

Public Services Section BULLETIN



18 April 2012

NEW CONSULTATION RIGHTS REGARDING AGENCY WORKERS

Buried in the new Agency Workers Regulations are amendments to existing collective bargaining and redundancy consultation information rights for TUs. In those situations we now have the right to the same information about agency workers as we have about permanent employees.

This is likely to be very useful, particularly when trying to avoid redundancies.

COLLECTIVE BARGAINING

The requirement on an employer to provide collective bargaining information relating to the employers undertaking now says "including information relating to use of agency workers in that undertaking" (TULCRA 1992 s.181(2) as amended).

REDUNDANCY CONSULTATION

The requirement on an employer to disclose in writing certain prescribed information in relation to collective redundancy proposals now includes - "- the number of agency workers working temporarily for and under the supervision and direction of the employer - the

parts of the employer's undertaking in which those agency workers are working, and - the type of work those agency workers are carrying out" (TULCRA 1992 s.188(4) as amended).

These new trade union rights to information about agency workers apply everywhere and will be particularly useful for challenging Councils over the excessive use of agency staff. I recommend that we ask all Councils who do not do so to provide this information as a matter of course because we now have the right to demand it anyway.

Brian Strutton

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National Secretary - Public Services Section

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