

The British Veterinary Union (BVU) has recently been launched under UNITE and will provide members with support and trade union representation on numerous issues, including employment matters and health & safety. Citation works in association with SPVS and has produced this member factsheet outlining the possible implications this could have when dealing with employment disputes.

## The Ramifications

Up to 17,000 members of the veterinary profession could become members of UNITE which provides veterinary employees with support, advice and representation when dealing with an employment related matter.

UNITE provides its members with full documentation on employment law matters including;

- how to challenge your employer
- how to fill in pay claims
- how to contest your contract of employment

There is also access to a 24 hour helpline for members, and this can be used to obtain advice for family members too. This could mean that one of your employees could be taking legal advice against you via a member of their family and the BVU.

Should a SPVS member employer require an employee to attend a disciplinary or grievance meeting, the employee may well bring a BVU representative to support and accompany them.

## The Legal Perspective

All workers have the statutory right to be accompanied by a fellow colleague or accredited trade union official/representative when they are required to attend a workplace disciplinary or grievance hearing. This right applies to casual and agency workers, and it applies whether or not the employer normally recognises a trade union.

To exercise the right to be accompanied, the worker must make a reasonable request. This request need not be in writing. What is a 'reasonable' request will depend upon the circumstances of the individual case.

The worker, and their chosen colleague (whether or not this person is a trade union representative) are both entitled to a reasonable amount of paid time to prepare for the hearing.

The person accompanying the employee at the hearing is allowed to address the hearing to confer with, and put forward the case of the worker; sum up and review detail and arguments; and respond on the behalf of the worker to any opinions expressed in the hearing. The companion does not have the right to answer questions on the behalf of the worker, address the hearing against the workers wishes, or obstruct the worker from explaining their case.

Failing to allow a worker this statutory right, or disadvantaging a worker for exercising the right to accompaniment could lead to a claim to an employment tribunal.

For a **disciplinary** process to be lawful and reasonable, the employee must have been given the opportunity to take a colleague or trade union representative into the hearing.

Employees also have to right to be accompanied to any subsequent appeal hearing.



## What further support can be provided by the BVU?

The BVU can fully arm the employee on their rights before and after any subsequent meetings taking place even if it is not possible that the employee be accompanied to the meeting.

The BVU will also publish documents for employees, not only setting out their employment rights, but proactively suggesting common employment issues and areas of potential dispute they may wish to raise as grievances, and how to go about this.

In a business context of ever increasing employee awareness as to their rights, and the statutory procedures to be followed to pursue them, it has never been more important to take strong pragmatic employment law advice.

## Additional Support

For additional support on this topic contact the Citations SPVS Member Helpline on **0845 844 4848** quoting **“SPVS Member”**.

