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ADDITIONAL CIRCULATION - VOTES



To: All Members of the Council

Town House,
ABERDEEN, 3 April 2025

SPECIAL COUNCIL

ALAN THOMSON
INTERIM CHIEF OFFICER - GOVERNANCE

B U S I N E S S

- 2.1 Determination of exempt business (Pages 3 - 4)
- 4.1 Written Request for Special Meeting (Pages 5 - 6)

This circulation contains details of the votes at the meeting

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Councillor Malik moved as a procedural motion, seconded by Councillor Tissera:-
That item 4.1 be considered in public.

On a division, there voted:-

For the procedural motion (17) - Councillors Ali, Blake, Bonsell, Boulton, Brooks, Crockett, Graham, Grant, Lawrence, Macdonald, McLeod, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

Against the procedural motion (23) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Radley, van Sweeden and Yuill.

Absent from the division (2) - Councillors Farquhar and Kusznr.

The Council resolved:-

- (i) to reject the procedural motion; and
- (ii) in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude the press and public from the meeting during consideration of item 4.1 so as to avoid disclosure of exempt information of the class described in paragraph 11 of Schedule 7A of the Act.

In terms of Standing Order 32.8, Councillors Ali, Blake, Bonsell, Graham, Grant, Lawrence, Macdonald, Malik, Thomson, Tissera and Watson intimated their dissent against the foregoing decision.

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Councillor Malik moved, seconded by Councillor Ali:-

That the Council -

1. Notes the UK Government has introduced the Employment Rights Bill 2024 with the "fire and rehire" provisions in the Bill aiming to restrict employers' ability to dismiss and rehire employees on altered terms, making such dismissals automatically unfair unless specific conditions, related to financial difficulties, are met.
2. Notes the Bill should become an Act of Parliament on or around 1st July 2025.
3. Agrees that the SNP administration is trying to circumvent the Bill soon to be Act by using Fire and Rehire tactics noting an Aberdeen City Council spokesperson said fire and rehire is "one possible lawful route" to implement contractual changes.
4. Agrees the Trade Unions have indicated the SNP Scottish government are "ignoring" the escalating dispute between Aberdeen Council and its employees with Trade Union Officials pointing out vigorously that the council's proposals are a breach of the Fair Work First agreement which the Scottish Government requires councils to sign to receive millions in grants funding.
5. Agrees Aberdeen City Council could potentially be acting unlawfully and in breach of the Equality Act 2010, therefore instructs the Chief Executive to share the Equality Impact Assessment with all Elected Members which it relied upon during the consultation period with the Trade Unions, including the date of when that Assessment was conducted.
6. Agrees that the SNP Administration must reiterate to employees that despite the Council confirming that fire and rehire is "one possible lawful route" to implement contractual changes, fire and rehire will not be used in any circumstances, and to achieve this agrees that Council Leader, Councillor Allard should work with Councillor Malik on a joint proposal to ensure that fire and rehire is no longer an option and that any options required to save the money to stop fire and rehire should come to the next council meeting in April.

Councillor McLellan moved as an amendment, seconded by Greig:-

That the Council take no action.

On a division, there voted:-

For the motion (14) - Councillors Ali, Blake, Bonsell, Crockett, Graham, Grant, Lawrence, Macdonald, Malik, Nicoll, Mrs Stewart, Thomson, Tissera and Watson.

For the amendment (23) - Lord Provost; Depute Provost; and Councillors Al-Samarai, Allard, Alphonse, Bouse, Hazel Cameron, Clark, Cooke, Copland, Cormie, Davidson, Fairfull, Greig, Henrickson, Hutchison, MacGregor, McLellan, McRae, Mennie, Radley, van Sweeden and Yuill.

Declined to vote (3) - Councillors Brooks, Kuszniir and McLeod.

Absent from the division (2) - Councillors Boulton and Farquhar.

The Council resolved:-
to adopt the amendment.