancy.

You do not have to claim statutory redundancy pay from your employer, they should automatically pay it to you.

➤ **Alternative work**

A redundancy payment isn't due to you if work picks up and your employer offers to keep you on, or offers you suitable alternative work which you refuse without good reason. If you leave your job for a new one before the end of your notice period, your payment might also be affected.

➤ **Temporary lay off**

Redundancy pay can be claimed from your employer if you have been temporarily laid off for more than four weeks in a row, or six weeks in a 13-week period.

You must make your claim in writing to your employer who may refuse to pay if they believe normal working is likely to resume within four weeks.

➤ **Notice pay**

As well as a redundancy payment, your employer should give you proper notice of termination of employment (or pay in lieu of notice). Details of the notice period will be in your contract.

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