



**Seasons Greetings  
from UKAPE  
(Part of the Unite Family)**



**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](http://www.ukape.org.uk)

**Syd Croft,  
President**  
Tel: 0191 297 2566  
Email: [syd.croft@ukape.org.uk](mailto:syd.croft@ukape.org.uk)



Syd Croft

**Peter Everitt,  
Past President**  
Tel: 0127 585 1174  
Email: [peter.everitt@ukape.org.uk](mailto:peter.everitt@ukape.org.uk)



Peter Everitt

**Dick Hegerty  
Vice President and Asst.  
National Secretary**  
Tel: 01284 727739  
Email: [richard.hegerty@ukape.org.uk](mailto:richard.hegerty@ukape.org.uk)



Dick Hegerty

**Bob Simpson  
Vice President & Editor**  
La Garde, 63600 Ambert,  
Auvergne, France  
Tel: +33 (0)4 73 82 35 85  
Fax: +44(0)7050 659943  
Email: [bob.simpson@ukape.org.uk](mailto:bob.simpson@ukape.org.uk)



Bob Simpson

**Bob Douglas  
Vice President**  
Tel: 02380 558 637  
Email: [bob.douglas@ukape.org.uk](mailto:bob.douglas@ukape.org.uk)



Bob Douglas

**Jock Curren  
Vice President**  
Tel: 0116 267 4130  
Email: [jock.curren@ukape.org.uk](mailto:jock.curren@ukape.org.uk)



Jock Curren

**UKAPE,**  
Hayes Court,  
West Common Road,  
Bromley, Kent, BR2 7AU  
Tel: 020 8462 7755  
Fax: 020 8315 8234



Hayes Court

**Kevin O'Gallagher  
National Officer**  
Email: [kevin.ogallagher@ukape.org.uk](mailto:kevin.ogallagher@ukape.org.uk)



Kevin O'Gallagher

**Michele Smith (x394)**  
Email: [michele.smith@ukape.org.uk](mailto:michele.smith@ukape.org.uk)

**The Future?**

How often do we hear the cry "There's a shortage of Engineers"? Unfortunately, what many people ignore is that several definitions are required to properly understand this statement. For example, is the alleged shortage in the public sector, the private sector, or both? Is it supposed to be in all Engineering disciplines or just one? Finally, who is it that is claiming there is a shortage of Engineers? Is it the employers or the employed? Looking around at the mature Engineers I know personally, who cannot get a job in spite of all their experience and qualifications, I can confidently say that it is not the employees. Therefore it must be the employers.



Syd Croft

Human Resource departments probably think there is a shortage if fewer than ten people apply for a given post. I remember an article in a technical magazine bemoaning the fact that too few people were entering the Rubber and Plastics Industry, and, try as he might, the author could not understand why this should be. In the same magazine, another article decried the poaching that was going on in the same industry to attract experienced staff. Indeed, horror of horrors, there were parts of the country where salaries were having to rise to either retain, or recruit, staff. This was viewed as a heinous crime. Unbelievably, the publishers of the magazine appeared to be incapable of linking the two articles as cause and effect.

At this point I have to hold up my hand and say that it would be unwise of me to speak of anything other than manufacturing in private industry, because that is the only subject of which I have had any experience. Therefore it is in this particular vein that I shall continue and leave it up to you to decide whether what I have to say is applicable in your own case

Certainly in Private Industry employers think it is good business practice (i.e. cheaper) to employ students with all the latest technical gizmos and software at their fingertips, rather than retrain experienced Engineers. However right or wrong this approach may be I know from personal experience that it does happen. Moreover once Engineers have specialised in a particular discipline, recruiting agents who receive their CVs tend to pigeonhole them in the section reserved for that branch of engineering, and they rarely get out.

Another problem in recruitment lies in the geographical location of the work. For those of us who are married, it is more common than not for both partners to need to work to support their common objectives. In this case, if one partner wants to move to the other end of the country in order to advance their career or, in the case of redundancy, even to maintain an income, their partner will also need to find work in the same area. At the risk of being accused of sexism, it was simpler in the days when the husband was the main breadwinner. He would go where he could earn the most money and the family would follow. It is far more complicated now and is made worse if the wife is an Engineer. The chances of two Engineers simultaneously finding jobs in the same town or city must be very slim indeed. Yet again this is a case of there not being an actual shortage of Engineers, but, for financial reasons, jobs may not be available at the same time.

Finally, if it can be shown that there is a genuine shortage in a particular sector, what is to be done about it? The obvious solution is to increase the salaries, but the effect of this can only last for a short time. Eventually so many people will join that supply will exceed demand and salary levels will fall, according to 'best' business practice.

A revolutionary solution to this problem would be for us all to work for the same organisation, and be hired out by it to individual companies as and when we are needed. That way, redundancy would be avoided and any necessary retraining can be done between jobs while the individual is still on the payroll. The benefits would be to make Engineering a much safer profession than it is at the moment and therefore more attractive to the next generation. In addition, the overall balance of supply and demand could be kept in our favour, thus ensuring higher salaries.

All Engineers employed by this hypothetical organisation would automatically be licensed. Therefore its existence would benefit the general public because only licensed Engineers would be able to work on safety-critical applications.

Whether this organisation is a private company or the Government is immaterial. After all, nearly every GP works for the government and that has done their negotiating power, and job security, no harm whatsoever. Unlike the Medical Profession, it is the principle of divide and rule that governs Engineering, and will continue to do so until we do something about it.

Whatever the benefits of the solution I have outlined, I am, if nothing else, a realist, and appreciate that it is unlikely to happen. However something needs to be done to improve the Engineering Profession not only for the benefit of the individuals concerned, but also the country as a whole. One of my aims is to have it analysed and compared with other professions to determine what we need to change to make it a well-rewarded career for the brighter students to compete with each other to join.

*Syd Croft President*

## Editorial

It is of course old news now, but with the mining tragedy in New Zealand fresh in our minds let us cast our minds back to the rescue of the thirty-three miners trapped underground in Chile. As the popular press would have it, the world held its breath as slowly all thirty-three were successfully rescued and all eyes were on the miners and the rescuers as one would expect. But let us not lose sight of the fact that this was by any standards a great feat of engineering and as Engineers we should recognise it as such. Naturally our thoughts were with the miners and their families but without the hard work, application, dedication and intellectual expertise of the Engineers who constructed the escape shaft and the capsule those poor souls would never have been rescued.

Again, more old news and more mundane matters – cuts. Whatever the political rights and wrongs, the government has now indicated what it intends to do. There have been many views advanced concerning the decisions the government has taken and it is not normally the policy of UKAPE to comment on this. Where we can and should comment is in areas where there are likely to be redundancies and reduced working hours. All employees have rights, and employers, even in comparatively hard times, have legal obligations as far as this is concerned. We, as members of this Association, should be doing our best to convince our colleagues that they should all seriously consider joining us. Legal action, should it be necessary, is expensive, and membership of UKAPE will take care of that and go some way to providing peace of mind if the worst happens. Remember recruitment material is available from Head Office and advice and assistance is always available from any of the Executive Officers whose details appear on the back page.

We now have a new General Secretary elect who will be taking office in the new year. How this is likely to affect this association is too early to say at this stage; we have included a short biography of Mr McCluskey so that our members can see with whom we will be dealing in the months to come.

We have also included in this edition the second instalment of the history of our association as it is told in the anonymous booklet obtained by Vice President Bob Douglas.

And with that it only remains to wish all our readers the compliments of the season and once again trust that we all can enjoy a Happy, Healthy and Prosperous New Year.

Bob Simpson  
Editor



## UKAPE Networking

As part of its recruitment campaigns, UKAPE has recognised that a number of networking websites exist. Visibility on those websites could assist in attracting new members.

A UKAPE group has already been established on the LinkedIn website, and we would encourage every UKAPE member who is already registered on LinkedIn to join that group. If anyone else wishes to join that networking site, its address is [www.linkedin.com](http://www.linkedin.com)

We are interested in finding out to which other networking sites UKAPE members belong. We can then investigate creating groups on those sites as well. Please send details of the networking sites to which you belong, to Peter Milne ([peter.milne@ukape.org.uk](mailto:peter.milne@ukape.org.uk)) who will collate the list.

Peter Milne

## A History of UKAPE 1969 to 1988 Part 2:

*In the last Engineer Today we left UKAPE after its formation in 1969. Having decided on a name our association then went about the business of organising itself and formulated the management structure shown below. This lasted with very little substantial change for the next forty years or so, and here we cast our minds back to the heady days of the early seventies to look at the way things were then, not, please understand, as they are now. We continue to quote from the history booklet.*

### How UKAPE's Structure Works

The UKAPE structure gives members the maximum opportunity to participate at every level.

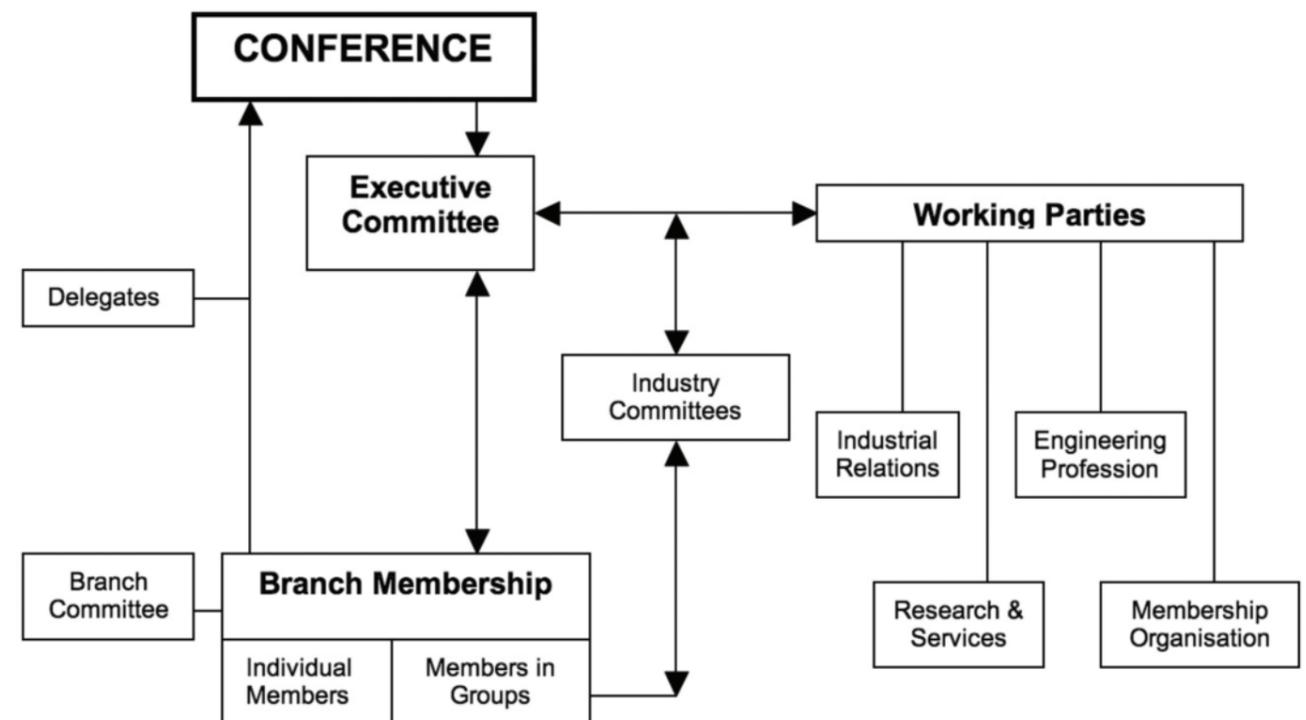
### Groups

A group may be formed when there are sufficient members at a particular workplace. Its primary function is to represent those members' interests to their employer.

### Branches

Branches covering the entire country are established on a geographical basis. The regular quarterly meetings enable members to influence UKAPE policy by developing proposals for conference and by putting forward matters for consideration by the Executive Committee.

### UKAPE'S Management Structure



### The Executive Committee

The Executive Committee has the duty of implementing Delegate Conference decisions and evolving policy between Conferences. At every Executive Committee meeting there is an opportunity to discuss Branch business.

## Conference

The Biennial Delegate Conference is the overall controlling body of UKAPE. It meets to debate motions submitted by Branches and the Executive Committee. Only the elected Branch Delegates may vote thereby placing control in the hands of the members. In addition to this basic structure, UKAPE Groups coordinate their activities through Industry Committees meeting to formulate policy and exchange information, industry by industry. Also responsible to the Executive Committee are specialist working parties developing national policy and responses to external events.

A description of the structure, its purpose and how it works would never be complete without mention of the members who lead the Groups, Branches and Industry Committees. These grassroots organisations only work because of the efforts and abilities of the dedicated members who give up their time for the benefit of their colleagues.

UKAPE's first major industrial confrontation came to a head in 1970 at C. A. Parsons, Newcastle, where DATA (shortly to become TASS) used strike action to compel the Company to declare a "closed shop" in an area including 32 UKAPE members. These members refused to join DATA and the company issued notices of dismissal. One of the members, Jack Hill, fought a test case claiming "wrongful dismissal". The High Court found that the Company would indeed be guilty of Wrongful Dismissal if they carried out the dismissals but the Court could not prevent them from doing so. UKAPE went to the Court of Appeal where Lord Denning enforced a stay of dismissal until the 1971 Industrial Relations Act outlawing the closed shop came into force. This was UKAPE's first major victory and the Press loved it. It was by no means the end of "The Parsons Case" but it recruited members to UKAPE by the hundred.

*As we indicated at the top of this piece these organisational details are the way the Association was organised at its inception. Things have changed and will continue to do so. Bob Douglas has prepared the following thoughts on the way representation could be improved under the current circumstances.*

## UKAPE Member Representation

For the whole existence of UKAPE the position of the local representative who attends the National Executive Committee meetings has been central to its democracy.

If it is thought that area (Centre) representatives are still required then there needs to be a more inclusive means of selecting such representatives as currently attendance at quarter nights is low. If Centre representatives are no longer necessary then the whole ethos of the UKAPE Executive Council needs to be reconsidered. I contend that area representatives are still required. One of the requirements of this is that each Centre's area has to be clearly defined and the members residing in that area identified and able to be contacted by some means. The assumption is that residence identifies their Centre and not the workplace. (This is opposite to Unite's definition). The selection/election of Centre representatives will be by all Centre members electing the representative. It will require Centre members to be informed that a new representative is required and nominations to be sought. Potential representatives will be self-nominated. The nominees will have to present themselves at a meeting to say how they would undertake the post of representative. If there were more than one nomination an election would take place, involving all Centre members by post or otherwise.



## Executive Officers Committee

During the course of the year the Executive Committee (EC) normally meets quarterly to carry out its duties in dealing with the running of the Association. In between those meetings the Executive Officers also meet quarterly to ensure that things do not drift and the EC is properly briefed for its next meeting.

This picture shows the EOC in session in the Board Room at Esher Place. These meetings are held in the evening and involve the President, Vice Presidents, the Treasurer and the National Secretary. If there are any members who feel they would like to make a contribution in this way, (and these evenings are not all business!), please get in touch with any one of the Officers whose contact details appear on the back page.

*Bob Simpson*  
Editor



## Len McCluskey received 101,000 votes in the recent election to become the next General Secretary of Unite

Speaking after his election, Mr McCluskey said: "I am honoured and humbled at the confidence Unite members have shown in me. My first task now will be to bring our union together and unite it in a campaign against the devastation the Government is unleashing against working people and their communities throughout the land."

Mr McCluskey, 61, is a lifelong trade union activist and has held several senior posts with Unite and the Transport and General Workers Union. He will take over from Tony Woodley and Derek Simpson, who have been joint general secretaries since Unite was formed on 1 May 2007.

Mr McCluskey was born in the Liverpool Docklands and went to Cardinal Godfrey school in Anfield. During his teenage years he went to work for the Mersey Docks and Harbour Company and remained there for the next 11 years. He has been a trade unionist since 1968, when he was a dock worker in Liverpool. He became a shop steward aged 19, and was a campaign organiser for the TGWU in Merseyside during the 1980s after becoming an officer of the union in 1979. He supported Liverpool Militant during the 1980s, but was not a member. He has been a member of the Labour Party (UK) since 1970.

He became the national secretary for the TGWU's General Workers group in 1990, and moved to London to work in the union headquarters. He became the TGWU's national organiser for the service industries in 2004. Before being elected as General Secretary of Unite in November 2010, he was Unite's assistant general secretary for industrial strategy.

Mr McCluskey was elected on 21 November 2010 as General Secretary of Unite to replace the joint general secretaries Derek Simpson and Tony Woodley. Derek Simpson retires in December 2010, and Tony Woodley retires in December 2011; McCluskey will work alongside Woodley as "General Secretary Designate" until then.

He received 101,000 votes on a 15% turnout, ahead of Jerry Hicks (52,000 votes), Les Bayliss (46,000 votes) and Gail Cartmail (39,000 votes). He has indicated that he will serve a single five-year term.

*Bob Simpson*  
Editor



## Adverse Reference

Employers do not have to provide references, but if they do the information in them must be accurate and truthful. In *Bullimore v Potheary Witham Weld Solicitors*, the Employment Appeal Tribunal (EAT) held that an employer who provided an adverse reference for an illegitimate reason had to compensate the claimant for future loss of earnings when the prospective employer withdrew the offer, despite the fact that they had also victimised the claimant by withdrawing it.

Ms Bullimore, a solicitor, had worked for Potheary, Witham, Weld (PWW) solicitors under the management of Mr Hawthorne from 1999 to 2004 when her employment was terminated. She brought claims of unfair dismissal and sex discrimination which were settled by the firm.

After being made redundant from another job, she was offered a post with a firm called Sebastians in March 2008, subject to satisfactory references. Mr Hawthorne agreed to provide one but stated in it that Ms Bullimore had had poor relationships with the partners; had brought tribunal proceedings; and "could on occasion be inflexible as to her opinions".

Mr Sebastian was concerned by the reference and had a telephone conversation with Mr Hawthorne about it, after which he revised the offer. Ms Bullimore was unwilling to proceed on the new terms and it was effectively withdrawn. She brought a claim for victimisation against PWW, among other things.

The tribunal found that giving a reference in the terms in which he had amounted to a detriment. As Mr Hawthorne had been significantly influenced in what he said by the fact that Ms Bullimore had previously brought proceedings against the firm, the tribunal said it constituted unlawful victimisation.

The tribunal then went on to hold that the unlawful actions of Sebastians (by telephoning Mr Hawthorne and being influenced by the fact that Ms Bullimore had brought proceedings) "broke the chain of causation". It held that PWW was not therefore liable for compensating her for future loss of earnings and awarded her compensation only for injury to feelings.

The EAT disagreed and said that it was "evidently foreseeable" that Sebastians might react to the information provided by Mr Hawthorne in the way that it did (even though that constituted unlawful discrimination), given the damaging and negative nature of it.

As far as the EAT was concerned, it therefore only seemed fair that PWW should be liable. "When an adverse reference, given for an illegitimate reason, leads to an employer deciding not to make, or to withdraw, an offer to a candidate it is hard to see why that consequence should be regarded as too remote to attract compensation from the giver of the reference: so far from being remote, it seems to us both close and direct".

As the EAT noted, giving damaging references is not an uncommon form of victimisation. It would therefore be "most unsatisfactory" if a claimant who "lost the opportunity of employment" as a result could not claim substantial damages from their former employer.

