



## Greater Manchester IT Branch

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# MCD Redundancies

Last week's announcement of redundancies in MCD may not have come as a total surprise, but it's certainly bad news.

Employees are being asked to elect reps for the "consultation" process. While many feel that the consultation is a sham, with key decisions already taken, it's in your interests to make the process work as well as you can.

## What is the consultation process?

The company is legally obliged to consult employees over the proposed redundancies. The consultation must include:

- Avoiding redundancies
- Reducing the numbers of redundancies
- Mitigating the consequences of the redundancies (legal jargon which means making them hurt less)

The consultation must be "with a view to reaching agreement", so the company must not take its decisions until consultation has taken place.

For consultation to begin, the company must provide your reps with some basic information (in writing):

- the reasons for the redundancies
- the numbers and description of employees whom it is proposed to make redundant together with the total number of employees
- the selection procedure to be used
- the proposal for how the redundancy dismissals are to be carried out, including the time scale
- the proposed method of calculating the amount of any redundancy payments to be made and information on what non-statutory payments are available

If the company doesn't meet the requirements of genuine consultation, your elected reps can lodge a claim for a "Protective Award" (compensation) to an Employment Tribunal on your behalf.

We advise all employees to keep a written "diary" of what they are told, when and by whom, during the process. This could prove vital to you later on.

AMICUS is providing legal representation for Ian Allinson, one of the UK Consultative Forum reps, who lodged such a claim for the 2002 ICL redundancies in Warrington.

Legal action is not a good outcome – compensation is inadequate, and the process is slow. The cases from 2002 aren't likely to be resolved until 2004.

Legal action is a last resort, when a company won't do what it should. However, the possibility of legal action is a useful lever during the process.

## Reps

It's important that you are well represented in the consultation process. Choose individuals you trust, and who will work hard for you. It's also worth ensuring your reps are union members.

Ian Allinson says: *"If I'd not been a union member, I couldn't have afforded to take Fujitsu Services to court when the consultation process didn't work. AMICUS is providing top-quality legal representation, and it isn't costing me a penny."*

Union members also have access to information, advice, training and support through the process. Did you know the facts in this leaflet already? Redundancies are (sadly) an area of great union expertise. Why struggle on alone?

AMICUS members at Warrington decided to back the following candidates in the reps election:

**Sales:** Anne Wainwright, Darren Hedley

**Finance:** Lisa Worthington

**Supply Chain:** Jeanette Critchley, Debbie Street

Please give them your support.

## What is AMICUS?

AMICUS is Britain's second biggest union, formed just over a year ago by a merger of MSF and the AEEU. AMICUS organises throughout the IT industry, and is the union for Fujitsu employees. We already have "union recognition" at MAN05, and can win it in Warrington, with your support.

AMICUS won't provide individual representation for these redundancies to staff at Warrington who join *after* selection for redundancy, so join now.

If you'd like to join AMICUS, you'll find membership forms and subs rates on our "MAN05 Union" CafeVIK community, or on our Internet site [www.ourunion.org.uk](http://www.ourunion.org.uk).