

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

- Government and some Congress Unions (the IMO, INMO, Unite, CPSU, GRA and AGSI walked away from the talks) have negotiated a breach of the Croke Park Agreement under the auspices of the Labour Relations Commission.
- Public Service Agreement (Croke Park Deal) was a four year agreement, beginning in June 2010 and extending to June 2014. This Agreement clearly provided for:
 - Clause 1.15 *"there will be no further reductions in the pay rates of serving public servants for the lifetime of this agreement"*
 - Clause 2.21 *"the existing Premia Rates as confirmed by letter to the staff panel will continue to apply"*

THE FOLLOWING IS WHAT THE NEW AGREEMENT, WHICH COMES INTO EFFECT FROM JULY 2013, EXACTLY 12 MONTHS BEFORE THE CROKE PARK DEAL EXPIRES AND WHICH PROTECTED PAY AND PREMIA, STATES:

Additional Working Hours

- Those with a working week that is greater **than 35 hours but less than 39** (net of rest breaks) will increase to a 39 hours week.
- *"This means for nurses that the hard fought for and won 37.5 hours will now revert back to 39 hours."*

It further states:

- Management will allow persons to opt to remain on their current hours with appropriate pay adjustments for a period, after which the provisions of paragraph 3.11 will apply. (This refers to the provisions of the work sharing scheme.)
- The actual implementation of these proposals will require detailed consultation at workplace level in order to maximize the capacity to accommodate issues for affected individuals.
- Extra hours will be deployed and may be aggregated on a daily, weekly or annual basis as best meets service demands, following local consultation, based on the principles agreed in each sector.
- The gross working week, inclusive of breaks, will increase as appropriate to reflect the increased net hours worked and divisors for the calculation of overtime will be adjusted accordingly.
- Staff will co-operate with the revisions to rosters necessary for the full deployment of the additional hours and with any consequential revisions.

Overtime

- Overtime arrangements in the public service are revised as follows:
 - For those on salaries of up to €35,000, (inclusive of allowances in the nature of pay) overtime will be paid at time and a half at the first point of the appropriate scale
 - For those on salaries (inclusive of allowances in the nature of pay) of €35,000 or greater, overtime will be paid at the rate of time and a quarter at the individuals scale point.
- Divisors for the calculation of overtime will be adjusted to take account of any additional hours provided for above.

Premia

- Effective from the implementation of the agreement, the Sunday premium will be at the rate of time and three quarters. Staff who continue to work Sundays on an ongoing and permanent basis will be compensated in the following manner.

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

- Compensation for the loss of premium equivalent to 12 months of the loss calculated by reference to the period from 01/06/13 to 31/05/14, i.e number of Sundays x 0.25.
- Payment will be in two instalments:
 - 1st Jan 2015, 50% of the compensation
 - 1st July 2015, 50% of the compensation

It goes on to state:

- Management will seek actively to reduce the overall numbers of staff rostered for duty on Sundays. At the same time, all staff will co-operate with measures to achieve the most cost effective skill mix and staffing ratios to meet service needs. An extensive engagement process will begin immediately to review existing skill mix and staffing ratios to ensure that these identified needs are met. Co-operation will be forthcoming for other measures to improve efficiency and effectiveness of hospital services, in particular concentrating as much on care provision as possible into the Monday to Saturday period. Staff cooperation will be forthcoming for the establishment of hospital groups and for the reorganisation of services within and between those groups.

Twilight Payments (T + 1/6)

- Twilight payments and any equivalent payments across sectors, will no longer be payable.

Increments

- For those on salaries below €35,000 (inclusive of allowances in the nature of pay) a three month increment freeze will apply during the agreement. This freeze will take effect after the next increment is paid with the following increment being awarded in 15 months rather than 12
- For those on salaries between €35,000 and €65,000 inclusive of allowances in the nature of pay, two 3 month increment freezes will apply (total of 6 month increment freeze) during the agreement. As above, this would take effect after the next increment is paid but for two consecutive years there would be a 15 month period between increment dates.
- Incremental progression will be suspended for three years for those on salaries of €65,000 and greater, inclusive of allowances in the nature of pay.
- If a person's salary increase above €65,000 inclusive of allowances in the nature of pay during the agreement, the pay reduction provisions outlined below will apply.
- For those currently on the final point on the incremental scale and with salaries between €35,000 and €65,000 inclusive of allowances in the nature of pay, the following arrangements will apply in the interest of equity:
 - A total reduction of annual leave entitlement over the period of the agreement of 6 days.
 - Or
 - A cash deduction from salary of an equivalent amount to the value of the 6 annual leave days or a half of the most recent increment, whichever is the lesser.

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

Reduction for those Higher Paid

- In addition to the measures on increments and as a means to ensuring broad equity of contribution, the parties note that the Government intends to apply a reduction in pay for those on salaries of €65,000 and greater (inclusive of allowances in the nature of pay) as follows:

Annualised amount of Remuneration	Reduction
Any amount up to €80000	5.5%
Any amount over €80000 but not over €150000	8%

Which means that:

- Those on salaries (inclusive of allowances in the nature of pay) greater than €65,000 but less than €100,000 will move back by the appropriate % to an off scale point on their incremental scale.
- In relation to impacts at the margin, salaries will not fall below €65,000 as a result of the application of this reduction.
- Detailed guidance and circulars in relation to the application of the above measures will be prepared.

Other Pay Related Measures

- **Allowances:** there will be full co-operation by the parties with the follow up to the Government's Allowances Review.
- **Travel and Subsistence:** the parties note that the Government intends to review travel and subsistence arrangements. There will be full co-operation by the parties with the review and the implementation of a standardised system of travel and subsistence across the public service.
- **Public Service Pensions:** Separately, to this agreement the parties note that the Government intends to align the reductions in public service pensions in payment with the reductions applied to serving staff. The parties note that this measure will apply to pensions in payment greater than €32,500 only.
- **Pension Related Deduction - Rate Adjustment:** it is agreed to reduce the €15,000 - €20,000 band rate to 2.5% from 5%. This results in a saving of €125 p/a.

Actions to Enhance the Operation of Re-deployment

- Redeployment in the public service is critical to supporting the maintenance of front line public services as staff members are reduced. The current redeployment arrangements are being revised to make them more efficient and effective to ensure more flexible and faster redeployment both within and across all sectors.
- Across all sectors the guideline redeployment distance will continue to be 45km from the existing headquarters or staff home location whichever is nearer to the new location. In line with the Public Service Agreement, redeployment options may be of necessity be beyond this guideline distance and in such circumstances, consultation will take place in relation to the assignment on offer.
- Where an individual refuses an assignment to a comparable role in the public service, the individual will be subject to normal disciplinary procedures.
- Where redeployment is not an option and taking account of the business needs of the organisation there may be circumstances where voluntary departure would be appropriate. In such situations there will be discussions with the relevant unions on the terms of any arrangement (which will be in line with any centrally agreed arrangements)

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

Work Sharing

- It is acknowledged that flexibility in attendance arrangements can, where they can be accommodated, contribute to efficient and effective business performance while enabling staff to balance work and personal life requirements. Accordingly the public sector has been to the fore in pioneering flexible attendance patterns. Nevertheless, the multitude and variety of work sharing patterns in place, in some sectors, has created a significant management challenge and overhead and is impacting on the capacity of organisations to deliver their services. Therefore, in order to support the effective management the following principles are outlined.
 - The implementation and operation of the work sharing arrangements is at the discretion of management
 - No work sharing pattern should be less than 50% of full time working hours.
 - Staff currently on patterns of less than 50% or not working a pattern within the agreed range of patterns for their organisation, will be migrated to the new arrangements within a period of 12 months. The change in pattern will be discussed with the individual prior to the implementation of the change.
 - Work sharing arrangements will be formally reviewed on annual basis (or earlier if required). Where such a review has not yet taken place a review must be completed by the end of 2013.
 - Managements discretion to alter or change an individual's work sharing arrangements, on the giving of due notice (3 months) is confirmed. Management reserves the right, on reasonable business grounds and with reasonable notice, to refuse access to the scheme, to require a person to vary their work sharing arrangements, or to require a person to resume full time work.

Flexible Working

- The parties agree that Management has the responsibility and the right to actively manage flexible working arrangements in their organistaions.
- While the rationale for this flexibility is acknowledged it is now necessary to revise the arrangements to better reflect the current needs of organisations, Flexible Working Arrangements are only possible so long as they support and enhance the efficient operation of Depts/offices.

Performance Management

- During the lifetime of this agreement, the introduction of performance management systems will be accelerated at the level of the individual in all areas of the public service where they do not currently exist to ensure that:
 - Managers are held to account for managing the performance and development of their staff. This must be a key goal for all managers and taken account of in their own performance reviews.
 - Procedures to deal with under performance will be streamlined to be more effective.
 - The performance of individual public servants is managed and assessed against agreed objectives.

Moratorium

- The facilitate the necessary reduction in numbers of public servants, the moratorium on recruitment to and promotion in the public service and other employment numbers control mechanisms will continue to apply until numbers in each sector have fallen to the appropriate level specified in the Employment Control Framework for that sector.

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

Arrangements for the Application of Additional Hours in Health.

- The working of additional hours is an essential element of the health service's response to the necessary reduction of staff numbers in line with the Decisions of Government. The additional resource which extra working hours represent will be used to maintain, enhance and reform services as well as to achieve substantial costs savings.
- The key principle is that the relevant service manager(s) must have maximum flexibility to deploy and assign staff resources to meet service needs.
- At a general level, the following are among the ways in which additional hours may be used:
 - To compensate for reductions in staff numbers
 - To replace agency staffing
 - To replace agency staffing
 - To extend the working week to 8.00am to 8.00pm Monday to Saturday, as appropriate to a particular service.
 - To increase productivity
 - To allow lunchtime opening where this would enhance service to the public
 - To enhance extended opening hours, e.g. for clinics
 - "Banking" of additional hours for application in different ways.
 - To enable redeployment in line with health service reform programme including establishment of hospital groups structures, expansion of primary care and other service reform measures.

For an individual staff member in nursing the following are expected to be the main effects.

- Revision of Rosters
- Longer Shifts where necessary/appropriate
- Longer working day
- Focused working of additional hours at peaks periods or to provide additional cover.

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

What does it mean for Nurses?

Requirement to work 1.5 hours extra

- Up to now if you worked 1.5 hours extra you were paid overtime. For a nurse earning €38000 basic this now means a loss of 43.65 (1.5 hours at T+1/2) for weekday working or €58.20 (1.5 hours at double time) for weekend working each week. Annualised this would amount to €2270 and €3026 respectively.

Apart from being an O/T situation this means that the nurse has to work an additional 78 hours per year for nothing so at the very least the nurse on €38000 will lose €1518 (78 hours @ €19.40 p/h) which expressed as a % of €38,000 represents a loss of 4%

Reduction in Sunday Premia to 0.75% extra.

Currently nurse €38000 salary works 11 hour Sunday, works 26 Sundays and 4 public holidays. Hourly rate based on 37.5 hr week = €19.40.

- Single time Extra for 11 hours = €213.40
- Working 30 Sundays/Public Holidays = €6402 p/a

New Proposal

- Hourly rate reduced to €18.67 (difference between 1/37.5 and 1/39)
- New hourly rate @ 0.75 = €14.00 (75% of €18.67)
- 11 hour Sunday/Public Holiday = €154
- Working 30 Sundays/Public Holidays = €4620

Loss Per Annum = €1782

- Expressed as a % of €38000 = 4.69%

Abolition of T+1/6

Currently

- Working 7 day fortnight 8/8 excluding night duty, i.e. 21 fortnights @ 7days that is 147 late evening shifts = €147 x 2hours x 3.23 (1/6 of current hourly rate) = €949 p/a.
- Expressed as a % of €38000 = 2.5%

New proposal: Total Loss of €949p/a.

Increments

- Depending on Salary either a 3/6 month freeze or 3 year suspension of increments during lifetime of this agreement.
- If not entitled to increments reduction of 6 days leave over 3 years or equivalent cash reduction or half last increment whichever is lesser 2 days leave per year @ 7.5 hours is 15 hours @ €19.40 = €291 p/a
- Expressed as a % of €38000 = 0.76%

Total loss between Sundays @ 4.69%, increase in working hours @ 4%, abolition of T+1/6 @ 2.5% and Increments @ 0.76% is 11.95%.

GOVERNMENT AND CONGRESS UNIONS UNITE TO DELIVER FURTHER CATASTROPHIC BLOW TO FRONTLINE STAFF

February 28, 2013

Other Matters

Long Term Actors and Senior Staff Nurse

It appears that other unions are claiming credit for delivering on this issue. This is disingenuous at best. The agreement with the HSE in respect of this issue was forwarded to the Dept of Public Expenditure and Reform in October 2012 for sanction.

If some unions allowed this to become a pawn in these discussions it is downright irresponsible because now it means that the Government can threaten to withhold sanction if there is no agreement to the overall deal. This was a separate agreement in its own right that stands on its own merits, nothing to do with the Croke Park Extension. However there is nothing in the published LRC documentation that refers to this so perhaps these unions are attempting to use another agreement to try to make this bad agreement look good. But they are playing with fire and putting the conversion of actors and the appointment of senior staff nurses in jeopardy.

Graduate Nurses

It appears as above, other unions are trying to claim credit for some success on this issue. It remains unspecified. Suffice to ask on this one who other than the PNA and INMO were involved in the Graduate Nurses campaign, the Croke Park rally, the Dáil Protest, the protest outside the HSE HQ. The answer is nobody. We rest our case.