

**ISLE OF MAN PUBLIC SERVICES COMMISSION**  
**JOINT NEGOTIATING COMMITTEE CONSTITUTION 2015**

**1. CONSTITUTION**

The Committee shall be known as the Isle of Man Public Services Commission Joint Negotiating Committee ("the Committee").

**2. SCOPE**

The functions of the Committee set out in paragraph 4 shall relate to all employees of the Isle of Man Public Services Commission ("PSC").

**3. MEMBERSHIP**

The Committee shall consist of 2 sides -

- a) One shall comprise of not more than 6 members representing the Public Services Commission ("the Commission") being Members or Employees of the Commission (The Employers' Side), of which at least 1 member shall be a Member of the Commission.
- b) The other shall comprise not more than 6 members representing Prospect and Unite the Union (The Employees' Side). The split of union representatives shall be not more than 3 Prospect and 3 Unite the Union, which must include the full time officers of each union.

**4. FUNCTIONS**

4.1 The functions of the Committee shall be:-

- a) to provide a mechanism and to work in partnership, in the determination of and regular consideration of the pay, allowances, hours of work, and working conditions of employees of the PSC; and
- b) to reflect the requirement for joint consultation between the PSC and the employees concerning the provision and development of efficient, cost effective services in the public interest and the obligation to be a responsible employer.

4.2 It shall not be a function of the Committee to consider

- a) claims concerning the pay or terms and conditions of individual employees except where the post occupied is individual in character so that the pay, terms and conditions for it has necessarily to be assessed separately; or
- b) matters which impinge upon the Commission's duty to determine the numbers and grades of employees, or issues which are specifically reserved for other dedicated formal mechanisms.

## **5. MEETINGS**

A representative of the Employers' Side will act as Chairperson.

## **6. SUB-COMMITTEES**

The Committee may appoint from its own members such sub-committees as may be considered necessary for specific purposes. The Committee may delegate any of its functions to sub-committees so appointed, and may co-opt persons of special knowledge to serve in a consultative capacity to such sub-committees.

Any additional sub-committee convened must not impinge on the functions and authority of any Joint Consultative Committees ("JCC") within the PSC.

The functions of the JCCs, for the time being, are:-

- Health Safety and Welfare provisions
- Training and Development
- Local Issues

Matters excluded from the JCCs will be the discussion of issues which only relate to one employee unless there is a demonstrable impact on a larger group of employees.

## **7. QUORUM**

The quorum of the Committee or any sub-committee thereof shall be 2 members from each side. And in the case of the Employees' Side, there must be at least 1 member from each union, unless otherwise agreed by both unions.

## **8. DECISIONS**

The decisions of the Committee shall be arrived at by agreement between the 2 sides and shall only be effective when signed by the Chairman on behalf of the employer and each respective full time officer of Unite the Union and Prospect on behalf of the employees.

## **9. MEETINGS**

Meetings of the Committee shall be held on a quarterly basis or as may be necessary at the request of the Chairman or the employee representatives.

## **10. AGENDA**

The agenda for each meeting of the Committee shall be agreed by and circulated to both sides before the date of the meeting.

## **11. FINANCE**

Each party to this Constitution will be responsible for its own expenses. Responsibility for the costs of arbitration and facility time is as set out in the relevant agreements in respect of these matters.

## 12. FAILURE TO REACH AGREEMENT

Where agreement between the 2 sides of the Committee cannot be reached by negotiation it shall be open to either side to refer the matter in dispute:-

- a) to the Industrial Relations Officer who may seek to bring about a settlement by way of conciliation; or
- b) to independent arbitration under the terms of the Public Services Commission Arbitration Agreement 2015.

## 13. AMENDMENT OF THE CONSTITUTION

This Constitution may only be amended by agreement of the Committee, except that where agreement is not possible, it will be necessary to refer the matter to a Special Committee of Tynwald to determine, in accordance with Section 5(2) of the Public Services Commission Act 2015.

## 14. REPORTS

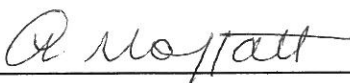
From time to time the Committee may provide the Chief Minister with a report of its decisions, for the information of the Council of Ministers.

## 15. INFORMAL ARRANGEMENTS

This Constitution does not preclude the possibility of informal meetings continuing to take place from time to time between the Commission and Prospect and Unite the Union for the purpose of discussing matters of mutual interest or concern raised by either side which fall outside the scope of this Constitution.

## 16. CITATION

This Constitution may be cited as the Isle of Man Public Services Commission Joint Negotiating Committee Constitution 2015 and shall come into effect on 1 September 2015.



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Signed on behalf of  
Prospect



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Signed on behalf of  
Unite the Union



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Signed on behalf of the Commission

**1 September 2015**

