



Avon & Wessex Branch

# WORKING ARRANGEMENTS POLICY PROPOSALS AND THE NEW BRISTOL CONTRACT

Dear GMB member

Bristol City Council has been in negotiations with the Joint Unions regarding the Working Arrangements Policy (WAP) for some considerable time, the objective being to introduce a 24 hour 7 day a week working culture for the organisation in order to meet the needs of their service users. In order to do this they are seeking to simplify WAP payments by introducing fixed rate payments irrespective of salary and ending weekend working payments. These proposals will impact differently on different groups of staff.

**The key changes are:-**

- **A move away from enhancements based upon a percentage of salary to fixed allowances**
- **The removal of weekend enhancements, with proposals in place to ensure that members currently in receipt of payments are not disadvantaged**
- **The proposals only impact those members subject to the Green Book Terms & Conditions, Red Book members are unaffected**
- **Notice of almost one year for the introduction of the proposals, followed by a period of 2 years protection**
- **The WAP proposals apply to all grades up to and including BG15**

## **The WAP Proposals**

### **Overtime**

#### **Current**

Overtime payments for members up to and including BG10 with overtime paid for all hours worked over 37 hours per week at flat rate Monday to Friday and

time and a half (therefore a 50% enhancement) for hours worked on Saturday and Sunday.

### **Proposals**

An enhancement of £4.50 per hour applied to all overtime worked in excess of 37 hours per week. All overtime will therefore attract the member's hourly rate, plus an enhancement of £4.50, which is 50% of Spine Column Point 17 (top of BG6).

### **Impact**

Anyone working overtime Monday to Friday will be £4.50 per hour better off. For anyone working overtime Saturdays and Sundays:-

- staff currently paid below SCP 17 will be better off
- staff paid above SCP 17 will be worse off once protection ceases
- staff paid at SCP 17 will experience no change.

Members at BG11-15 will not usually be eligible for overtime and will receive TOIL at an hour for hour rate; however in exceptional circumstances payment can be made to these grades for working overtime.

### **Weekend Working**

Bristol City Council refused to negotiate on any level of weekend working payments. Following lengthy negotiations an agreement was reached on a proposal for those members currently receiving weekend enhancements where members will receive an on-going monthly allowance equivalent to the average monthly loss.

This allowance will be subject to any increases in NJC pay from 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2018, will be pensionable and will continue to be paid as long as the employee remains in the post for which the enhancement applied. From the 1<sup>st</sup> April 2016 any employee commencing weekend working will not receive any enhancement and will be paid at their flat rate, unless it is overtime where the overtime rates will apply.

### **Night Working**

#### **Current**

Nights are paid at time and a third from 8pm to 7am.

#### **Proposals**

The night rate to be paid from 10pm to 6am with an hourly enhancement payable of £3.03, which is between the current one third hourly rate for a member paid at SCP 18 and SCP 17.

#### **Impact**

All staff working between 8 & 10 pm and 6 & 7am will lose the enhancement for those periods.

The impact of the hourly rate for the period covered by the night rate would depend on grade. Those paid at under SCP17 would be better off and those paid at SCP 18 and above would be worse off.

## **Public Holidays**

### **Current**

Staff required to work on public (bank) holidays are paid their hourly rate plus single time for the hours they work plus the equivalent hours as TOIL.

### **Proposals**

Staff will be paid their hourly rate, plus an enhancement of £11.13 per hour worked plus TOIL. This enhancement is just below the hourly rate at SCP 24, which is mid-BG8.

### **Impact**

Staff paid below SCP 24 will gain. Staff paid above SCP 24 will lose.

## **Shift Working**

### **Current**

The current shift arrangements split shifts into shift allowances of 6.25%, 7%, 12.5%, 14% & 20%, with various qualifying criteria to become eligible for shift, which in turn drives the level of shift allowance.

### **Proposal**

The shift allowances will be replaced with three shift categories, Category 1 - £4,350 (previously 20%), Category 2 - £3,000 (previously 14% & 12.5%) and Category 3 - £1,500 (previously 7% & 6.25%), with the shift criteria altering to

- i) Shift is about changing times of working and not days
- ii) Difference between earliest and latest start times must be at least four hours
- iii) Shift system must operate over a minimum five day week
- iv) Shift system must be, or planned to be, in operation for a period of not less than six months
- v) Employees must work at least 25% of their working pattern on a different shift.

The cut off points for each of the current shift allowance versus the new shift allowance are

- 20% - £4,350 is slightly above the existing shift payable at SCP24
- 14% - £3,000 is slightly below the existing shift payable at SCP28
- 12.5% - £3,000 is slightly below the existing shift payable at SCP 24
- 7% - £1,500 is slightly below the existing shift payable at SCP 24 & 6
- 25% - £1,500 is slightly below the existing shift payable at SCP 28

Payments will be paid pro rata for part time staff at the relevant SCP.

### **Impact**

The impact will depend on whether the member of staff is normally paid above or below the relevant SCP.

## **Standby/Call Out**

### **Current**

Standby payments are calculated according to whether the Standby session is on a weekday or weekend and whether the employee has a Council provided mobile phone or not (weekday 5% of weekly salary without phone & 4% of weekly salary with phone/weekend 10% of weekly salary without phone & 8% of weekly salary without phone). A Standby session is based upon a 12 hour period and the payment will be paid regardless of whether an employee is called during the session.

### **Proposal**

Each session will now be paid at a flat rate of £24.50, which sits just above the 4% weekday rate at SCP 37 and just above the 8% weekend rate at SCP 13.

If an employee is called out during their Standby session they will receive payment based upon their hourly rate (with the exception of public holiday when the additional rate will apply).

Payment will include travel time to and from any call out.

## **Protection Arrangements**

It is proposed that the new WAP payments will take effect for existing staff from the 1<sup>st</sup> April 2016 when two years pay protection will apply to 31<sup>st</sup> March 2018.

The protection will apply to all the WAP payments covered by the proposals with the exception of the weekend working payments which are subject to different arrangements already set out above.

The principle of the protection is to ensure that where members suffer a detriment that they are protected for the period in question; however where a member experiences a loss and a gain with the proposals, these will be offset against each other.

The new WAP payments will be introduced for new employees to Bristol City Council from the 1<sup>st</sup> April 2015.

## **The Bristol Contract**

The Bristol contract sets out a member of staff's contractual entitlement and is written in plain English with links to employee policies and procedures. It is intended to replace the current contract for all existing staff in April 2016 and will apply to all new starters from May 2015.

### **Comment**

The negotiations on the new WAP proposals have at times been challenging, but have remained constructive, with the employer responding positively to a number of the Joint Unions counter proposals; however as previously stated with negotiations of this nature there are inevitably winners and losers in respect of the proposals and it is important that members understand how the proposals will impact on them individually.

The revised WAP payments do not create any equal pay issues across the Council, however this will be regularly reviewed by Bristol City Council.

We believe we have now come to a point where these proposals are the best that can be achieved through negotiation, and it is now appropriate to put the proposals to members via a consultative ballot.

The Joint Unions will ballot in early April, concluding at the end of April, with member meetings held during this period.

If you require any further information, please contact your GMB workplace representative.

Yours sincerely,

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