

URGENT UPDATE REGARDING WITHDRAWAL OF PERSONAL VEHICLE – EXCEPTIONAL CAR USERS & CAR PARKING PERMIT

Richard Crouch, Head of HR, has circulated the following advice to Senior Managers and Service Directors for cascading to local managers, regarding the withdrawal of cars for business purposes by Exceptional Car Users.

“Can I re-emphasise for absolute clarity the Council's position on this which is that those staff receiving an allowance for use of their car have to serve us three months notice of withdrawal. Not doing so, will be considered to be in breach of their contractual arrangement with their employer with the obvious consequences.”

The Employer has confirmed to us today that by “obvious consequences”, they mean withdrawal of the ECU allowance and potentially disciplinary action for breach of contract. We are updating the Frequently Asked Questions document as follows:

Q23. I am an ECU, the employer has threatened disciplinary action against me as they believe I have breached my contract by not providing three months notice of withdrawal of my car, what should I do?

A23. Raise this immediately with your Steward. Whilst any dismissal for taking part in industrial action will be unfair if it takes place fewer than twelve weeks after you started taking part in the action, it does not stop the employer from taking action short of dismissal against you for taking industrial action. There will be hundreds of existing car users, including those receiving the ECU allowance, taking their cars off road. UNISON will ensure that we respond collectively to any such action by the employer. The employer cannot attempt to address this individually with each member, therefore should such cases emerge we will request that they are dealt as a collective case. We are asking UNISON representatives to ascertain how many members may be affected by this so that we can strengthen a collective response. We will also explore with members an appropriate response to any disciplinary proceedings undertaken by the Employer.

Q24. Can I still use my car park permit?

A24. The Employer has advised UNISON that if a member is not providing their car for business use and they have a parking permit, this will be withdrawn. UNISON has sought and obtained clarification that (a) any withdrawal would only be in circumstances where provision of a permit is clearly connected to the provision of a car; (b) any withdrawal would only be for the period of the Industrial Action; and (c) individuals with accessibility issues, either registered as Disabled with SCC or able to evidence an accessibility need, and who needs their car to get to work would not have their permit withdrawn. If your manager withdraws your parking permit, ask them to demonstrate by means of written evidence that the permit issued was on the basis of provision of a car for business use. Share any information you receive with your steward.

Please destroy the FAQ document which was circulated previously. We will re-issue a new set of FAQs with the above advice, and other advice relating to the threatened removal of ECU allowances, after a policy discussion at tomorrow's Branch Council which will also determine how best to recompense members for any financial loss incurred as a result of participating in the Industrial Action. In the meantime, please draw the above to the attention of any potentially affected member as a matter of urgency. Remind your members that this is an attempt by the Employer to intimidate union members taking legitimate Industrial Action, and our strongest response is to remain firm in our resolve and continue to stand together in collective action.