



Higher National Unit specification: general information

Unit title: Trade Union Organising and Representation:
Trade Union – Employer Relations

Unit code: H2XJ 34

Superclass: AJ

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Unit purpose

This Unit is designed for trade union workplace representatives, learning representatives, equality representatives and/or health and safety representatives who are new to their role or may not have undertaken this level of training in the subject.

In this Unit candidates will develop the knowledge, understanding and skills to enable them to contribute to the maintenance of effective trade union–employer relations.

This Unit is mandatory in the framework for the HNC in Trade Union Organising and Representation and can also be taken as a standalone Unit, perhaps for purposes of continued professional development.

On completion of the Unit the candidate should be able to:

- 1 explain the nature of trade union–employer relations
- 2 evaluate an employer’s effectiveness in treating employees with dignity, respect and fairness at work
- 3 contribute to the development and maintenance of collective agreements with employers
- 4 participate effectively in negotiations with an employer

Recommended prior knowledge and skills

Although entry is at the discretion of the centre, it is recommended that candidates possess good communication and interpersonal skills. In addition, candidates should be able to demonstrate the support of their nominating union.

General information (cont)

Credit points and level

1 Higher National Unit credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Core Skills

Opportunities to develop aspects of Core Skills are highlighted in the Support Notes of this Unit specification.

There is no automatic certification of Core Skills or Core Skill components in this Unit.

Context for delivery

Contributing to the maintenance of effective trade union–employer relations is a central aspect of the role of the trade union representative. This Unit is intended to provide a generic introduction to the underlying principles and operational context.

If this Unit is delivered as part of a Group Award, it is recommended that it should be taught and assessed within the subject area of the Group Award to which it contributes.

This is a mandatory Unit of the HNC in Trade Union Organising and Representation and can also be delivered as a standalone Unit, perhaps for the purposes of continued professional development

Higher National Unit specification: statement of standards

Unit title: Trade Union Organising and Representation:
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The section of the Unit stating the Outcomes, Knowledge and/or Skills and Evidence Requirements are Mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the Knowledge and/or Skills section must be taught and available for assessment.

Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Explain the nature of trade union–employer relations.

Knowledge and/or Skills

- ◆ Historical development of trade union–employer relations.
- ◆ Contextual factors that impact upon relations with an employer.
- ◆ Framework relationship between the trade union and an employer.
- ◆ Participants in employer relations.
- ◆ Methods of influencing the bargaining agenda.

Evidence Requirements

Candidates will need to produce evidence to demonstrate their knowledge and/or skills by showing that they can:

- ◆ analyse the balance of power between employers and trade unions
- ◆ assess the current relationship between an employer and the trade union
- ◆ explain the roles of the main participants in employment relations
- ◆ identify ways in which the trade union might positively influence the bargaining agenda

Outcome 2

Evaluate an employer’s effectiveness in treating employees with dignity, respect and fairness at work.

Knowledge and/or Skills

- ◆ Organisational factors that influence treatment of employees.
- ◆ Relevant management practices.
- ◆ Organisational culture at work.
- ◆ Current practice in terms of workplace learning and development.
- ◆ Methods of influencing an employer’s treatment of employees.

Higher National Unit specification: statement of standards (cont)

Unit title: Trade Union Organising and Representation:
Trade Union – Employer Relations

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ explain the characteristics of organisational best practice for ensuring dignity, respect and fairness at work
- ◆ assess strengths and weaknesses in management practice and organisational culture
- ◆ evaluate the effectiveness of current arrangements for workplace learning and development and suggest improvements to provision where appropriate

Outcome 3

Contribute to the development and maintenance of collective agreements with employers.

Knowledge and/or Skills

- ◆ Benefits of collective agreements.
- ◆ Relevant legislation.
- ◆ Relevant ACAS Codes of Practice.
- ◆ Relevant trade union guides.
- ◆ Relevant employer policies.
- ◆ Trade Union recognition and facilities agreements.
- ◆ Grievance and disciplinary procedures.
- ◆ Mechanisms for dispute resolution.
- ◆ Supplementary specialist agreements and procedures, eg relating to training and learning, health and safety, work-life balance, bullying, harassment, absence management.

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ explain the benefits of a collective agreement
- ◆ explain the mechanisms for resolving conflict between employees and an employer
- ◆ outline the definition of 'grievance', 'dispute' and 'discipline' in the context of employment relations and explain the role and responsibility of the trade union representative within each
- ◆ evaluate at least one relevant employer policy
- ◆ evaluate a minimum of one relevant procedure or trade union–employer agreement
- ◆ contribute to the development of a workforce collective bargaining agenda

Higher National Unit specification: statement of standards (cont)

Unit title: Trade Union Organising and Representation:
Trade Union – Employer Relations

Outcome 4

Participate effectively in negotiations with an employer.

Knowledge and/or Skills

- ◆ Process of negotiation.
- ◆ Preparatory stages for a negotiation.
- ◆ Roles and responsibilities of participants in the negotiating team.
- ◆ Union and organisation's procedures for conducting a negotiation.
- ◆ Evaluation of own performance.

Evidence Requirements

Candidates will need to provide evidence to demonstrate their Knowledge and/or Skills by showing that they can:

- ◆ undertake preparatory work and planning for a negotiation
- ◆ explain the role and responsibilities of participants in the negotiating team
- ◆ conduct an effective negotiation
- ◆ describe appropriate follow-up procedures in relation to the outcome of negotiations
- ◆ evaluate own performance

Higher National Unit specification: support notes

Unit title: Trade Union Organising and Representation:
Trade Union – Employer Relations

This part of the Unit specification is offered as guidance. The Support Notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

This is a mandatory Unit of the HNC in Trade Union Organising and Representation and is also common to four specialist PDAs which have been designed for trade union representatives. It can also be delivered as a standalone Unit, perhaps for the purposes of continued professional development. It is intended for Trade Union Workplace Representatives, Health and Safety Representatives, Learning Representatives and/or Equality Representatives.

Contributing to the maintenance of effective trade union–employer relations is a central aspect of the role of the trade union representative. This Unit is intended to provide a generic introduction to the underlying principles and operational context.

Guidance on the delivery of this Unit

This Unit affords potential for integration with other Units in the HNC Framework for Trade Union Representatives. Where this is the case, centres should ensure that the Evidence Requirements for all Units are achieved. It is envisaged that candidates will also undertake the other necessary mandatory and optional Units required to achieve the HNC in Trade Union Organising and Representation.

Candidates will be practising trade union representatives — eg Equality Representatives, Health and Safety Representatives, Learning Representatives or Workplace Representatives.

Candidates are likely to attend in specialist groups drawn either from a single workplace or sector or from a variety of workplaces and sectors. Courses incorporating this Unit are therefore best delivered in short blocks or via day release, attended by cohorts of between ten and twenty candidates. The tutor should be an experienced trade unionist with knowledge and understanding of trade union structures, policy and practice. It is anticipated that tutors will have an understanding of the historical development of the labour process and the evolution of trade union-employer relationships.

Participant-centred, co-operative group work is highly recommended. Candidates will bring a range of valuable existing knowledge and experience, whether from trade union involvement, work, previous study or life in general and it is important to promote exchange of knowledge, experience and views in a mutually respectful, mutually supportive environment. Guidelines for working together should be agreed from the outset.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Trade Union – Employer Relations

Outcome 1 is intended to develop candidates' understanding of the nature of trade union–employer relations. Delivery should include a historical overview and examine the context within which the trade union operates. Candidates could begin by working in small groups to discuss what they see as the most significant social, economic and political developments affecting working people over the centuries, looking as far back as they like. The tutor could extend discussion during the plenary session and perhaps encourage candidates to draw a timeline of key developments. Information provided and activities should aim to help develop candidates' political understanding and better equip them to analyse the balance of power between employers and trade unions.

An opportunity to compare trade union–employer recognition, facilities and/or related agreements might help candidates assess the current relationship between their own employer and the trade union. They could review, for example, matters on which the employer and the trade union are committed to negotiate, facilities for trade union representatives and the extent to which the employer is committed to prior consultation.

Delivery should also include an activity designed to enable candidates to explain the role of the main participants in trade union–employer relations. Group discussion could help clarify the issues on which candidates currently bargain with the employer, the level of management involved, trade union involvement and their own and others' roles in the process. Where appropriate, candidates could produce diagrammes of the relevant bargaining structure.

Candidates could begin to identify ways in which the union may positively influence the bargaining agenda by identifying the main problems and concerns of the membership in their workplaces, concentrating on issues connected with their own specialism. Workplace representatives might focus on workplace operations, procedures and terms and conditions; health and safety representatives on the working environment and the way work is organised; equality representatives on promoting equality of opportunity and learning representatives access to learning opportunities. Candidates should then be in a position to review employer policies and trade union–employer agreements, suggest improvements or propose new policies, processes and agreements for inclusion in the bargaining agenda.

It is important that candidates also understand the importance of trade union organising in positively influencing the bargaining agenda. Delivery might therefore include how to build trade union organisation and how to campaign.

By the end of Outcome 2, candidates should be in a position to evaluate an employer's effectiveness in treating employees with dignity, respect and fairness at work.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Trade Union – Employer Relations

In assessing strengths and weaknesses in management practice and organisational culture, candidates might consider some of the following:

- ◆ Are organisational changes always well communicated and is the union consulted?
- ◆ Is organisational culture such that management have an open style with consultation embedded and employees and the union involved in decision making?
- ◆ Are employees encouraged, motivated and provided with adequate resources to do their jobs effectively?
- ◆ Is there a bullying and harassment policy and is the organisation proactive in ensuring people are treated fairly by managers and colleagues so ensuring that a culture of mutual respect is embedded?
- ◆ Is the way work is organised continuously reviewed, accommodating employees' needs and preventing unacceptable workloads?
- ◆ Is there a culture of creativity and innovation where employees have the freedom to adopt their own methods of working and use their own discretion?
- ◆ Is the performance management system continuously reviewed and improved in consultation with union and employees?
- ◆ Is the organisation supportive in times of distress and uncertainty?
- ◆ Is the organisation very pro-active with regard to health and safety management, involving union safety representatives in assessing and avoiding/reducing risks?

Workplace representatives might also examine the relationship between organisational culture and overuse of discipline and grievance procedures where this appears to be the case.

Outcome 2 should include activities designed to encourage candidates to investigate and share information about arrangements for workplace learning and development to better enable them to evaluate their effectiveness and suggest improvements to provision where appropriate.

Outcome 3 should ensure that candidates are able to contribute to the development and maintenance of collective agreements. The focus here is likely to depend upon candidates' specialism — eg learning representatives are likely concentrate on developing understanding of the benefits of learning agreements.

All candidates should develop knowledge and understanding of mechanisms for resolving conflict. They should be able to outline the definition of 'grievance', 'discipline' and 'dispute' and explain their own role and responsibility within each. Case-handling practice might be useful here, using real or case study examples. Workplace representatives will benefit from examining the ACAS Code of Practice on Disciplinary and Grievances in some detail. They might also draw a flow-chart diagramme that outlines an employer's discipline or grievance procedure, indicating stages, time limits, management and trade union involvement.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation: Trade Union – Employer Relations

Candidates should be encouraged to obtain, bring and compare relevant employer policies, agreements and procedures, eg relating to equality, training and learning or health and safety as appropriate to the group. They could compare them to ACAS and trade union guidance and note possible areas where these could be improved for inclusion in the bargaining agenda. It might be helpful for candidates to list relevant policies and agreements in table format, noting their source, union involvement, agreement and review dates, adding their own evaluation comments for at least one employer policy and a minimum of one procedure or agreement.

Outcome 4 should provide candidates with the opportunity to reflect on their experience of participating in negotiations with an employer. Activities designed to develop the candidate's knowledge and understanding of the process of negotiation, the preparation required and the roles and responsibilities of all those involved should be delivered. Role play activities will also be useful for delivery of this Outcome. Candidates should be encouraged to reflect on their own effective contribution to the negotiation.

Assessment Guidelines

This Unit could be assessed holistically with evidence to cover all Outcomes stored in a portfolio or workbook.

Assessment could comprise several separate tasks and it would be possible for a candidate to combine and submit these as one complete assignment. Evidence for assessment can be in any appropriate format as long as the Evidence Requirements are met. For example, assessment may include case studies, group discussion, presentations, written or oral reports and/or diagrammes.

Outcome 1

Outcome 1 assessment evidence could comprise responses to a series of questions in any appropriate format.

Outcome 2

Outcome 2 assessment evidence could comprise responses to a series of questions in any appropriate format and an evaluation report.

Outcome 3

Outcome 3 assessment evidence could comprise responses to a series of questions in any appropriate format and could include a diagramme of a grievance or discipline procedure or other mechanism for resolving conflict, indicating stages, time limits, roles and responsibilities and candidate's own contribution.

Higher National Unit specification: support notes (cont)

Unit title: Trade Union Organising and Representation:
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Outcome 4

Outcome 4 assessment evidence could comprise responses to a series of questions, supplemented by a negotiating plan and a record in any appropriate format of candidate effective participation in a negotiating meeting. This could be backed up by the candidate's evaluation of their performance in the negotiations.

Online and Distance Learning

This Unit could be delivered by open learning; however it would require careful planning by the centre to ensure the sufficiency and authenticity of candidate evidence.

Opportunities for developing Core Skills

The Core Skill of *Communication at SCQF level 6* will be developed by candidates through a range of activities (both written and oral) as well as class and group discussions.

The Core Skill of *Problem Solving at SCQF level 6* will be developed as the candidate will be dealing with various complex workplace issues and will also learn about the trade union approach to problem solving.

The Core Skill of *Working with Others at SCQF level 6* will be developed as the candidate will be involved in group discussions and group tasks, participate in union team building activities, theory and practice.

The Core Skill of *Information and Communication Technology at SCQF level 5* will be developed as the candidate will likely utilise computer search engines when carrying out research.

Disabled candidates and/or those with additional support needs

The additional support needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments, or considering whether any reasonable adjustments may be required. Further advice can be found on our website www.sqa.org.uk/assessmentarrangements

History of changes to Unit

Version	Description of change	Date

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General information for candidates

Unit title: Trade Union Organising and Representation:
Trade Union – Employer Relations

This Unit will be of interest to you if you are a trade union workplace representative, learning representative, equality representative and/or health and safety representative. You may be new to your role or may have not undertaken this level of training in the subject.

You must be able to demonstrate the support of your nominating union to undertake the Unit. This is a mandatory Unit of the Higher National Certificate in Trade Union Organising and Representation but can also be taken as a standalone Unit, perhaps for the purposes of continued professional development.

Contributing to the development and maintenance of effective employer relations is a central aspect of the role of the trade union representative. This Unit is intended to provide a generic introduction to the underlying principles and operational context.

To achieve this Unit you will complete four Outcomes, providing evidence to show that you can:

- ◆ explain the nature of trade union–employer relations
- ◆ evaluate an employer’s effectiveness in treating employees with dignity, respect and fairness at work
- ◆ contribute to the development and maintenance of collective agreements with employers
- ◆ participate effectively in negotiations with an employer

Assessment for the Unit may include evidence generated from role play, case studies, group discussion, presentations, observation, written or oral reports and/ or diagrammes.

During this Unit, there may also be opportunities to develop your Core Skills in *Communication, Working with Others, Problem Solving* and *Information and Communication Technology*.