



23 April 2015

JOINT UNION ADVICE ON SODEXO PROPOSED JOB CUTS & REDUNDANCIES

This bulletin sets out the joint probation unions' position on the job cuts announced in the 6 Sodexo owned CRCs, and gives advice to members who may be placed at risk of redundancy.

WHAT IS THE JOINT UNION POSITION?

Napo, UNISON and GMB are opposed to the 600 job cuts announced by Sodexo in early April to deliver on the proposed operating model for the 6 CRCs. We are also extremely concerned at reports that none of the 6 Sodexo-owned CRCs is planning to honour the terms of the national enhanced voluntary redundancy scheme (EVR), agreed as part of last year's Staff Transfer and Protections Agreement, if voluntary redundancies are eventually declared.

We intend to fight to ensure that Sodexo complies with the national agreement, and that EVR is the only route that is available for people to exit a CRC on redundancy grounds. Any other approach would leave our members at a disadvantage, and will be seen as unfair and unjust.

Any other voluntary severance package, or early retirement scheme, is likely to be inferior to the nationally agreed package, and members should be wary of any offer that undercuts the terms of the national agreement. See advice to members below.

In response to the threat to members' jobs, public safety concerns over the scale of the job losses and the possibility that the national agreement on EVR may be ignored, the three unions have:

- **Written on 17 April to Ursula Brennan, the MOJ Permanent Secretary, to ask her to:**
 - Confirm whether the Sodexo job cuts have been authorised by the Secretary of State as the 'special shareholder' in each of the CRCs. The unions doubt whether this has been done.
 - Instruct Sodexo to halt the timetable for the job cuts in order to allow proper scrutiny of the staffing and public safety issues after Ministers return to the MOJ after the general election
 - Confirm that each of the Sodexo-owned CRCs must abide by the terms of the contract that the company signed with the MOJ to honour the terms of the national enhanced voluntary redundancy scheme (EVR) if voluntary redundancies eventually take place, and that MOJ will enforce this contractual term if Sodexo refuses to abide by its provisions.

STOP PRESS: Michael Spurr in a letter to the trade unions dated 22 April has helpfully confirmed the following:

'We therefore confirm that your understanding (that the EVR terms set out in the National Agreement should apply to any voluntary redundancies offered by Sodexo CRCs to employees employed by a Probation Trust on 31 May 2014 for the lifetime of the Sodexo contracts) accords with the MOJ's intention and understanding of the relevant terms of the National Agreement and the ARSA [contract between MOJ and Sodexo], subject to any amendments to such terms being negotiated with the relevant employee representatives and in accordance with applicable employment law'

- **Lodged a national dispute at the National Negotiating Council (NNC)** at the meeting on Friday 17 April, over the risk to the national agreement on EVR and asked for the Joint Secretaries of the NNC to also instruct the 6 Sodexo-owned CRCs to halt work on the proposed redundancies pending resolution of the potential dispute over redundancy terms. MOJ representatives at the NNC meeting confirmed that MOJ agreed with the unions that Sodexo must apply the terms of the EVR scheme.
- **Met with Sodexo on Monday 20 April** to ask the company in the strongest possible terms to:
 - Reconsider the scale of redundancies, in light of our concerns over staffing pressures and public safety. We are awaiting information from Sodexo on their operating model so the proposals can be properly scrutinised.
 - Consult fully with trade unions locally over the company's proposed operating model via the CRCs' local negotiating machinery
 - Confirm that, if voluntary redundancies are eventually declared, Sodexo will comply with the NNC enhanced voluntary redundancy agreement

As a result of the meeting, and the trade unions' request to halt the redundancy process, Sodexo confirmed on 22 April that:

'Following discussions with our colleague CRC CEOs earlier today, we have agreed, where these have commenced, to pause our current redundancy consultations. This is pending further clarification, refinement and consideration of staffing numbers and associated budgets during May.'

- **Met to consider our joint union strategy going forward**, including the potential for industrial action if we cannot make progress on the above issues via negotiating channels

ADVICE TO MEMBERS

If you are an employee of one of the 6 Sodexo-owned CRCs, and you find yourself at risk of redundancy as a result of the recently announced job cuts, you are advised:

- Not to enter into any individual consultation or agreement with your CRC, or Sodexo, in relation to your job security or redundancy terms, until further advice from your union
- To refer any approach from your CRC, or Sodexo, regarding your job security or redundancy terms to your local union representative/branch
- To advise your CRC, or Sodexo, that you are not able to respond to any approach regarding job security or redundancy terms until you have received further advice from your trade union and refer your CRC, or Sodexo, to your trade union representative or branch

It is particularly important that you do not commit to accept any redundancy terms that have not been approved by your trade union, as it is possible that Sodexo plans to offer inferior terms to those set out in the national agreement. If you agree to any such inferior terms you will have put yourself outside of the protection of the national agreement and your union will be unable to assist you to improve your severance deal. More information will be issued as soon as it becomes available.