

April 2015

**Welcome to the first issue of your newsletter. This is a bi-monthly newsletter with articles relating to your organisation, the broader housing, care and support sector and how this affects you.**

## **Have you thought about getting more involved in your union?**

Ever since the dispute last year and the spiteful and unlawful attack upon Bryan Kennedy by OHG management, Union activity and the involvement of members in OHG has dipped. We currently have one rep in place, Michael Isaac, and the Housing Workers' Branch have temporarily appointed a caseworker Phil Rose to provide support and assistance in dealing with representation and building up membership involvement. However Phil's support is likely to end before long and the two reps will become increasingly isolated without the involvement of a wider group of members.

We recognise in recent months communication between the wider branch and union and the membership in OHG has decreased from what it previously was and this needs to change. The branch and reps have been taking steps to improve this. This newsletter is one step. It will be produced on a bi-monthly basis. We are also going to organise regular union meetings on the first Tuesday in every month. This will help to keep members informed of what is happening and provide members with a channel in which to communicate their concerns, frustrations and issues facing them to the wider union.

When we have discussed this with members we have had several concerns raised with us. Two in particular stand out:

- 1)** Some members feel that their opinions are ignored. We can assure you that this certainly isn't the intention. We need input from members both good and bad in order to represent your views. Please don't stop expressing them. For a union representative, constructive complaints are better than silence. At least we can do something about a complaint.
- 2)** Some members feel that following Bryan's dismissal being involved in the union, would make them a target. This was precisely the intent of management when they attacked Bryan. By giving into that intent, management get their way and have increasingly pressured staff into working beyond their capacity causing increased levels of stress and ill health. If we stand together as a unionised

workforce they are unable to isolate those that stand up and challenge bullying and aggressive behaviour. To do this effectively we need you to show management that their tactics won't work. We need you to circulate the newsletters and leaflets we send out. We need you to attend the monthly meetings and express yourself.

We also need people to volunteer to act for the union. This may be by distributing our newsletters, it may be being the eyes and ears for the union and telling us what's going on. We also need to identify new reps who will get full training, support and advice, and be ready to represent you. By acting collectively together no one becomes a focus for management and we have a louder voice. If anyone is interested in taking on a role please contact Michael Isaac.

## **Seeking justice for Bryan**

Former One Housing Group rep, Bryan Kennedy, was victimised and sacked by the organisation last year, and is now seeking compensation via an industrial tribunal. It may be worth noting that Unite's solicitors only support cases they feel have a good prospect of success. For all who supported the 'I'm Bryan' campaign last year there is still every reason, in spirit at least, to stand in solidarity with Bryan. We will, of course, update you with regard to the outcome of Bryan's hearing once this is known.

## **St Mungo's Broadway strike victory – Why strikes still matter**

Last autumn fellow Unite members at St Mungo's Broadway – over 700 of them – took to the picket lines in protest at the new management's decision to change various employee terms and conditions, including a decision to cut the annual starting salary of new project workers by 20%.

A proposed ten day strike (which in itself had been preceded by a seven day strike) was called off at the last minute when an overwhelming number of Unite's demands were met by management.

The victory of Unite's members at St Mungo's Broadway serves as an important reminder to us all, namely that we

don't have to simply sit by and allow workers' pay and conditions to be slashed by management. Nor do we have to tolerate an inevitably poorer quality of service to some of our society's most vulnerable people, an effect of a downgrading of services.

Some of you may have felt the effects of the 'race to the bottom'. One Housing Group is, after all, no stranger to making cuts to pay and conditions. However, don't forget there is strength in numbers within Unite. We were, after all, able to delay cuts to the salaries of front line staff at OHG in 2013. The example of St Mungo's Broadway staff shows that we can do so much more.

### What to do if you feel you are being bullied or about to be disciplined by your employer?

As cuts in resources get greater, more and more is expected from workers in the housing sector with less and less staff. As workers struggle to keep up with inflated expectations, the Unite Housing Workers' branch is getting an increasing number of complaints from our members of bullying and being hauled up for disciplinary action over trivial or non-existent matters. This article is to give guidance on what to do if you believe this is happening to you.

The first thing to remember is that you are a Unite member and the Housing Workers' branch is there to help support and advise you. If you feel that you are being picked on you should either approach your union representative or the branch for support. You should keep any evidence that leads you to believe you are being bullied. Note any witnesses to comments and make a full written note of what was said as soon as you are able. A chronology of events made at the time can be very convincing evidence. If you are asked to do something that you don't believe is reasonable or within your job description write to the manager and ask for the instruction in writing. If they are being reasonable they should have no problem making their request in writing. You must follow reasonable instructions.

If you are facing a disciplinary situation, you should know your rights. An employer is obliged to have a disciplinary procedure and should follow it. Get a copy and read it. Before taking any action that could lead to a penalty, an employer is bound to investigate the facts. This investigation should include you and give you a right to give your side of what is being investigated. Even if you cannot take someone with you, phone Unite for advice on how to deal with it. We can give good supportive and helpful advice.

You have a legal right to representation in a disciplinary or grievance hearing. The employer is obliged to write stating the charges, the date and time of the hearing, that you are entitled to be accompanied and whether the charges if proven would amount to gross misconduct whereby you could be dismissed. You are also entitled to reasonable notice of any hearing to brief a rep and prepare a defence. If

it is significantly less than a week object and ask in writing for proper notice to prepare your defence. Even if they refuse this could help in any appeal. It is important to understand the difference between misconduct and gross misconduct. Only gross misconduct can lead to summary dismissal.

#### More information at:

[www.housingworkers.org.uk/](http://www.housingworkers.org.uk/)

[www.acas.org.uk/dgcode2009](http://www.acas.org.uk/dgcode2009)

[www.acas.org.uk/media/pdf/d/U/Bullying-and-harassment-at-work-a-guide-for-employees.pdf](http://www.acas.org.uk/media/pdf/d/U/Bullying-and-harassment-at-work-a-guide-for-employees.pdf)

### Rights for disabled workers

In recent months Unite members of One Housing Group have been complaining to us about the issues they face as disabled workers, pointing out that their concerns are being ignored or belittled by management. The Equality Act 2010 defines disability in the following way: **a disabled person is someone with a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities.** The same act requires that employers make reasonable adjustments to the way that disabled employees carry out their duties to ensure that they are not disadvantaged. Reasonable adjustments vary according to the individual, but could include things such as a change in starting and finishing times, not working sleepovers or providing equipment to help you.

This can be quite complex in how it is sorted out and we would strongly advise members to approach Unite reps for support in sorting this out. Normally it doesn't need to be problematic and a simple meeting with management, yourself and your rep can amicably resolve issues. Increasingly however management are trying to ignore your rights and put the focus on you to sort out your "problems". Not only is this offensive it's also potentially discriminatory. They are also trying to deny you your right to have a union rep present at the meeting, to defend your interests.

Unite reps are available to support you around these issues, and if you are having any problems or need support or advice, please feel free to contact your reps. More advice is available at <http://www.equalityhumanrights.com/your-rights/equal-rights/disability> or from the Housing workers website at <http://www.housingworkers.org.uk/>

### Dates for your diary

OHG Unite members' meeting – occurs on the first Tuesday of every month 6-8pm at Unite HQ, 128 Theobald's Road, WC1X 8TN. Next meeting on Tuesday 5th May.

#### Contact Us!

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