

11 May 2020



STOP THE WAGE CUTS

Please take the time to read the newsletter carefully

This newsletter contains important information and advice about Leicestershire County Care Limited's (LCCL) proposals to cut the terms and conditions of employment (T&Cs) of staff who TUPE transferred to it from Leicestershire County and Leicester City Councils. The proposals were included in a letter sent to TUPE staff last month and include changes to payments for evening working - with some members facing a 30% pay cut - and annual leave, which would be cut to the minimum allowed by law.

IMPORTANT STOP PRESS - SEE PAGE 4

Campaign to fight cuts launched

UNISON has launched a county wide campaign to have the proposed cuts withdrawn immediately. The campaign began with television and radio interviews featuring UNISON East Midlands Regional Secretary, Chris Jenkinson, denouncing the cuts and demanding their immediate withdrawal. Chris also gave interviews to the Daily Mirror and Leicester Mercury, and has written to the leaders of Leicester City and Leicestershire County Councils asking for their help fighting the cuts.



In the coming days we will write to all Leicestershire and Leicester City MPs asking for their help in the campaign, and will launch a petition against the proposed cuts. We have also set up a facebook page and will establish a campaign page on our website.

- The facebook page is for members only and can be found at <https://www.facebook.com/groups/574888486467698/>
- Our website address is www.eastmidlands.unison.org.uk

We have also been speaking to members to discuss the cuts with them and find out more about how they will affect them. We will update you as the campaign progresses.



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Negotiations continue

We have met with Dr Kananda and members of the LCC senior management team remotely and asked them to withdraw the letter sent to TUPE staff while we are in negotiations about the proposals. They refused to do so.

We have subsequently written to them asking them - again - to withdraw the proposals while negotiations are on-going. We have also asked them to provide us with further information about the proposals and to agree dates for further meetings.

We await their response.

How to respond to the proposed cuts letter

You will have received a letter from LCCL detailing the proposed cuts and asking you to sign and return it if you agree to the cuts. The letter also says that LCCL will consider terminating employees' current contracts and re-engaging them on contracts containing the proposed changes to T&Cs.

LCCL cannot legally change your T&Cs without your agreement. Signing and returning the letter will provide that agreement and allow LCCL to make the proposed cuts to your T&Cs.

DO NOT SIGN THIS LETTER UNLESS YOU WANT YOUR T&Cs TO BE CUT.

Not signing the letter will also mean that you may have a claim in an employment tribunal claim if you are dismissed and re-engaged.

What to do if LCCL makes changes to your pay or other T&Cs while negotiations take place.

As advised above, LCCL cannot legally change your T&Cs without your agreement. You may have an employment tribunal claim if they do so.

Please contact us immediately if you notice any changes to your pay or other T&Cs, for example, if you are not paid your usual rate for working a bank holiday or evening shift.

It is important that you contact us immediately if you notice any changes. There is a strict time limit for lodging claims at an employment tribunal and they cannot be lodged if it is missed.



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What to do if you are not TUPE staff

Please support our campaign. Although the proposal cuts may not affect you directly, they will have a very damaging effect on your colleagues, many of whom are experienced, respected members of staff who help you ensure that the people you look after, the people who depend on you, get the care that they need. Moving forward, UNISON will work to ensure that all care home heroes get the reward they deserve. Let's start that work now by winning this campaign.

Make sure we have the right contact details for you

It is essential that we have the correct contact details for you so that we can keep you updated with the latest information and advice, and contact you when we need to. Please contact us immediately if you have not received, or missed, a telephone call from us to discuss the cuts.

How to contact us

Please call **0116 299 5103** or e-mail **unison.leicestercity@virgin.net** if you work in a LCCL care home in Leicester City.

Please call **0116 305 6153** or e-mail **jackie.dean@leics.gov.uk** if you work in a care home in Leicestershire County.

Get involved!

Our best chance of getting LCCL to withdraw the proposals – and to ensure fair T&Cs for all staff - is to get as many members and supporters as possible involved in the campaign. It is now widely recognised that care home workers are among the national heroes who have emerged during the current crisis. The whole country knows that and is grateful.

LCCL has wanted to cut the T&Cs of TUPE staff for a long time. That would be been unacceptable at any time, but to use the Covid-19 emergency as an excuse to do so defies description.

We need to stop these cuts. And we need your help.

Please let us know if you would like to get more involved. There are lots of things you can do, but a good starting place is to tell your colleagues who are not in UNISON about the campaign, and pass this newsletter on to them. You can also sign the petition and sign up to the Face book page. Or help us publicise how badly the cuts will affect you by telling us and others your story. Or just give us a call or drop us a line and we can take it from there.



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LCCL has not responded to our request for further information and meetings dates. Instead it has sent us documentation stating that it is considering up to 98 redundancies across all homes.

LCCL has only sent us copies of the form employers must send to the government if they are considering redundancies. Therefore we have only limited information about LCCL'S current position/intentions.

We have written to LCCL asking it to clarify its position with immediate effect.

Please contact us immediately if LCCL approaches you about the proposed changes to your T & Cs and/or redundancy.

UNISON advice to members remains the same: do not sign any documentation given to you by LCCL without taking advice from us first.

Strict employment laws apply to changes to T & Cs and redundancy situations, and you have clear, long-established legal rights in these areas. LCCL cannot use the threat of redundancy to force you to agree to a change to your T&Cs. Nor can it make you redundant for refusing to agree to the changes.

The law is also very clear that you have a right to seek advice and support from your trade union before agreeing to anything in either of the situations referred to above.

Please encourage your colleagues who are not UNISON members to join immediately. The more members we have, the stronger we are. They can join by calling or e-mailing the numbers/e-mail addresses above or on-line at **join.unison.org.uk**