

SIPTU Health Division

Summary of Labour Relations Commission (LRC) proposals for a revised agreement for pay and reform in the Public Service 2013-2016

March 2013



Organising
for Fairness at
Work and Justice
in Society

Introduction

Over the course of the next four weeks commencing on Tuesday 19th March you will be afforded the opportunity to cast your ballot on one the most vital and important decisions which you as a worker in the public health service will be asked to make. This decision will not only affect you but also the future security of your employment and the welfare of your family and community.

There has been much misinformation and unhelpful noise concerning the proposals which emerged from discussions which took place over recent weeks between SIPTU and other union negotiating teams and the Government employer. This document, which sets out the proposals as they affect workers in the health service, is intended to provide accurate information in order to assist you when it comes to making your decision.

The SIPTU Health Division in line with the union's National Executive Council is supporting a 'YES' recommendation in the firm belief that it is preferable to the alternative strategy proposed by Government to meet its demand for cuts of €1billion in the public service pay and pensions bill over the next three years. A total of €420 million of the total reduction has been targeted across the health area.

In the lead up to the recent negotiations for a new public service agreement there was extensive consultation with SIPTU shop stewards representing all grades of health workers throughout the country. During these discussions, members were rightly concerned at the threat of pay cuts, compulsory redundancies, outsourcing of jobs and the increase from 45 kilometers to 100 kilometers for the redeployment of health workers, among other issues.

You will note that following intense negotiations, the proposals now being put to members have been significantly diluted and modified. SIPTU negotiators also ensured, on this occasion, that those on higher earnings will take a greater share of the burden relative to those on lower incomes across all grades. This document outlines in detail how the various proposals on overtime, increments, pay and other conditions will affect union members in order to inform your decision in the ballot.

The NEC of SIPTU is recommending a 'Yes' vote as it believes that it is in the best interests of the vast majority of union members, including the grades we represent in the health service, to do so. It also believes that the only alternative that has been put forward by Government, for 'across the board' pay cuts and a raft of other unacceptable changes to the work practices of our members and widespread outsourcing, will inevitably lead to industrial conflict the outcome of which could not be guaranteed by either side.

We believe that voting 'No' does not provide a realistic way forward or alternative at this time. The choice of how we all progress is now yours.



In solidarity,
Paul P. Bell
Divisional Organiser
Health Division
SIPTU

Employer Proposals and Agreed Outcomes

The Labour Relations Commission (LRC) introduction to the proposed agreement clearly outlines the backdrop in which the negotiations took place details how the Government intended to achieve €1 billion in savings over the next three years.

The proposals below arise in the context of the unprecedented crisis in the finances of the State; in particular, the challenge of bridging the gap between revenue collected through taxation and public spending.

Employer Proposal:

The Government had resolved to legislate to effect savings in the public service pay bill of €1 billion euro by 2015. The primary measures envisaged in such legislation would have included the following:

Reduction in Overtime Rates from time and half to flat rate

Reduction in Sunday Premium Payments from double time to Time and a half

Abolition of Saturday Rate and Twilight Payments

Elimination of Allowances

Significant Pay Cuts

Increase of 5 hours work per week for all employees

A wide range of reform measures across all sectors

The proposals set out below represent the outcome to a most intensive and difficult set of negotiations. The LRC made it clear that the alternative to a negotiated outcome is a set of measures designed by Government and delivered through legislation.

Employer Proposal: REDUCTION IN OVERTIME RATES

OUTCOME:

In response to the Employer's position SIPTU successfully challenged and modified each proposal and also targeted areas where cost savings already made by our members would be calculated into the overall cost saving figure, thereby allowing the targets to be met with a degree of equity.

SIPTU Health Division worked hard to ensure that the Employer's proposal on overtime rates did not become a reality and worked through each of the pay scales of our member's Grades to minimise the impact on their working week.

As contained in the proposal under paragraphs 2.12, 2.13 & 2.14 overtime rates will be set as follows:

For those members earning salaries up to €35,000 inclusive of allowances in "the nature of pay":*

Overtime will remain to be paid at Time + ½ at point 1 of the relevant pay scale.

Those members working Overtime in situations where Double Time was applied will be paid at Time + ¾.

Unpaid Overtime:

The proposal which includes an hour of unpaid overtime for those working a 39 hour week is structured as follows:

- 1) The unpaid hour of overtime is not the first hour. The proposal states an hour per week.
- 2) The unpaid hour is only applicable whereby a member works overtime in that week.

- 3) The unpaid hour cannot be banked for those members who do not work overtime in a particular week or who do not avail of overtime working.
- 4) The unpaid hour does not apply to those members working Sunday as part of their normal working week i.e. where Sunday Premium applies.
- 5) The unpaid hour applies to those members working a 39 hour week.

For those members earning salaries greater than €35,000 or greater inclusive of allowances in “the nature of pay”:

Overtime will be paid at Time + ¼ on each point of the scale.

This approach was taken in order to minimise the effect of reductions in overtime rates for those members on certain pay scales e.g. Nursing.

**Explanatory Note*

The term “the nature of pay” is referenced in the allowance element of the agreement. The term means where the Allowance or overtime or premia is deemed to be pensionable. In many cases, but obviously not in all, these elements of pay are not pensionable and are therefore not calculable in “the nature of pay”. Please also see Labour Court Recommendation LCR 20448.

Employer Proposal: REDUCTION IN SUNDAY PREMIA from Double Time to Time + 1/2

OUTCOME:

The Employer proposal in the area was seriously modified and curtailed, with Sunday Premium now proposed to be applied at TIME +3/4 at the staff members current point of scale.

Compensation for loss of the Quarter Time has also been agreed with two separate payment instalments:

1st January 2015, 50% of the compensation for loss
1st July 2015, 50% of the compensation for loss

Employer Proposal: REDUCTION OF NIGHT SHIFT PREMIUM FROM TIME +1/4 TO TIME +6TH

OUTCOME:

SIPTU Health Division has successfully secured no change to the existing Night Shift Premium set at 25% (T+1/4 for all grades).

Employer Proposal: ABOLITION OF SATURDAY RATE AND TWILIGHT PAYMENTS

OUTCOME:

SIPTU Health Division has successfully secured the Saturday Premium rate for all grades at its current rate for all grades.

Twilight payments are eliminated for all grades. However, under Anomalies (5.3) of the LRC Proposals should members ratify the SIPTU Health Division will lodge claims for retention of the Twilight payments for those members in receipt of this payment for the hours between 8.00 p.m. and midnight.

Employer Proposal: 3 YEAR FULL INCREMENT FREEZE

OUTCOME:

SIPTU Health Division has ensured that increments will not be frozen for members earning under €65,000, inclusive of allowances in the nature of pay.

The LRC proposal for members on less than €35,000, inclusive of allowances in the nature of pay, is for a three month delay in the payment of a due increment in the lifetime of the agreement. After your next increment is issued, you will be expected to wait for 15 months for your following increment issue (see 2.21)

For those members earning between €35,000 and €65,000, inclusive of allowances in the nature of pay, they will experience two separate three month delays over the course of the agreement, if so ratified.

As per 2.26 of the LRC proposals those members on salaries of between €35,000 and €65,000 in the nature of pay and have reached the top of pay scale an option of foregoing 6 days annual leave over the period of the agreement OR a cash reduction from salary of an equivalent amount to 6 days annual leave or a once off payment of 50% OF THE MOST RECENT INCREMENT WHICHEVER IS THE LESSER PAYABLE OVER THE PERIOD OF THE AGREEMENT.

A similar formula is applicable for those members reaching top of scale within a 15 month incremental period with the proviso of 1 day annual leave or equivalent or 25% of the most recent increment, whichever is the lesser (see 2.27).

Employer Proposal: COMPULSORY REDUNDANCY

OUTCOME:

SIPTU has successfully resisted the principle and introduction of Compulsory Redundancy. Future Redundancies will be strictly on a voluntary basis.

Employer Proposal: REDEPLOYMENT limit increased from 45km to 100km

OUTCOME:

SIPTU Health Division has successfully challenged the Employer's position of implementing a 100km redeployment radius and the existing 45km remains in place.

Employer Proposal: REFORMED PENSION ENTITLEMENTS FOR ALL STAFF

OUTCOME:

SIPTU has ensured that pension provision for members will not change.

Employer Proposal: ELIMINATION OF ALLOWANCES

OUTCOME:

SIPTU Health Division has ensured that existing Allowances for members in Nursing, Professional, Ambulance Professionals and Support Staff will be protected under the LRC proposals. Examples of these Allowances include Travel to Work Allowance Support Staff (Dublin) Cardiac and Advanced Paramedic Allowances and Nursing and Professional Allowances.

Employer Proposal: SIGNIFICANT PAY CUTS

OUTCOME:

SIPTU Health Division has mitigated and resisted the pay cuts proposed by the Employer which if implemented would have seen pay cuts across the full spectrum of pay and not just basic pay. Pay cuts would have applied to basic, overtime, premium, allowances and other payments.

Employer Proposal: INCREASE IN WORKING HOURS 5 HOURS PER WEEK

OUTCOME:

SIPTU Health Division has through the negotiation process stopped hours of work increasing above 39 hours and has also managed to stop Employer ambitions to increase all weekly working hours by 5 hours. Upward increases in hours have been kept to a minimum adjustment with a floor of 37 hours for full time health workers and a maximum of 39 hours.

(Please note that upward adjustment is not automatic for part time workers, but may be applied pro rata depending on the full time hours of the post.)

Employer Proposal: A WIDE RANGE OF REFORM MEASURES ACROSS ALL SECTORS

OUTCOME:

SIPTU Health Division has ensured that issues of concern under the heading of Outsourcing, Staff Recruitment and a new trainee programme will form an integral part of the LRC proposals if ratified by our members (details in this publication).



MAJOR CONCESSIONS WON BY SIPTU AT THE NEGOTIATING TABLE

In the course of the intense and protracted negotiations SIPTU Health Division negotiators secured the following concessions:

SENIOR STAFF NURSE

SIPTU Health Division has secured agreement that the role of the SENIOR STAFF NURSE will be reinstated within the HSE effective from the date of ratification of the LRC Proposals and each 5th November thereafter.

LONG TERM ACTING

SIPTU Health Division has secured agreement that all long term actors within the HSE since June 2010 will be regularised in post thereby ensuring all SIPTU represented grades will benefit from this hard fought concession.

CONCESSION DAYS

SIPTU Health Division has secured agreement on the restoration of traditional Concession Days to SIPTU members by the HSE who have traditionally enjoyed same on ratification of these proposals.

GRADUATE NURSES AND MIDWIFES PROGRAMME

SIPTU Health Division has secured an agreement which will provide for a direct engagement with Minister for Health Dr James Reilly TD and his senior officials. We will utilise this opportunity to negotiate movement from Government's position of applying 80% of the existing Nurse salary to new entrants.

NEW GRADE SUPPORT STAFF (JOB CREATION INITIATIVE)

SIPTU Health Division in our determined battle to halt the Outsourcing of our member's work in Support Grades, has secured agreement with the Employer for the introduction of a new lead trainee grade for Support Staff Grades at Band 4.

In the Pilot Programme for Support Staff in Health Sector Labour Relations Commission agreement it states: "Management commits to a joint examination, which may include outside expertise, the feasibility and cost effectiveness of a pilot programme to train multi-skilled support staff, including through the use of Education Training Boards and Solas. In the event that this is deemed feasible, the pilot programme may be run in up to three locations".

Members recruited under this scheme would, post their training period assimilate to the existing pay scale of Support Staff Bands.

RESTORATION OF PAY RATES FOR NEW EMPLOYEES

SIPTU Health Division has supported the campaign to eliminate the unfairness of recruiting new staff on rates of pay 10% below the agreed pay scales across the Health Service. Should the LRC proposals be ratified this practice will cease during the lifetime of the agreement and those recruited on lesser terms will be incorporated in to the existing scale thereby ending the two tier pay system.

CORU

SIPTU Health Division has secured a reduced registration fee from €295.00 to €100.00 until review in 2016.

PENSION LEVY

SIPTU Health Division has successfully campaigned for a reduction in the amount of Pension Levy contributed by our members. A small but significant concession has been made by the Employer whereby a reduction from 5% to 2.5% on earnings between €15,000 and €20,000 will net each member an additional €125.00 per annum.

DUBLIN HOSPITALS (TRAINING AND VOLUNTARY HOSPITALS)

The proposals expressed in this agreement DO NOT provide for a revision of the current work pattern arrangements.

FULL TEXT OF THE AGREEMENT

In assisting you with your questions and deliberations we have tried to extract what we believe have been the main focus of your concerns from the overall text of the LRC proposals. The full text of the agreement is available on www.siptu.ie and on www.lrc.ie and it is strongly recommended that you take time to read the full text.

SIPTU Health Division will continue to advise, clarify, inform and meet with members on the content of the LRC Proposals for a new Agreement in the Public Service.



Membership Information & Support Centre (MISC)

1890 747 881



Organising
for Fairness at
Work and Justice
in Society



Services Industrial
Professional &
Technical Union

SIPTU Head Office
Liberty Hall
Dublin 1
Tel: 1890 747881
E-mail: info@siptu.ie

www.siptu.ie