

Effective Joint Committees



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Labour Relations
AGENCY
Improving Employment Relations

INTRODUCTION

Positive working relationships with employees or their representatives are based on good engagement and sound communications. In many organisations employee representatives play an important role in reflecting employee views in discussion with management, in agreeing terms and conditions of employment, in communicating with the workforce and in problem solving. The involvement of employee representatives can:

- help to develop trust and cooperation
- improve business performance
- encourage the workforce to identify more closely with the organisation's performance
- improve the quality of decisions by providing input from those with the relevant knowledge and skills
- satisfy legal requirements
- help understanding and management of change
- help to develop workplace partnerships.

Whether your engagement with employee representatives involves negotiation, consultation or information sharing all involved need to be clear about their roles, rights and responsibilities. These should be recorded in an agreed constitution establishing the joint committee. To be effective these joint committees need to operate successfully and produce positive outcomes. In many instances effective joint committees can result in many issues being resolved informally, without the need to invoke formal procedures

Are your existing joint arrangements effective? To test their effectiveness use the self assessment questionnaire and identify any areas for improvement.

If you need any help or assistance contact the Labour Relations Agency at 028 9032 1442

1. Constitution	Y E S	N O	PARTLY	COM- MENTS/IMPRO VEMENTS
Does the constitution of the Joint Committee clearly distinguish between those matters which are subject to negotiation, consultation or information?				
Does the constitution of the Joint Committee clearly outline it's function, scope and membership?				
Does the constitution of the Joint Committee provide for any sub-committees to report to the main body?				
Does the constitution of the Joint Committee allow for subject experts to attend meetings as necessary?				
Does the constitution of the Joint Committee provide for Alternative Dispute Resolution in the event of a failure to agree?				



**SEE CHECKLIST
ON DRAFTING A
JOINT
COMMITTEE
CONSTITUTION**



**SEE NOTE ON
ALTERNATIVE
DISPUTE
RESOLUTION
TECHNIQUES ...**

2. Operations	Y E S	N O	PARTLY	COM- MENTS/IMPROVEM ENTS
Do meetings of the Joint Committee take place sufficiently often to allow for the efficient conduct of business?				
Are agendas and associated papers circulated sufficiently far in advance to allow for adequate preparation?				
Does the behaviour of any member(s) cause difficulty in the conduct of business at meetings?				
Does the Chair facilitate effective meetings allowing all members to participate and business to be concluded?				
Does the Joint Committee and members have adequate secretarial support?				
Are the minutes of meetings agreed, produced and distributed in an acceptable timeframe?				
Do members have sufficient time to prepare, attend and report back on meetings?				



SEE NOTE ON THE AGENDA



SEE EFFECTIVE MEETINGS RE— CHECKLIST FOR PARTICIPANTS



SEE CHECKLIST ON EFFECTIVE CHAIRING

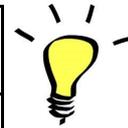


SEE MINUTES CHECKLIST



SEE NOTE ON TIME OFF FOR TRADE UNION DUTIES AND ACTIVITIES

3. Outcomes	Y E S	N O	PARTLY	COM- MENTS/IMPROVEMENTS
Are joint communications issued?				
Does operating the Joint Committee result in agreement on operational issues, policies or procedures?				
Does the existence and operation of the Joint Committee improve employment relations and prevent disputes in the organisation?				



**FOR ADVICE
AND
ASSISTANCE IN
EVALUATING
THE
EFFECTIVENESS
OF YOUR
ARRANGE-
MENTS
PLEASE
CONTACT—
The LABOUR
RELATIONS
AGENCY at 028
9032 1442**

CHECKLIST ON DRAFTING JOINT COMMITTEE CONSTITUTION—

When drafting the constitution of a joint committee the following should be covered:

- the title and objectives of the committee
- its terms of reference—the matters it can and cannot discuss and its powers
- its composition:
 - (i) employee representative (number, constituents)
 - (ii) management representatives
 - (iii) co-option and ex-officio provisions
 - (iv) named deputies for representatives
 - (v) method for obtaining members, appointment, election, etc
- election procedure
 - (i) who organises
 - (ii) when held
 - (iii) qualifications of candidates and voters
 - (iv) nominations
 - (v) voting arrangements
- the period of office of members and arrangements for their retirement
- electing/nominating officers of committee, that is: chairperson, secretary
- meeting arrangements
 - (i) frequency, advance notice
 - (ii) when and where held
 - (iii) procedure for placing items on agenda
 - (iv) arrangement for minutes
 - (v) quorum
 - (vi) duration of meetings
- facilities for committee members
 - (i) time-off for liaising with constituents
 - (ii) payment while attending meetings
- reporting arrangements
 - (i) publication of minutes
 - (ii) methods of reporting back
 - (iii) responsibilities of members
- method of altering constitution.

ALTERNATIVE DISPUTE RESOLUTION TECHNIQUES

Mediation

Mediation is an effective tool for restoring positive working relationships. It works by using a neutral Labour Relations Agency mediator to assist parties involved in a workplace conflict or dispute to reach a satisfactory solution that both sides are able to agree to.

Pre-Claim Conciliation

Where a problem or disagreement in the workplace is likely to lead to a tribunal claim the Agency will often be able to help employers and employees find a solution via their Pre-claim Conciliation service. Issues referred for Pre-claim Conciliation are dealt with by **Conciliation Officers** who talk through the problem, outline your options, discuss the benefits of the service and answer any questions you may have. They do not impose outcomes or make judgements on the rights or wrongs of the matter in dispute; they simply try to help people settle their differences on their own terms.

Individual Conciliation

If someone has lodged a claim to the tribunal about their employment rights a copy is sent to the Labour Relations Agency.

We have a legal duty to offer **Conciliation** in most cases when someone has a complaint about their employment rights even if no claim has been made to the Tribunal service.

Collective Conciliation is facilitated or assisted negotiation where an Agency conciliator helps employers and employees (normally via trade unions) to try to reach mutually acceptable settlements of their collective disputes.

We do not impose outcomes or make judgements on the rights or wrongs of the matter in dispute. There is no compulsion to use collective conciliation and any agreement is voluntarily entered into by the parties.

Arbitration

You can use the Labour Relations Agency Arbitration Scheme as an alternative to having your case heard by the tribunal. An arbitrator's decision is binding as a matter of law and has the same effect as a tribunal.

The Scheme is entirely voluntary and its use must be agreed by all parties to the claim.

THE AGENDA

An Agenda is simply a brief outline of what you intend to discuss and in what order. Its purpose is to assist the chairperson in seeing that business is conducted fairly and quickly, as well as to provide direction, order and advance information to those attending.

Essentially there are three kinds of items that are a part of most meetings:

Items for information

- simply for informing members of any action taken or pending
- announcements, copies of correspondence
- serve as progress reports from committees

Items for Discussion, Referral or Tabling

- require further input by members prior to a decision or action
- lack sufficient information and need to be referred to a sub-committee or the executive
- may be poorly-timed or those that you do not wish to take immediate action on

Items for Decision and Action

- require action of an immediate and visible nature by members
- result in specific recommendations
- in order for meetings to be fruitful some decisions and actions must be evident

The format of the any agenda should be accepted by the members and it should be followed at each meeting. However, if it is deviated from, members should be made aware of the changes and the reasons for doing so.

EFFECTIVE MEETINGS—CHECKLIST FOR PARTICIPANTS

Prepare thoroughly

- Know the purpose and goals of the meeting
- Obtain an agenda in advance of the meeting
- Determine what is applicable to your position and department
- Formulate a position on each agenda topic
- Develop a rationale for your position, addressing the pros and cons
- Develop a compromise position if appropriate
- Arrive promptly on time
- Bring copies of all relevant papers

Confront the issues

- Speak out and state your position when the opportunity presents itself
- Support your position with facts
- Employ tact
- Include the input of others when warranted

Perform the way you want to

- Help the Chairperson achieve the meeting's purpose
- Be an active listener and speaker
- Volunteer for assignments
- Speak briefly when making your points
- Contribute your ideas in response to presentations of others
- Clarify the assignments & deadlines for which you are responsible
- Respect the opinions of others

Follow-up your participation

- Begin immediately on you assigned task
- Meet with other participants to follow-up discussions as needed
- Acknowledge help provided by others
- Identify ways to help improve your participation next time

EFFECTIVE CHAIRING

1. The role and limitations of the Chairperson should be described within the Constitution of the Committee.
2. Chairpersons should **either** be demonstrably **independent (e.g. an officer of the Labour Relations Agency or a nominee of the LRA)**, or, a nominee of one of the parties to the Chairperson role alternating between the parties annually at the Annual General Meeting of the Committee.
3. The agenda of all meetings should be agreed with the Chairperson.
4. Requests for “ad hoc” or emergency meetings should be referred to the Chairperson who will have the authority to call such meetings but the constitution should limit the circumstances in which a Chairperson would refuse such a request.
5. If the agenda allows for “Any Other Urgent Business” it would be a matter for the chairperson (with the greatest notice possible of such business) to determine if it is admissible at that particular meeting.
6. The main role of the Chairperson is to effectively progress the meeting and encourage participation by everyone.
7. The chairperson should discourage side conversations, control repetitive contributions and is entitled to expect that contributors for either party will be confined to one per party on each agenda item
8. The Chairperson should allow for a full statement of case by both parties on all matters on the agenda. . It is proper for the Chairperson to insist that one party or the other provide a direct answer to a question from the other party if, in the Chairpersons judgement, this is consistent with the proper operation of the Committee..
9. The chairperson should ensure that each item is finalised with a clear understanding of the status of that item between the parties (**e.g. Agreed, Failure to Agree, Part agreed with further work, referred to another body/sub-committee/authority etc.**). This will inform how the minute will be drafted under that particular item.
10. At the conclusion of items the Chairperson should clarify who in the Committee is to take relevant follow up actions regarding the position reached. This also assists In the preparation of minutes.
11. The Chairperson should insure reasonable time management of such meetings within the context of agenda length, the complexity of matters under discussion and the right of both parties to make a full statement of their position.
12. If the Chairperson is **independent (see point 2 above)** they should be part of the process of agreeing the **accuracy** of the minutes along with the joint secretaries of the parties. If the Chairperson is from one of the parties this is less necessary but the Chairperson may well still have relevant input confined to **accuracy**.

NOTE: These are the minimum standard for operations of chairing but if other matters of authority are added these should not compromise the confidence of either party in the role of the Chairperson.

MINUTES CHECKLIST

Good minutes are essential because they are the only record of business for your organisation. They will be required for constant referral.

Your minutes should include the following as appropriate:

Heading

Date

Time

Location

Name of chairperson

Names of members present

Names of members absent

Starting time

Adoption of minutes from last meeting

Summary of ideas and topics discussed

Suggestions proposed, action by whom, by when

All motions made

Names of members who made motions

Name of members who seconded motions

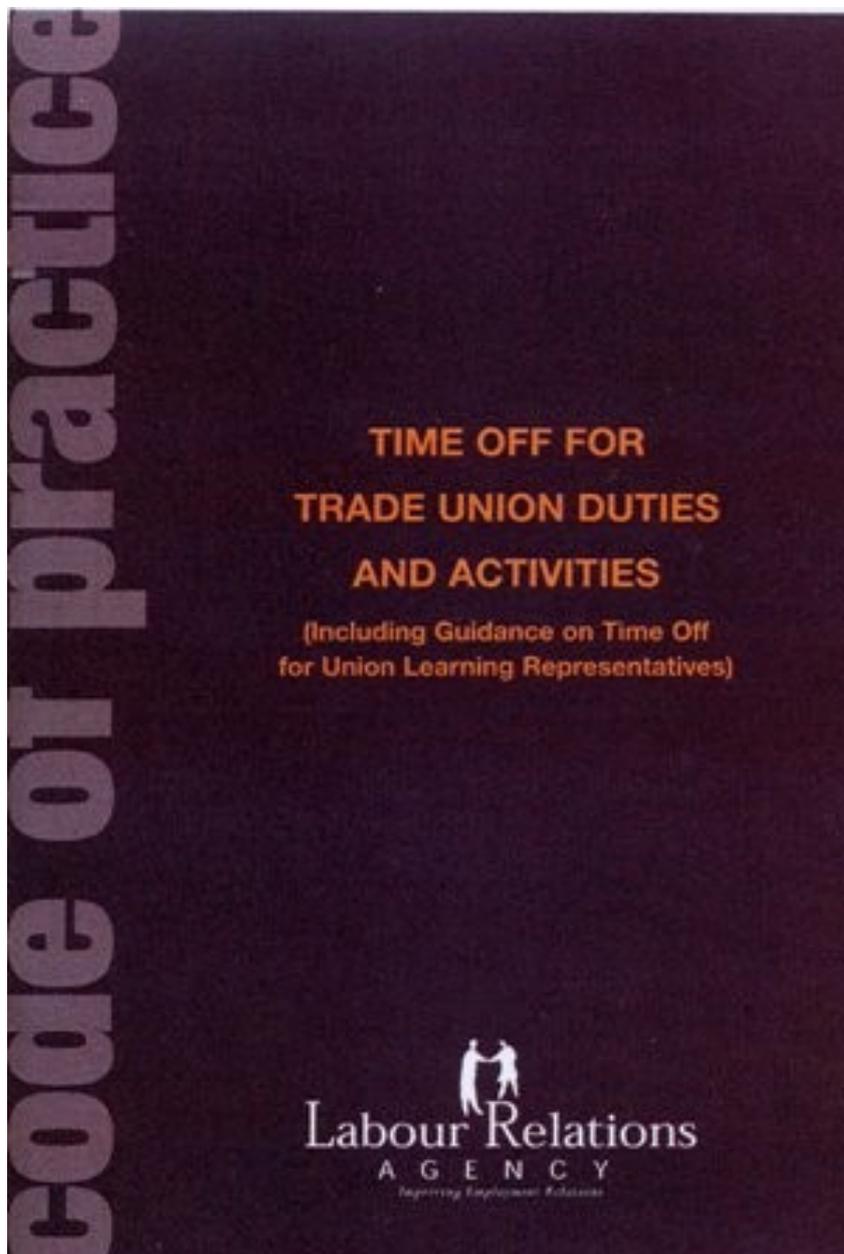
Outcome of motions (carried or defeated)

Time of adjournment

Date, time, location of next meeting

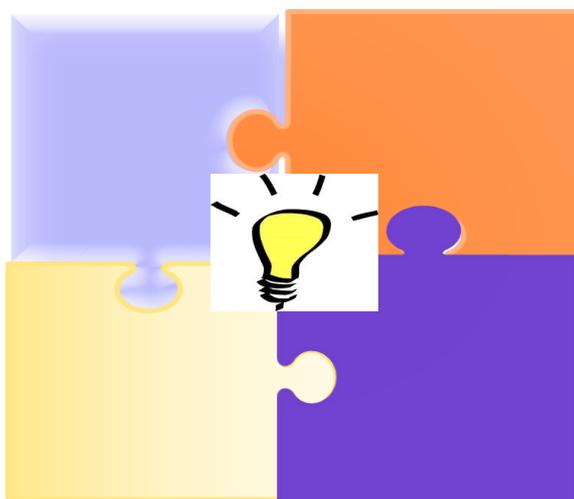
Time Off for Trade Union Duties and Activities

A time off policy, structured in line with the Labour Relation Agency's Code of Practice on Time off for trade union duties and activities, should be agreed with the representatives and widely known and understood by line managers. This allows line managers to know when to release representatives to carry out their duties and helps structure expectations of the amount of time needed by representatives, as well as how it is to be requested in advance.



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