



AXA UNION NEWSLETTER

February 2009

California Concerns



Following AXA's announcement on 22 January 2009 of the decision to transfer 1,300 employees to Capita, Unite held meetings with union members in Bristol, Basingstoke and Coventry. At these meetings many employees expressed anger about AXA's decision, concern about being transferred to Capita and worries about their future job security.

Frozen Out!

An immediate issue is the impact of the movement freeze on "in scope" employees. For contact centre employees whose work will transfer to Craigforth and employees in Basingstoke and Coventry whose work will transfer to Bristol, this means that they cannot apply for other jobs within AXA, even though they know their current role will no longer exist within two years of their transfer to Capita.

Unite have continued to pursue this, however AXA and Capita are taking the literal interpretation of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) that they will simply transfer the people with the work on the transfer date. Unite acknowledge that this is not open to a legal challenge, however we have requested that both companies adopt a more pragmatic, fair and reasonable approach and look to reduce the numbers they actually transfer to help alleviate the problem. Unite have also asked AXA UK CEO Nicholas Moreau to see what he can do to help ensure that these "in scope" AXA employees are treated fairly.

Can They Do This To Me?

Although employees may not wish to leave AXA, as long as the requirements of the TUPE legislation are adhered to a UK employer can transfer a clearly defined business or work area (an Undertaking) and the associated employees to another company. The role of the union is to

negotiate the terms, conditions and benefits that transferring employees will receive. Union recognition also transfers and Unite will continue to be the recognised Union for AXA members that are transferring to Capita.

Members have raised a host of other issues relating to specific terms and conditions and their existing AXA benefits. Unite have now commenced negotiations with AXA and Capita over the exact terms of the TUPE and have made all parties aware of the aspects that are of most concern to members.

AXA have posted answers to some employee questions through the California Q&A section on the Intranet. There are a number of complicated areas that will take some negotiation for Unite to resolve with AXA and Capita, including the exact details of pension provision, redundancy benefits, redeployment within Capita and AXA Miles and AXA Shareplan.

As stated in our newsletter of 22 January 2009, one of the key objectives Unite want to achieve is a joined up process following the TUPE where AXA and Capita work together to try and match their respective recruitment and downsizing needs. We want AXA to commit that job vacancies will not be filled externally when they could provide roles for employees whose roles will not have a long term future with Capita. Transferred employees that in the future are no longer required by Capita should receive information, assistance and a degree of priority in applying for any suitable roles that may become available within AXA.

Talk To Unite: Members should raise issues or give any feedback about Project California via their local Unite rep.

www.axa-unite.org