

UKAPE Contacts

If you have a home email address where we can contact you, please email the details to either Dick Hegerty or Peter Everitt. Updated information is also posted on the UKAPE website at: www.ukape.org.uk



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The President's Swansong



Peter Everitt

The first thing I need to do is to welcome Syd Croft as the new UKAPE President from the end of the Annual Members Meeting (AMM) held on 12 June. Syd is a member of long standing and I hope he won't find that I have bequeathed too many 'interesting issues' to him. The AMM was the first of its type we have held and gave me the opportunity to set a variety of precedents (I am aware of two but there were probably others); I can't tell yet whether these will help or hinder my successors. Further details of the meeting are given elsewhere in this issue.

The other topic I need to write about is the British Airways (BA) cabin crew situation and its effect on UKAPE.

All the UKAPE Officers and I are disappointed with the way things have turned out and with the media version of events. However, anyone who has been involved in a story which has grabbed the media's attention knows that the real story is very different from much of what is published (I was involved in the investigation of the Concorde crash in 2000). As is often said, the first casualty in any war (or other major dispute) is the truth.

The BA cabin crew situation is complicated and this is part of the reason the media gets things wrong: a complex situation doesn't fit in with a good headline.

I know that I don't know the facts in detail but I believe the fundamental cause is that in November 2009 BA decided to impose reductions in the number of cabin crew on all flights without proper consultation with the employees who were affected. Those employees were concerned that the reductions would have a significant impact on the level of customer service offered and would damage the airline. They have offered a package of pay cuts and selective staffing reductions which gave the same savings as BA claimed for its imposed solution. Since then BA appears to have gone into 'macho management' mode and refused to consider seriously the employees' offer. These negotiations have been going on for a year, and long ago exhausted the established procedure.

When your employer tries to dictate to you and then persists in ignoring your attempts to negotiate, what alternatives are there other than capitulation or some form of industrial action? In this case the actions are not just driven by a few hot-heads but are supported by an overwhelming majority of the ordinary members in a secret, postal, ballot.

I still find it surprising when a major employer fails to see the need to treat all its employees as part of the team and to be prepared to make compromises to keep them feeling that way. Even more surprising this time, because the cabin crew is the primary face of BA as seen by its customers.

One other point which doesn't come across in the media coverage is that in all such disputes it is the local group of members which is fundamentally in charge, in this case the BA cabin crew. The Unite hierarchy is providing support as requested; it does not take the basic decisions. This is what we would expect from Unite if any UKAPE members were in a similar situation: support from the full-time officers but that our members would take the basic decisions. I need to make it clear that this support is from Unite and not from the UKAPE organization.

While we might not agree with what the BA cabin crew members have done I believe we must respect their right to take their own decisions, in the same way that we would expect them to respect our decisions. I also believe that the benefits of being part of Unite, the expert and locally available support which our members expect at an acceptable cost to the individual, outweigh any negative aspects of "guilt by association" which we may feel when a dispute in another part of Unite reaches this stage.

Peter Everitt President

Editorial

Since the last "Engineer Today" came through your door you may have noticed there has been a general election. As expected we are stuck with a hung parliament which may or may not be a good thing, and an unlikely coalition between the Conservatives and the Liberal Democrats.

It is not for me to comment further as that would obviously be in breach of UKAPE's apolitical stance which it has upheld from the very beginning. Nevertheless it is not unreasonable to ask if there is likely to be anything in the coalition's policies that will benefit the average working engineer. I suspect not. With the promised contraction of the Civil Service the possibility of the appointment of an Engineering Adviser is extremely unlikely. Will registration be introduced? I think not. Will any of the recommendations put forward by the Committee of Inquiry into Engineering be implemented? Almost certainly not.

Many engineers who work in the private sector rely on public sector finance to provide contracts for the private companies to function. My company is a case in point. If there is a downturn in government funded projects, as looks likely, it seems inevitable that there will be large-scale redundancies in the private sector as a result.

Perhaps we should all lobby our local MPs suggesting that the government should approach these matters with a degree of caution and be aware of the consequences. It may also be worthwhile to refer to the American experience in the thirties and how Presidents Hoover and Roosevelt restored the US economy by promoting large public works.

The other matter which appears to be exercising the minds of some of our members is the British Airway dispute, which has received high profile media attention. Let us not lose sight of the fact that UKAPE and UNITE are trade unions. Trade unions do become involved in disputes with employers - that is the nature of the beast. If this is unacceptable to you then perhaps this is not the right place for you, but think carefully before doing anything you might regret in the future. I would suggest you look at Peter Michael's article in this very issue.

We would welcome your comments on these or any other matters so please keep your letters coming in.

Sydney Wood Croft

BSc, CEng, MIMechE

Syd Croft is the new president of UKAPE elected by the Executive Committee at its meeting immediately before the Annual Members Meeting on 12 June.

We have some biographical details of your new president which he has provided and which we pass on. Syd was born in February 1939 in Sunderland where he survived some of the heaviest bombing in the UK. After various excursions to other parts of the country he returned to the North East and now lives in Whitley Bay within sight of the North Sea. As a lad he served a student apprenticeship with English Electric Aviation Ltd at Warton Aerodrome in Lancashire, where he worked on the Canberra, Lightning and TSR2. At the same time he obtained a BSc in Mechanical Engineering from Durham University.

Following a spell with English Electric after completing his Student Apprenticeship, Syd's early career was spent in turbine design and research into the aerodynamic and mechanical aspects of electrical switchgear. Later he moved into the areas of filtration and the design of rotary shaft lip-type seals, becoming the ISO Group convenor on this topic.

Syd is active on local and national committees of the Institution of Mechanical Engineers and is a past member of both the Engineering Council Senate and the Registration Panel of the Engineering Technology Board. He has been a member of the UKAPE Executive Committee for ten years.

Syd sincerely believes that engineers are at the forefront of the national wealth-creating process and despite this, the majority of practising engineers are generally undervalued by society. In his opinion, at least part of the reason for this is the fact that engineers do not generally have to be licensed or registered. Members of every other profession of any standing have to be, usually in the interests of public health and safety. Are engineers any different?

Whether or not licensing turns out to be the key to improving the career prospects of practising engineers remains to be seen. However, Syd is quite clear that he will always support policies designed to reach this goal.



With The Union and The Grace Of God!

Every month the cruel spotlight of bad publicity focuses on certain engineers and all the good things they have done are forgotten. The rest of us empathise with their situation, and thank our lucky stars that we have escaped this trial by media or worse. There but for the Grace of God! Presently (June 2010) the BP disaster dominates our news: apparently more cautious engineering advice from Halliburton was overruled.

In May the controversial decision was made to suspend all flights for several days due to drifting volcanic ash from Iceland. Earlier this year there was the recall of Toyota cars. Even Toyota makes mistakes. Every Professional Engineer has some story of critical decisions, which may have affected life and limb as well as the more mundane, but equally damning, contractual obligations.

One of my own critical decisions occurred when I had to authorise a piece of software that was required for the sharp end of the Falklands War. The software was dispatched, waiting to be loaded by our warships pending the final test. If it failed to work then lives, even whole ships, could be lost to enemy action. This final test was on a warship under simulated full battle conditions involving about 200 engineers and ship's staff. But the results were contrary! The system did the exact opposite of what was expected. Everyone accused the software guys. "You got a minus instead of a plus somewhere - we must cancel the whole thing despite the consequences." But I said "Wait - give me one hour to examine the data thoroughly." "That's all the time we can afford - no more!" The tone of our sponsor was grave, very grave - war was imminent! The data printout was massive, enough to wallpaper a good size room and I had to unravel the irrelevant and find the crucial bits of data - analogue records and digital printouts intermingled. It was like searching through a Dan Brown novel to find a hidden sentence built from a single word in each chapter. But within the hour I had found the vital section of data - the software had worked correctly but unexpected factors had intervened and masked the results. The official signal went out to the fleet immediately to load the new software. What few people knew was that this vital section of software was designed almost literally on the back of an envelope in one morning then all the normal extensive testing and QA were compressed into a few days as the emergency of war loomed.

Well, our team got it right and it all worked perfectly. Certainly one warship was saved that might otherwise have been lost. But what if, in that one hour, I had either given up or missed the one piece of vital data? What would the consequences have been? Clearly fortune was with me and the rest of the team. But I was grateful that if something had gone wrong my union UKAPE/UNITE was there to support me.

Although this may appear an extreme example, it was not. I had several high level encounters during my working career, as did many of my colleagues. I had less than 24 hours to examine and check every safety aspect of a new weapons assembly depot for reasons that were entirely outside my control. There were severe financial penalties for failing to meet this deadline. For this I had to determine whether there were any aspects of safety, which were implied but not covered by either existing procedures or direct specification. This involved a new technique in the approach to safety - all in the course of 24 hours!

In these situations it is easy to be self-confident in your own professional capability sometimes to the point of arrogance but this is dangerous - very dangerous. Several times in my experience a 'lower profile' member of the engineering team has made a vital contribution to the success of a project by complementing the technical knowledge of the Professional Engineer and even saving the day. Belonging to a union is belonging to a fraternity that unites people at work across all their different working situations. It has made me appreciate that all the team should be cherished and valued regardless of status.

Difficult decisions have to be made by Professional Engineers somewhere every day. The time pressures, the cost pressures, staff being pushed into positions of responsibility beyond their current capability. They may be working in areas where the specifications and the operational environment is not clearly defined or even understood. Where the standard procedures are inappropriate or even incorrect. Where equipment designed for one purpose is used downstream for another purpose or used in a different operational environment without consultation.

Once Professional Engineers put their signatures to ratify the performance and safety of hardware or software then they can be held responsible - no excuses! What if they are put under pressure from management to sign - even bullied? What if they have reservations that are difficult to quantify? These would be dismissed as feeble excuses in any court of law. Not just the relatively benign British legal system, but anywhere in the world. The law recognises right or wrong, safe or unsafe, black or white. Concepts of probability, caveats and sufficiency of design and mathematical models can be dismissed merely as 'smoke and mirrors' by a sceptical counsel for the prosecution. The more senior management would 'slope shoulders' and plead total ignorance of the technical details and put the blame squarely on you, the Professional Engineer. It was your decision to sign!

Your Professional Institute hauls you up for misconduct and tries to strip you of your hard-earned professional qualifications. These Professional Institutes are too often run by academics mainly interested in enhancing their own reputation. How many of these governing bodies really understand the day-to-day pressures of getting the job done? So, if you make a mistake, who will stand up for you? The customer? No! Your company? Unlikely. Your professional body? Unlikely. Your union? Yes!

Unions such as UKAPE/UNITE have Professional Engineers as members, some of whom may have been through exactly the same experience as you. They can provide a network for like-minded professionals and offer friendly advice that may help you navigate out of difficulty in the first place. Should you ever have the misfortune to land in the mire then there is wealth of experience in many technical and legal areas to support you.

Speaking personally, I realised early on in my career how easy it is to find yourself in a tricky position, so I joined UKAPE - just in case. Whilst it is always good to have the grace of God with you, it is also helpful to have a union behind you as well!

Peter R Milne

Annual Members Meeting 2010

The first Annual Members Meeting took place on 12 June in the palatial surroundings of the Imperial Hotel Russell Square in London. The meeting was opened by the outgoing president, who introduced John Pullen the editor of Institution of Mechanical Engineers Journal, the "Professional Engineer". John was quick to point out that whilst he was not an engineer, he had been around engineers for many years and knew what made them tick. Whilst space does not allow us to deal with all the points made by Mr Pullen I will refer to one observation he made in which he referred to politicians and their inability to engage with engineers. His view was that politicians are "endemically incapable" of interacting with professional engineers. After a short question and answer session the meeting went on to deal with the agenda items.

After dealing with the usual matters of business, the meeting received the report from the Executive Committee for the year up to 31 December 2009, delivered by President Peter Everitt. As this was the first Annual Members Meeting, this report covered the period from the previous Biennial Delegate Conference in June 2008. Peter referred to the Special Delegate Conference in 2009, which approved the change to the annual meeting. He went on to deal with the fortieth anniversary of the association and the commemorative certificates issued to founder members last year. He continued by referring to a motion presented to the 2008 BDC, which called for a rebranding of the association. A small group had been formed to examine all options and had reported its findings to the EC. A number of working parties had been formed to deal with the various recommendations and would be working on the different aspects of the report so that a clear strategy for the future could be formulated. Peter then referred to the UKAPE submission to the Parliamentary Inquiry into Engineering. The main thrust of our submission was the need for statutory licensing of the profession, which sadly was not part of the committee's recommendations. Finally Peter reported on the action taken by the EC on the various motions passed at the 2008 BDC.

Brian West dealt with the finances of the association, which were reported to be in a healthy position. A copy of the Accounts is included on page 5 of this edition.

Two motions were presented, the first dealing with the desirability to co-opt an IT specialist to the EC, the second covering the quorum required at the AMM and reduced it from 10 voting members to 5. Both motions were carried. An emergency motion was submitted calling on the EC to press for new members' details to be circulated to the appropriate centre so that welcoming letters and other information can be passed on. This was carried unanimously.

Finally both Peter Everitt and Kevin O'Gallagher gave details of the background to the British Airways dispute.

Bob Simpson



Unite-Amicus UNITED KINGDOM ASSOCIATION OF PROFESSIONAL ENGINEERS

INCOME AND EXPENDITURE ACCOUNT FOR THE PERIOD ENDED 31st DECEMBER 2009

	2009		2008	
	£	£	£	£
INCOME				
Retained Funds Subs Payback	[1]	9,397		
Administration Allowance	[1]	5,422		
RRMPSA Subscriptions Received		360		
Branch Subscriptions	[2]	100		
Misc Income	[3]	97		
Total Income		15,376		
EXPENDITURE				
Recruitment		1621		2,413
Newsletter		3514		3,726
E.C. & Officers		5381		6,846
Working Parties		253		785
Centre Expenses		383		607
Federation Expenses		349		242
Book-keeping & consumables		258		631
Sundry Expenses	[4]	330		175
Bank Charges (RRMPSA)		11		20
Branch Contributions	[5]	540		772
Life Members		864		792
Depreciation		67		89
Sub-total - Operational Costs		(13,571)		
Operational Surplus/(Deficit)		1,805		
Special Costs	SDC	(1,499)		BDC
Surplus / (Deficit) for year		306		

BALANCE SHEET AT 31 DECEMBER

	2009		2008	
FIXED ASSETS				
Initial value (Laptop & Printer)		268		357
Additions		-		-
Depreciation [25% p.a.]		(67)		(89)
Value at year end		201		
CURRENT ASSETS				
Current a/c		24,253		2,405
Reserve a/c		-		20,830
RRMPSA a/c		609		925
Total		24,862		24,160
Debtors	[6]	3,164		3,015
Total		28,026		
CURRENT LIABILITIES				
Uncleared cheques	[7]	(1,890)		(1,412)
Other creditors		-		-
Total		(1,890)		
NETT ASSETS		26,337		
REVENUE BALANCE				
ACCUMULATED FUNDS B / F		26,031		
SURPLUS / (DEFICIT) FOR YEAR		306		
ACCUMULATED FUNDS C / F		26,337		

Notes. [1] DDs & cheques are banked by Unite/Amicus. UKAPE claims payback on agreed sum per payer.
 [2] Members payments to Treasurer. [3] Retired members gifts
 [4] UKAPE & RRMPSA sundries. [5] RRMPSA plus Members subs.
 [6] Retained Funds + RR subs due 2009Q4 [7] Current a/c and RRMPSA.

Redundancy Consultation under Special Circumstances

The law requires employers to consult affected employees when making 20 or more employees redundant, unless there are "special circumstances" making it difficult to comply. The Employment Appeal Tribunal (EAT) has said in a recent case that employers are not totally relieved from the obligations to consult even if they can show there are "special circumstances".

The Basic Facts

An engineering construction contractor (S) won a contract for work on a power station. The contract gave the main contractor's project manager the power to tell its sub-contractors to stop and start work at little or no notice. After about a year, S had about 145 craft employees on its books at the site. Given the short term nature of the work, it had agreed a redundancy procedure with Unite which was recognised by the company for these employees.

On 31 April the main contractor told S that certain works would have to be rescheduled by close of business the following day. S's operations manager then gave notice of redundancy to about 50 craft employees and terminated their employment with effect from 2 May, giving them a week's pay in lieu of notice. Unite claimed that the contractor was in breach of the collective consultation requirements under section 188 of the Trade Union and Labour Relations Consolidation Act (TULRCA). The company argued that it was not reasonably practicable to comply because of "special circumstances" as provided for under section 188(7).

The Relevant Law

Section 188(1) TULRCA says that employers must consult "appropriate representatives" if they propose to make 20 or more employees redundant. Section 188(2) states that when consulting, employers must consider ways of avoiding or reducing the number of dismissals and must also disclose certain information to the representatives under section 188(4). Section 188(7) states, however, that if there are "special circumstances" which mean it's not reasonably practicable to do so, employers must "take all such steps... as are reasonably practicable in those circumstances" in order to comply. Section 189 states that tribunals can make a protective award if they decide a complaint is well-founded. On this basis UNITE took the matter to the Employment Tribunal.

The Tribunal Decision

The tribunal said that although there were special circumstances that meant it was not reasonably practicable for S to comply with all the statutory requirements, there was no reason why the company could not have carried out some consultation. It stated: "Consultation may be quite adequately completed within a matter of only a few days depending on the circumstances, and we see no reason why in this situation, this respondent could not have consulted with the Union representatives commencing on 1 May and continuing perhaps only for a very few days thereafter." It ordered 90 day protective awards for the employees.

The Employment Appeal Tribunal Decision

The EAT agreed with the tribunal that although there were special circumstances, it was still possible for S to comply with at least some of the consultation requirements under section 188 and consult over a few days.

It continued however that when assessing the seriousness of the failure to consult, tribunals should take into account both "the culpability of the employer and the harm or potential for harm of the default. The tribunal should take into account all the circumstances and make such award as is just and equitable".

It therefore remitted the length of the protective award to the tribunal in the light of this guidance

German Engineers

We have received information to the effect that the shortage of engineers in Germany is so serious that a number of leading companies are turning to nursery schools to ensure future supplies.

Large companies including Siemens and Bosch amongst others are giving money and materials to kindergartens in an attempt to interest children as young as three in technology.

Whilst there is a general shortage of engineers throughout Europe the problem in Germany appears to be particularly acute. With around 95,000 vacancies in industry, there are only about 40,000 trained engineers available. (Figures supplied by the German Engineers Association.)

Apparently Siemens has provided about 3,000 "discovery boxes" filled with science experiments suitable for three to six year olds to kindergartens throughout the country. It also trains teachers how to use them and is in the process of supplying similar items to other countries through the world.

Bosch sends its apprentices to the kindergartens to talk to the children and explain what they do at work and then invite them to look around the companies.

There are also moves to interest more girls in a career in engineering involving visits to technical colleges and other educational and industrial centres.

Is this yet another example of German efficiency going over the top or is it something UK companies should consider? The Germans are clearly looking to the future, should the UK be doing the same?

Dick Hegerty

And finally, for those who would like to know more about our Assistant National Secretary, here are the details: Dick graduated from London University in 1952, becoming a Chartered Civil Engineer, and is now long retired.

His career was almost evenly divided between Local Government and Consulting, mostly on design and supervision of motorways, trunk roads and bridges, industrial and commercial buildings, foundations, drainage and car-parking. He spent thirteen years in charge of a county highways computer systems office, undertaking systems analysis and programming in Basic, Fortran, dBase II and Pascal. He then continued as a partner in a small consultancy in Essex, followed by eighteen months in Turkey. Somewhere along the way he has been Treasurer of a PTA, Treasurer of a PCC and a Churchwarden. His union activities began in NALGO, where he ended up as Branch President of Essex County Branch (3500 members).

Since retiring, Dick obtained a Masters in Environmental Science from Essex University in 2000. He has also carried out lots of voluntary work in a boat yard and an office, and is now driving for – and helping – blind and otherwise handicapped people.

The date of joining UKAPE is beyond recall but it was "near the beginning". He had a long spell working with Charles Hickling on pensions and then on Conference Committee. He was President in 1985-8 and again in 2002-4. He is now National Assistant Secretary, a job which started off as minute secretary for the Executive Committee but seems to have grown a bit since then...



Dick Hegerty