

TICI Noticeboard

Last update: 6 Mar 2023

2023 Pay Award

Noticeboard Bulletin - 06-03-2023

Posted on: 6 March 2023

Dear GMB member,

I write to give you an update on the TICI pay award for January 2023. As you will know we recently balloted you on the employers best and final offer and this was rejected by 98% of our membership.

We informed TICA and asked for an improvement to their offer, this has been rejected, furthermore they have closed the collective bargaining negotiations this year, declaring that we have failed to reach an agreement and that there are no further negotiations to be had.

TICA have written to the unions this week to advise that pink book employers will be implementing a 7% increase to all rates and taxable allowances and will now be in the process of informing their operatives. They also confirm that in accordance with HMRC, the lodge allowance has also been uplifted by 7% and confirmed.

The trade unions are disappointed in TICA's approach to collective bargaining and believe that this, whilst not outside the law, a gross attack on your collective bargaining rights.

If you are currently working under pink book terms (Not NAECI or a variation of) then there may be an opportunity to carry out a ballot for industrial action over this disregard for your trade unions bargaining rights.



Please talk to your union rep or officer about organising around this issue on your site/within your company. We are also on the lookout for reps on your site, if you would like to get more involved please contact your local GMB office.

Any colleagues who are not yet in GMB, they can join online at:

JOIN

Your sincerely,

Charlotte Brumpton-Childs

GMB National Officer

2022 TICl Pay Claim

Noticeboard Bulletin - 20-09-2022



Posted on: 20 September 2022

20th September 2022

Dear GMB Member,

Ref: Joint Trade Unions Pay Claim 1st January 2023

I write with reference to the 2023 pay negotiations and in advance of our TICl NJC meeting on 22 September 2022 in Darlington.

After carrying out an extensive consultation exercise with our member's, the signatory unions to the TICl Agreement GMB and our Joint Union, have set out below a list of claim items we seek on behalf of our member's, which reflects their aspirations. These are:

1. A substantial above RPI inflation increase on pay rates and all allowances. At the time of writing, RPI currently sits at 12.3%. Treasury (HMT) forecast that they expect this to rise to 13.3% by the end of 2022. The claim we seek is for one percent above the current RPI figure, which equates to 13.3% from 1 January 2023. The percentage uplift is to be applied to all rates across all job categories in Engineering and H&V, also



to include Apprentice rates. Also, that the same percentage increase is to be applied to both the taxable and non-taxable (subject to HMRC dispensation) elements of the national agreement.

2. Sick pay has not increased since January 2019, therefore, we seek an increase on sick pay to £150.

3. As per item 1, we again submit a claim for an increase on the radius/travel and lodge allowances and for the AA/RAC route mileage measure to be used as opposed to straight line.

4. There is no reference to Parental/Maternity/Paternity Leave within the TICI agreement. The joint trade unions believe that if we are to attract the next generation of workers into the industry it is imperative that we set out a supportive framework for those that are starting or extending their families. It is the trade union sides belief that an appendix is negotiated and set out within the agreement to address this issue and includes guidance on leave for birthing parents, non-birthing parents, adoption leave and IVF/Fertility treatment. To set out a starting framework we believe the following should be applicable:

a. Birthing Parent – In the first year of service, operatives will receive full pay for a period of 6 weeks and Statutory maternity pay for the following 33 weeks. An employee with 1 or more years' continuous service will be entitled to full pay for a period of 6 months and pay at an equivalent rate to Statutory Maternity Pay for the following 13 weeks.

b. Non-Birthing Parent – 6 weeks full pay. This Ordinary Paternity Leave (OPL) will not count against either normal annual leave or sick pay entitlement, and is subject to the following conditions:

- The leave may be taken either in single days or in any combination of days up to the full entitlement.
- The leave may be taken at any time during the pregnancy and up to twenty-nine weeks from the beginning of the week in which the confinement takes place.
- The employee must give notice of their intention before taking the leave, in or before the 15th week of the expected week of the child's birth.

5. To ensure that operatives are not paying a 'job tax' to replace and maintain tools and to remove the need to continually renegotiate tools allowance it is proposed that the tool allowance is replaced with a tool provision instead.

6. It is proposed that there is the introduction of an option for operatives to opt for a 3 star hotel with bed, breakfast and evening meal provided instead of lodging allowance as in many parts of the UK actual BnB and Hotel bills far exceed the level of daily lodging allowance.



7. To start to align with other similar industry agreements, we seek an increase to death benefit from its current £40k to £50k.

We will of course present these items in more detail at the 22nd September meeting. We believe this to be a reasonable claim. Whatever the outcome of the meeting in September, both unions' will have to consult and ballot their members at the appropriate time on any offer in response to our claim. We would hope to be able to conclude this exercise in advance of the pay review anniversary date thus avoiding retrospective back payments having to be made.

Kind regards

Charlotte Childs

GMB National Officer

2021 Bulletins

Noticeboard Bulletin - 17-12-2021



Posted on: 17 December 2021

24 November 2020

TICI

Dear GMB Member,

First of all I trust you and your families all remain well during these difficult times.

Issues with TICA

The primary reason for this newsletter, which at this stage is for information purposes only, is that we have recently experienced a couple of very serious issues in our TICI National Joint Council (NJC) dealings with the Association (TICA). The first, in a data protection context, is around apprenticeship indenture records being destroyed and the second is over the Year 3 January 2021 pay uplift.

Indentures



We recently became aware, quite inadvertently as it happens, that there appeared to be an issue in obtaining copies of TIE apprenticeship indenture records. We couldn't understand how this could be the case, as we are aware of a long-standing process to submit a request for a copy, which usually came at a small cost. After repeated questions to the TICA Chief Executive, we finally received clarity that a decision had been taken by the association, that for reasons of data protection, to destroy all records both paper and electronic of any apprenticeship records that contained addresses, which is effectively Schedule B of the apprenticeship agreement records which contains employer and employee details and signatures. Therefore, the only records the association now hold on apprenticeship records, is a list of names of those who have completed apprenticeships, so any future request for copies of indentures now would only be met with a confirmation of completion only. After further questions to confirm who actually took this decision, i.e. was it the Chief Exec alone or, was it a TICA Governing Council decision, it was confirmed to be the latter. As a result of the above and the complete failure of the association to consult the recognised trade unions prior to the destruction of these records, on behalf of the trade union representatives on the TICI NJC I have lodged a formal dispute with TICA as per the terms of our national agreement. We await a date for this dispute hearing to be scheduled and will keep you updated as to developments.

Subjectively it has been felt for some time from amongst many of our members, that some elements within the employer's side see these indenture records of somehow getting in the way or, to some extent devaluing the competency skills cards, therefore there is a belief there is a hidden agenda at work here. It has already been made clear to the association in advance of the hearing just how angry our members are over this action and any attempt to dilute or devalue their highly skilled trade, which our members rightly value and protect.

In the meantime, I would suggest, if you haven't already done so, that you scan a copy of your full indenture records and keep an electronic version just in case you lose your only copy.

2021 Pay Award

In advance of our last NJC meeting we received a request from the employer's side to defer the final year of the last 3 year pay deal until at least September 2021. You will recall this is due to be implemented in January 2021 (2.5% Engineering and 2% H&V) and of course was an important milestone as it would set a minimum standard pay rate for TIE's of over £15 per hour.

In other industries where there are obvious COVID-19 issues that impact on employers we have acted reasonably in terms of either not pursuing or deferring pay negotiations i.e. we act reasonably where it is warranted. However, in terms of TICI business updates, other than initial difficulties over welfare facility provision due to social distancing, which appears to have been largely solved, plus some smaller company's facing difficulties over furlough support, there has been no substantial evidence presented to the trade unions of the need to defer this implementation. Therefore, the trade unions made it clear at the last NJC that we do not accept their request to defer, adding that any attempt to impose this would be met with an industrial response. We made it clear to the employers that we negotiate these deals in



good faith and both sides for better or for worse must accept the terms negotiated, balloted and agreed. However, the employer's side wrote again in early November effectively serving notice that they will not be implementing this award. Therefore, after further trade union side meetings and discussions a further formal dispute will be lodged over this issue as well.

We are of course obliged by way of the TICI National Agreement to seek to resolve both these matters by way of the agreed structures. However, in the event we are not able to do so, we will need to consult with you further over both a legal and industrial response to these issues. Therefore, it is imperative that you provide us with up-to-date accurate information on your employer and workplace/site and of course your full contact details i.e. address, email and other telephone details, all of which is of particular importance to industrial action balloting processes. We will be writing to you again in due course with a way of providing these details.

In the meantime, thank you for all your support you give to our lay activists and union officers.

Please Stay Safe!

Ross Murdoch

GMB National Officer

Noticeboard Bulletin - 24-11-2021



Posted on: 24 November 2021

Dear GMB Member,

Thank you for your support and assistance with the recent pay ballot that was undertaken by GMB and our Joint Trade Union.

We can now confirm that both trade unions having concluded their respective membership ballots, the results are as set out below:

GMB	Accept 3.1%	Reject 96.9%
Unite	Accept 6.9%	Reject 93.1%



Therefore, clearly both trade unions have comprehensively rejected the offer made by the TICl employers.

Considering these results, we have now written to the Chief Executive of TICA confirming these results and calling on TICl employers to come back to the negotiating table with an improved offer and one that the trade unions would be comfortable in recommending acceptance of in accordance with the mandates both have from their respective union memberships.

We have a trade union side national meeting on Monday 15 November with your NJC Reps to discuss next steps and await a response from the employer's side.

We will of course continue to update you as and when there are any significant developments.

Thank you for your continuing support.

Kind regards

Ross Murdoch

GMB National Officer

Noticeboard Bulletin - 01-07-2021



Posted on: 1 July 2021

Dear GMB Member,

I trust you and your families all remain well during these difficult times.

2021 Pay Award

I write by way of an update on TICl employer's failure to implement in January 2021, year three of a previously agreed 3-year deal for 2019-2021. You will recall from previous newsletters and surveys that this decision formed part of a national failure to agree (FTA); subsequent to this FTA being heard and rejected by employers, we have consulted you on how to respond on this intransigence. However, there was not an across-the-board mandate to mount a national industrial response; we have also been exploring potential legal redress, which I will touch on further on in this communication.



We are now at a point where we will be submitting soon a pay claim for 2022. However, your NJC reps made it clear at the June TICI National Joint Committee (NJC) meeting, that the employers needed to first of all make good on the outstanding pay uplift that was due in January 2021 and pay retrospective back payments to this date. The employers gave a commitment that they would respond in writing on this matter. We have now received this letter and the employers have confirmed agreement to the implementation of the pay award (2.5% to engineering and 2% to HVAC) from the 1 September 2021. However, they have also confirmed that they do not intend to back date the pay award to the anniversary date of January 1 2021. This latter point is extremely disappointing, however, given there was not an across-the-board mandate nationally for an industrial response on non-implementation, we have pretty much taken this matter as far as we can industrially.

In terms of a potential legal response to this non implementation of pay. We have been exploring the potential of running ongoing unlawful pay deduction claims. Any possible success on this, would be determined by the wording of individual employee's contracts of employment, particularly if it stipulates that your pay rates and terms and conditions will be determined by the outcome of negotiations that would be set out in the TICI National Agreement. We would then need to argue that the wording of said contracts would potentially present a legal argument that would allow a transfer of intention of the National Agreement to individual employers and say that a failure to pay the rate set out in the agreement amounts to an ongoing unlawful deduction. We are still exploring this, however, now that the employers have confirmed they will be implementing the 2021 claim in September, this changes the dynamics on any potential claim, as it moves from an arguable ongoing unlawful deduction, to one that would be time bound three months minus one day from what would then be the last unlawful deduction, which would be on 1 August 2021, effectively meaning any claim would be timed out after 31 October 2021. If you believe you have a contract of employment with wording that might lend itself to a potential legal claim, you need to make GMB aware of this, either by return or, by ringing your Regional Office.

In terms of the pay claim for 2022, I appreciate many of you may have already had discussions around this either via your GMB Rep, GMB Officer or, more likely via the GMB 'Laggers/TIE' Union Branch Structure. However, if not, then please let us have your views and aspirations for pay in 2022 before the end of July 2021, by letting us know what would you like to see GMB submit in the forthcoming pay and terms and conditions claim, anything you raise by return will be treated confidentially.

Any colleagues who are not yet in GMB, they can join online at: gmb.org.uk/join-online

Ross Murdoch - GMB National Officer

2020 Bulletins

Noticeboard Bulletin - 24-11-2020



Posted on: 24 November 2020

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Ross Murdoch

GMB National Officer

