

# **CYWU MODEL RECOGNITION AGREEMENT**

## ***Preamble***

This agreement is made between Wales Youth Agency and the Community and Youth Workers Union (CYWU) with the intention of maintaining and furthering the best possible relationship between the Wales Youth Agency and its staff.

## ***1. General Principles***

The Wales Youth Agency and CYWU have a common objective in ensuring the long-term provision of high quality and effective services.

Both parties commit to working together in a spirit of mutual confidence, partnership and co-operation to achieve fairness and equality in the treatment of staff. The Wales Youth Agency and CYWU agree that it is mutually beneficial for the Union to be involved in the employer's decision-making process.

Both parties agree to make every effort, by joint discussion, to resolve any difficulties, which may arise, and to ensure that this agreement is effective.

The parties to this Agreement are committed to the development of positive policies to promote equal opportunity in employment regardless of workers' sex, marital status, sexual orientation, colour, disability, religion, race, ethnic origin, age or trade union membership / office. This principle will apply in respect of recruitment, training, and allocation of work and promotion. If any employee considers that s/he is suffering from unequal treatment then s/he may make a complaint, which will be dealt with through the agreed procedure for dealing with grievances.

## ***2. Recognition and Scope.***

(a) CYWU recognises the duty of the Wales Youth Agency Management:

- (1) To plan, organise and manage effectively.
- (2) To agree the duties and responsibilities of employees and reward them according to these duties and responsibilities, subject to JNC and other relevant terms and conditions of employment negotiated by CYWU.
- (3) To communicate with employees in furtherance of the operation of the organisation.
- (4) To ensure the well being and welfare of employees through good employment policies and practices.

(b) The Wales Youth Agency recognises the right of CYWU to protect and advance its members' interests through consultation, negotiation, representation and organising and in consequence:

- (1) Accords CYWU sole negotiating and bargaining rights on all matters relating to the terms and conditions of employment of staff employed by the Wales Youth Agency in the bargaining unit as defined in Section 4. No terms and conditions of employment shall be amended without prior negotiation and agreement between CYWU and the Wales Youth Agency;

And accepts the right of CYWU:

- (2) To represent any individual member of CYWU employed by the Wales Youth Agency who invokes the Grievance Procedure.
  - (3) To represent any individual member of CYWU employed by the Wales Youth Agency on any other matter.
  - (4) To organise and train so that it can be a democratic union and reflect the need of its members.
- (c) In negotiations under (b) (1) above the Wales Youth Agency CYWU members shall be represented by such representatives as CYWU may chose, including a National Officer of CYWU.
- (d) Representations under (b) (2) and (b) (3) will be made by an accredited Representative or by a National Officer of CYWU.
- (e) The organising and training of representatives under (b) (4) will be arranged by CYWU.

### ***3. Membership of CYWU***

Wales Youth Agency recognises that it is desirable for all employees, who are within the scope of this Agreement, to be members of CYWU. All such employees will be free to join and remain in membership of CYWU.

The Wales Youth Agency will advise new employees of this Agreement and will encourage them to join CYWU. The Wales Youth Agency will inform CYWU of the names and locations of each new entrant.

Where the Wales Youth Agency holds an induction program for new employees, the CYWU will be entitled to provide a briefing at the induction to explain the role of CYWU in the workplace. Where this facility is not available, employees will be introduced to CYWU on an individual basis.

### ***4. Bargaining Unit***

CYWU has the right to negotiate and represent on behalf of its members who are employed in Youth, Community and Play or allied fields (for example; learning mentors, children's workers or personal advisers).

Where an individual member is outside the bargaining unit as defined above, CYWU is entitled to represent the individual.

## ***5. Facilities***

**See attached agreement.**

## ***6. Negotiation***

**There will be formed a proper Local Joint Negotiating Committee**

See model constitution on CYWU's website or contact National Office.

National Office telephone number: 0121 244 3344

Website address: [www.cywu.org.uk](http://www.cywu.org.uk)

## ***7. Organisational Change***

The Wales Youth Agency agrees that before implementing any changes in established work practices or structures the employer shall negotiate with representatives of CYWU these changes any consequent issues through the negotiating procedure.

## ***8. Workforce Development***

The Wales Youth Agency and CYWU recognises that all employees should undertake appropriate training as necessary and that the Wales Youth Agency has the responsibility to improve and develop the skills of its employees to meet current and future requirements.

In recognition of this it is agreed that the Wales Youth Agency will invite representatives of CYWU including Union Learning Representatives to periodical meetings for the purpose of:

- (a) Agreeing a policy on training;
- (b) Agreeing plans for training for the next six months;
- (c) Reporting on training provided since the last meeting.

## ***9. Failure to Agree***

It is in the interest of both parties to this agreement that all negotiations will be carried out as expeditiously as possible and that every effort will be made to reach a mutually acceptable settlement within a mutually agreed timescale.

If the Wales Youth Agency and CYWU are unable to come to agreement on an issue that is subject to negotiation, and subject to the agreement of both parties, the matter may be referred to the Advisory Conciliation and Arbitration Service in an effort to reach settlement. Both parties commit to making all reasonable efforts to reach a settlement prior to reference to ACAS.

Until this procedure is exhausted the status quo will remain.

## ***10. Procedures***

The following procedures negotiated between CYWU and the Wales Youth Agency will be used at all times:

- (a) Disciplinary Procedure;
- (b) Collective Grievance Procedure;
- (c) Individual Grievance Procedure.

All procedures will be operated to ensure a speedy resolution of all matters arising.

**11. Termination of Agreement**

This Agreement can be terminated by two thirds of all CYWU members in the defined bargaining unit voting in a ballot in favour of termination.

The Wales Youth Agency is required to give CYWU three months notice of the its intention to hold a ballot. A ballot to terminate this agreement will be conducted by ACAS. The Wales Youth Agency will bear the costs of conducting such a ballot.

If a ballot to terminate this agreement is unsuccessful, the Wales Youth Agency cannot initiate another ballot for a period of three years.

**12. Review of Agreement**

Both parties agree to review this agreement on a regular basis to ensure that it continues to meet the needs of the employer and union.

A ballot of CYWU members must agree any changes to this agreement.

Signed on behalf of the Union:

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Signed on behalf of the Employer:

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