

Appendix A

Memorandum of Agreement

This Memorandum of Agreement is made the 8th day of June 2007
Between:

Olympic Delivery Authority (“ODA”) of 21st floor, Churchill Place, London E14 5LN

CLM Delivery Partner Ltd (“Delivery Partner”) of 21st floor, Churchill Place, London E14 5LN

Transport & General Workers Union (“T&G”) of 128 Theobalds Road, London WC1X 8TN

Amicus (“AMICUS”) of West Common Road, Bromley, Kent BR2 7AU

General Municipal Boiler Makers (“GMB”) of 22/24 Warpole Rd, London Sw19 4DD

Union of Construction, Allied Trades & Technicians (“UCATT”) of 177 Abbeville Road, London SW4 9RL together called the Partners

Memorandum of Agreement for the 2012 Games

It is recognised that on a Programme of the size and complexity of the 2012 Olympics, good Industrial Relations is not an optional extra. Rather it is the key to realising the ultimate goal of a successful project, completed on time and within budget.

Major construction projects bring together large numbers of people from many different walks of life, with a wide range of complimentary disciplines and skills. It is essential that they function as a team and go about their tasks in a constructive and disciplined manner. A well structured framework for the conduct of Industrial Relations, based on agreed principles, will help to achieve this important goal. This Memorandum of Agreement, while not legally binding, sets out the agreed principles.

An Industrial Relations Partnership

The principles contained in this Memorandum of Agreement have been agreed following direct consultations between the ODA, the Delivery Partner and T&G, AMICUS, GMB UCATT who are signatory to the main National Working Rule Agreements for the construction and allied industries, that will apply on the 2012 Olympic Programme.

The success and effectiveness of the implementation of the Industrial Relations principles agreed between the parties will depend on all the parties acting co-operatively and in good faith, with the ODA undertaking an active monitoring and coordinating role to ensure the consistent and fair application of the principles across all contractors engaged to work on the Programme.

The Partners have agreed to meet regularly to review the Programme, and deal with issues arising out of the application of this Memorandum or other issues of an urgent nature. Any Partner may call a Project Review Meeting.

Principles

The Partners Agree to the Following Principles:

- a) The current agreements that will apply (subject to any appropriate amendments) on the 2012 Programme will be:
 - the WRA for the CIJC;
 - the NAECI Agreement;
 - the JIB Agreement for the Electrical Contracting Industry;
 - The JIB Plumbing Mechanical Engineering Services Agreement in England and Wales;
 - the National Agreement for the Heating, Ventilating, Air Conditioning Piping and Domestic Engineering Industry;
- b) The recognised Trade Unions are key Partners on the Programme and the contribution that they can make is valued and welcomed;
- c) The Partners will convene periodically as the ODA/TU Programme Review Group to review progress, identify areas of concern and look at solutions that are mutually acceptable;
- d) The Partners undertake to use their best endeavours to uphold the Principles set out above and work to achieve the cost effective completion of the 2012 Programme by the scheduled completion date within budget;

In addition ODA assisted by CLM will encourage their contractors to work towards achieving the following:

- e) In order that the best employment practice is achieved the parties to this agreement commit to the ethos of a directly employed workforce. If unavoidable circumstances occur in respect of direct employment, despite the best endeavours of the employer, then the ODA and Trade Union Programme Review Group is committed to discussion and resolution of the impact and circumstances of such occurrences.
- f) The terms and conditions of employment will be in accordance with the national WRA for the contractors type and scope of work, and will include the benefit schemes as covered in working rule 21 or, in the alternative, a local agreement approved by the ODA;
- g) Where practical payment by results schemes will be operated in order to boost earnings and promote productivity.
- h) The trade unions signatory to the national WRA for the engineering construction industry will be recognised by the construction employers;
- i) Check off arrangements will be provided by the contractor on reasonable request from a recognised signatory trade union and should not unreasonably be refused.

- j) Operatives will be encouraged to be in membership of a trade union that is signatory to the appropriate WRA under which they are employed;
- k) Local representatives will be recognised by their employer and reasonable in-house facilities will be provided, including office space, access to a telephone, use of a computer, access to notice boards; etc. This to include reasonable time off for Trade Union duties the details of which are to be agreed with their employer.
- l) Reasonable facilities for in-company meetings of local representatives will be provided;
- m) Regular joint meetings will be held between the contractor and the contractor's senior site representatives;
- n) Full time trade unions officials may visit an employer by prior appointment and having complied with the security procedures in place at the particular time such a request should not be unreasonably refused;
- o) Local labour will be encouraged and given support to take up the opportunities to develop training, skills and accreditation and to take employment opportunities that will be required for employment on the programme.
- p) All applicants for employment will complete an Application for Employment form and be issued with a Statement of Particulars of employment;
- q) Appropriate arrangements for the handling of individual and collective grievances and disputes will be established and operated in an efficient and timely manner, in accordance with the appropriate national agreement .
- r) Disciplinary site rules will be published and made accessible to operatives;
- s) Disciplinary procedures will be applied fairly and consistently, and conform to the ACAS Code of Practice and statutory requirements;
- t) Managers and supervisors with direct responsibility for operative discipline will, as part of their induction process, undergo appropriate training;
- u) Every worker will be fairly and efficiently managed, so that they can contribute to the Programme to the best of their ability, in a safe working environment where they will be treated with dignity and respect;

We the signatories are confident that the Principles agreed above by the Partners and enshrined in this Memorandum of Agreement, will help to achieve a successful outcome for the Programme, thereby enhancing, the reputation of Britain for being able to deliver complex and high quality construction projects on time and within budget.

Signed by
For and on behalf of ODA

Signed by
For and on behalf of CLM

Signed by
For and on behalf of T&G

Signed by
For and on behalf of AMICUS

Signed by
For and on behalf of GMB

Signed by
For and on behalf of UCATT