

PARENTAL LEAVE CHANGES TO TAKE EFFECT

There have been a number of developments on maternity rights which now apply to women whose baby was due on or after 5 October 2008. All pregnant women are entitled to 52 weeks maternity leave. For a woman to benefit from this right it doesn't matter how many hours she works or what her length of service is. This period of 52 weeks is divided into two periods of 26 weeks. The first is called ordinary maternity leave and the second is called additional maternity leave. During ordinary maternity leave, women have the right to benefit from all their contractual terms and conditions of employment apart from pay. Women are entitled to 39 weeks statutory maternity pay.

Before 5 October 2008, the distinction between ordinary and additional maternity leave was important because the benefits a woman could accrue were different between the two. Since 5 October, the benefits that women accrue during both forms of leave are now the same. This means that women will accrue rights to contractual annual leave and non-pay service benefits for longer. All women have the right to return to work at the end of their maternity leave. It is unlawful to allow a woman to return to work for two weeks from the day the baby is born. Women whose babies were due on or after 5 October can now claim discrimination if they are denied a discretionary bonus payment that accrues during this compulsory maternity leave.

The biological father or the partner of a child's mother is entitled to two weeks paternity leave. An individual wishing to take paternity leave must have been employed for at least 26 weeks continuously before the end of the fifteenth week before the baby is due, or adoptive parents are notified of being matched with a child. The paternity leave provisions cover individuals who are not the biological parent of the child but who will be responsible for the child's up-bringing. Despite this being referred to as 'paternity' leave, it is a benefit available to a man or a woman who can demonstrate eligibility.

Individuals taking paternity leave may take one or two consecutive weeks leave within 56 days of the birth or placement. During paternity leave, the individual is entitled to their usual terms and conditions of employment, other than pay, as if they were not absent. The individual is entitled to return to work to the same job on the same terms and conditions.

The entitlements under the adoption leave provisions are very similar to the maternity provisions. In order to qualify for adoption leave, an individual must be matched with a child by an adoption agency, have agreed that the child should be placed with her/him for adoption and have 26 weeks qualifying service. Only one person may take adoption leave at any time in relation to a child. Where two people jointly adopt a child, one person can take adoption leave and the other paternity leave. Parents are entitled to unpaid parental leave of up to 13 weeks for each parent for each child. Parents are entitled to 18 weeks parental leave for a disabled child. There is a qualifying period of one year's service and the leave can only be taken in relation to children under the age of five (unless the child receives disability living allowance). The leave taken must be for the purpose of caring for the child. The employee remains employed while on parental leave and certain minimum terms and conditions apply. If an employee takes less than four weeks parental leave in one block, they have the right to return to their old job. If more than four weeks are taken in a block, then they are only entitled to return to the job they were employed in prior to their parental leave unless this is not reasonably practicable, in which case the employee is entitled to return to a job that is suitable and appropriate.

In all cases, there are specific procedures that need to be followed in order to benefit from the parental rights outlined here.

Have you got a story for the UNISON newsletter? Email your stories and photos to unison2@warrington.gov.uk, call 01925 442187 or send ideas to UNISON, Town Hall, East Annexe, Warrington, WA1 1UH



WARRINGTON BRANCH NEWS

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Single Status - Update

UNISON & GMB continue to work closely with Warrington Borough Council to find an acceptable solution that supports the principles of back pay and pay protection. Recent Court of Appeal rulings have had a significant bearing on the ability of employers to award back pay and implement pay protection.

Warrington Borough Council have considered their options in light of the Court of Appeal cases and are now seeking high-level legal advice to ensure that they develop an appropriate and acceptable agreement. Unfortunately, this will impact on the timeframes for implementing the new pay and grading structure.

As a consequence of these developments and the further consultation that is required with UNISON & GMB, Warrington Borough Council have informed us that they are aiming for an implementation date next year.

We understand the frustrations many of you may feel as a result of this delay, but can assure you that we continue to work with Warrington Borough Council on the implementation of the Job Evaluation and Total Rewards Package.

Next stages of the process:

- The council needs to have written legal advice from their barrister on the proposals
- UNISON & GMB will consider the package and share with our national offices
- UNISON & GMB will officially respond to the council on its proposals in writing
- UNISON & GMB ballot members on the package
- The council informs employees of the outcomes of job evaluation
- The council implements the TRP including new pay and grading structure

Each of these stages will take some time, but it is difficult to say how long. What is clear is that we cannot move forward until we have exhausted each step and fully considered the implications.

We will continue to keep you informed of further developments.

Pam Howard & Jason Horan
Joint Branch Secretaries



Welcome Onboard

Neil Barlow, PDC
Julia Blair, New Town House
Who have recently become
Union Learner Reps for
UNISON

JUST DESSERTS

UNISON is launching a campaign to find out how recent changes to school food services have affected the working life of school meals staff. UNISON has been a major player in the campaign to improve school food and the lives of children. Now, through its Just Desserts campaign, it wants to find out how changes to the school meals service are affecting staff.

School meals staff have seen huge changes to the work they do in recent years, and they are now expected to do even more than before. We want our children to have good, well-balanced nutritional meals in schools and we know our school meals staff can deliver them. But we also want school meals staff to be rewarded properly for all the work they do and not crushed by an excessive workload.



As a start, UNISON is carrying out a survey of what workplace issues are affecting school meals staff. It asks a few simple questions and gives school meals staff the chance to comment on how things have changed in the schools they are working in. UNISON is calling on all school meals staff, both members and non-members, to take part in the survey. You need to fill it in and post or email your response back by 5 January 2009.

Taking part in the survey

You can take part in the survey by logging onto :
http://www.unison.org.uk/news/news_view.asp?did=4990

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SKILLS DRIVE

Jump onboard the GMB learning bus and see what union learn is all about. Many of you may have seen the bus stop at Woolston depot, New Town House & Bewsey Old School during the last six months. We will be organising further visits of the learning bus early in the new year.



You will be able to meet the UNISON Learner Reps who will guide you through an online assessment and taster IT session. This is an excellent opportunity for UNISON & GMB members who find it hard to access further education to get information on courses available to them, improve your CV or learn for fun. If you are not in a Trade Union and wish to access one of the many benefits that are available to you as a union member please contact the UNISON Branch Office.

PAY CLAIM UPDATE

Arbitration is continuing on the 2008/09 pay claim. UNISON is in the process of preparing the union's submission which will be made to the arbitration panel. The terms of reference were submitted to the employers side and we await their response. In the interim, members should now have received the pay award based on 2.45% and any associated backpay from 1st April 2008. Any further award will be based on the outcome of the arbitration process.

In the meantime UNISON is gearing up for the 2009/10 pay claim. UNISON has agreed with the other NJC trade unions that the following claim will be submitted:
" To improve real pay level's the trade union side seeks a one year, across the board pay increase of at least the level of retail price inflation with additional increases for the lower paid"
 We will keep you informed of any developments.

Fond Farewell.....

Shirley Forbes, Single Status Officer retired on the 30th November 2008 & Josephina Pickering, Vice Chair & Equalities Officer retired on the 30th September 2008.



Both Shirley & Josephina have been a valuable asset during their time as members and representatives of UNISON and will hopefully pass their wealth of experience on to the retired members section.

They will be greatly missed by everyone at UNISON who wish them well for the future.

RECRUITMENT DAYS

The UNISON Branch Office is in the process of organising recruitment days that will be held at places of work early next year. This will be an opportunity for any Members or employees not in UNISON to find out what benefits they are entitled to as a UNISON member. There will also be a free prize draw and UNISON goodies given out on the day. Please look out for further details!

