

IMPROVEMENTS IN THE CROKE PARK PACKAGE

21st May 2013

Protections in the original LRC proposals

IMPACT's first priority since a majority of public service unions rejected the original LRC outcome last month, has been to ensure that IMPACT members did not end up with a worse package, and that the protections of the original Croke Park deal (over compulsory redundancies, redeployment, outsourcing and other issues) were protected. Above all, the union was determined that IMPACT members would be exempt if the Government introduced legislation to impose permanent pay cuts, indefinite incremental freezes for all, and other changes that are were not included in the package, which was accepted by a majority of IMPACT members.

The union immediately moved to ensure that IMPACT members would have a collective agreement, which will prevent the imposition of a worse package and preserve the protections in the Croke Park agreement. Meanwhile, the Government has moved to legislate to impose pay cuts and changes to working conditions on members whose unions cannot reach agreement.

IMPACT's second priority was to make sure that, if there were any changes to the package, they would not erode the terms of the original LRC proposals accepted by a majority of IMPACT members in the ballot. That has been secured.

IMPACT's third priority was to ensure that any improvements in the package agreed for members of other unions would also go to IMPACT members. That has been secured.

IMPACT also used the negotiations to address concerns voiced by IMPACT members during our recent ballot. As a result, we have achieved the following improvements (final and definitive text will be available in the coming days):

Working hours

The original proposals would have seen IMPACT members who currently work less than 37 hours move to a 37 hour week. Under changes negotiated by IMPACT, increases in working hours will be limited to two hours and 15 minutes per week, on a personal to holder basis, for full-time staff in grades up to and including grade VII or equivalent. This is subject to subject to the following:

- There will be a minimum 35 hour full-time working week.
- The maximum increase of two and a quarter hours will include additional time that local government staff have worked since 1st March on foot of a Labour Court recommendation under the original Croke Park deal. In other words, the additional two hours and 15 minutes will be calculated from your working time on 28th February 2013.
- Overtime rates will not be paid until staff work more than 37 hours, and the divisor for overtime calculations will be based on 37 hours, effective from 1st July 2013 (or 1st July 2015 as appropriate).

- Pro-rata arrangements will apply for job-sharing and part-time staff.

Health service and local authority management has reaffirmed that implementation of additional working time will only occur after adequate local consultation and engagement.

Flexitime and work-sharing

IMPACT also raised the issue of family friendly working arrangements. As a result, it has been agreed that all staff at civil service assistant principal level, who currently have flexitime arrangements, will retain their existing arrangements on a personal to holder basis. Assistant principal officer is equivalent to grade VIII in health and senior executive officer in local authorities. This facility will not be made available to new applicants.

A similar, personal to holder, arrangement will apply to any staff currently on work-sharing patterns of less than 50% of full-time hours. In other words, their work-sharing arrangements will not change. This facility will not be made available to new applicants for work-sharing outside the health sector. Health service management has confirmed that current health service work-sharing (and part-time work) arrangement will not be amended by this collective agreement.

Pay cuts for staff earning between €65,000 and €100,000 a year

The original LRC proposals were unclear on how and when IMPACT members who earn between €65,000 and €100,000 a year would be restored to their original pay scales after pay reductions are introduced in July 2013. IMPACT won clarification that half of this restoration will apply in April 2017, with the other half in January 2018.

IMPACT also raised concerns about the potential effects on pensions for these members after the 'grace period' expires. To overcome this problem, the union won an important amendment to the original LRC proposals. Instead of a three-year increment freeze, the next due increment will be paid and will last for 18 months. Then a second increment will be paid, again to last for 18 months, before normal incremental progression resumes.

Premium and twilight payments

IMPACT has ensured that premium payments for rostered Sunday working will be maintained at double time for IMPACT grades who currently have a requirement to work on Sundays.

Management has also confirmed to IMPACT that the 'abolition' of twilight payments only applies to hours worked between 6-8pm, and that hours worked between 8pm and 12 midnight will continue to attract an enhanced payment of time and one-sixth.

Overtime

The 'free hour' for health and local authority staff on a 39-hour weeks, and who work overtime, will now be in place for the first nine months of the agreement only. The original LRC proposal said it would be a permanent arrangement.

Annual leave in voluntary hospitals

Throughout the negotiations, IMPACT raised the fact that many staff in voluntary hospitals get less annual leave than HSE staff in the same grades, despite the Croke Park commitment to 'standardise' leave arrangements. During these talks the union won a commitment that health management will re-engage with IMPACT no later than September 2013 on realigning annual leave in voluntary hospitals with the standardised HSE arrangements. It has been agreed that, if agreement is not reached within eight weeks, the matter will go to the Labour Court where management has agreed that it will argue the case on its merits. Both parties have agreed that this will replace the existing claim that was recently heard by the Labour Court, which has not issued a recommendation on the matter.

In the meantime, voluntary hospital staff who have less than the HSE standardised leave, and who are on the maximum of their salary scale, will not lose annual leave in lieu of the temporary changes to increments for staff who earn between €35,000 and €65,000.

Regularisation of acting positions

Health service management has confirmed that regularisation of acting positions (as agreed in the original LRC negotiations) will be honoured as a priority and no later than 1st October 2013. Local authority management has reaffirmed its commitment to regularise acting positions in the context of 'workforce planning.'

Fee for social care and health professional registration (CORU)

Health service and local authority management have reaffirmed that the CORU registration fee for social care and health service professionals will be €100, including for re-registration in 2013

School secretaries' annual leave

IMPACT has ensured that school secretaries with low levels of annual leave, and who are on the maximum of their salary scales and are not, therefore, subject to the increment freeze, will not lose annual leave in lieu of the temporary changes to increments for staff who earn between €35,000 and €65,000.

Sleepover arrangements

Health service management has agreed that the ongoing discussions on sleepover arrangements for social care workers in residential homes and disability settings will be completed no later than December 2013. These relate to issues including the application of the Working Time Act in the sector.

Overtime payments for staff earning up to €35,000

IMPACT and other unions won management agreement on a new formula to protect the overtime earnings of some staff who earn up to €35,000, and who may have been disproportionately hit by changes in the original LRC proposals. Under the new provision, the payment of overtime at time-and-a-half at the first point of scale will not apply where it would result in overtime being paid at less than time at any point of the scale. In such cases, the staff concerned will be paid overtime at the rate of time-and-a-quarter of the individual's scale point.

All measures in the original LRC package, which was accepted by a majority of IMPACT members, will remain unless specifically altered in the latest negotiation. This includes measures agreed in side letters.