



**Birmingham
Branch**

**3rd Floor, Albany House, Hurst Street, Birmingham, B5 4BD,
Single status -your questions answered Tel: 622 8740/42**

Single Status Pay and Grading

**Mass
Members
Meetings**

26th & 27th September 2007

10am-12pm and 2pm-4pm

(BCC has agreed paid time off in works time)

Alexander Stadium, Perry Barr*

*** A-Z Reference: E1 83 *For access needs please contact the help line number.**

Your New Contract of Employment

JUST SAY NO

- Unison is calling YOU to attend one of these meetings to consider the Council's proposed new employee package. This includes individual new contracts of employment for everyone, the new pay and grading structure, **performance related pay** and other important changes to your terms and conditions of employment.
- Council propaganda has said that approximately 46% of staff will stay on the same pay, 42% will go up, and 12% will go down and largely puts a positive spin on the package. But actually these statistics are only based on basic pay not additions. They also exclude many thousands of school based staff, including 5000 teaching assistants. Their full time hours are likely to change from 32.5 hours to 36.5 hrs, meaning they are also likely to be losers, which would change the headline figures significantly, increasing the losers to around 25%. So half the losers are hidden.
- You can not just pick and choose the bits you want from the new employment package, it does not work like that, what you are being offered by the council is their new employment package - warts and all.
- The MORI survey feedback letter from the Council to all staff states that "on acceptance of the contract of employment this right of appeal on outcome of job evaluation is retained", this is **NOT** a requirement under the appeals process and should be ignored. We believe this is a deliberate ploy by the employer to mislead and pressure employees into signing new contracts.
- If you have not had it already you will be shortly receiving an individual new contract letter. It is important that we all stick together on this and **REFUSE** to sign the new contract.
- Not responding could be construed later as affirmation (agreement) if you did not complain so you should refuse the contract in writing. **A model letter will be provided at the mass meeting and will be available from the branch.** We will explain the legal position during the meeting. Admittance to the meeting is restricted to Unison members only, proof of membership will be required so bring along a payslip or your membership card. New members are able to gain admittance having completed a membership application form in advance in order to avoid delays on entry please bring these with you to the meeting. Membership forms are available, telephone 0121-622-8700, 0121-685-4200 or ring *Unison direct* on 0845 355 0845 outside office hours.
- We have set out a summary of the main changes proposed within this booklet with our reasons for the motion to the meeting (which is on the reverse side of your

calling notice). Please bring both documents with you to assist with voting on the motion.

Wide Bands with Performance Related Pay

The Council's new structure will result in around 5000 employees enduring pay cuts ranging from hundreds of pounds to over ten thousand pounds which is in direct conflict with our branch policy of 'no losers' and 'levelling up'.

Unison also firmly believes that traditional assimilation rules coupled with wide bands will not deliver equal pay within a reasonable timeframe. Single Status is not designed to deliver equal pay from day one and assumes a transitional period, but the council have 8 or 9 steps in each grade band and this is too many. More grades but with fewer steps would mean employees could be assimilated closer to the actual value of points scored for their job which would help to close the equal pay gap much sooner.

Unison has pursued alternative structures with the Council, but they want the flexibility and organisational control that wide bands linked to performance will give them. Under the Council's plans by 2010 growth increments will cease and be replaced effectively by performance related pay. Under the Council's proposals annual performance reviews could result in your pay being cut, by being moved down the incremental ladder. Workplace discrimination and victimisation may also become an increased problem following the introduction of such a subjective system. Disturbingly, the Council has assumed for budget purposes that performance related pay progression is cost neutral.

Appeals

We have negotiated an appeals process that we are reasonably comfortable with but we are in dispute over one of the specific grounds of appeal laid down in the national green book terms and conditions which the council are refusing to include.

The ground disputed is: 'That an equivalent job is more highly graded or paid'.

The reason the Council is disputing this is that some employees may wish to pursue legitimate comparisons between both extremes of the pay band that they are placed into. You will recall our steps chart in the July 2007 update showing the fates of 'Mrs Smith and Mr Jones' which demonstrated this ongoing inequality perfectly.

Without this appeal right, Unison may have to consider further legal action.

Additional Payments and Market Supplements.

In addition, the council are seeking to harmonise a range of additional payments, some of these they must genuinely review for equality reasons but others are being drawn into the process for the purposes of cost savings and are nothing to do with the single status agreement. Talks on these additional payments continue.

The draft market supplement paper provides for the inclusion of all of Unison's equality principles and objectives, but has not yet been finalised.

Leave Entitlement

The Councils improved Proposal is that All staff (irrespective of grade) will have 25 days annual leave on entry to the service, 28 days after 5 years service and 30 days after 10 years service. (This is very close to the deal we have been seeking of 25 days on entry for all grades and 30 after 5 years service).

Reportedly this improved leave proposal will cost the authority £3.5 million per annum and nobody loses leave, this is an important improvement from the first offer.

But the Council wants the flexibility to float the 4 additional days leave (currently 2 concessionary and 2 extra statutory days) so you would have to book these in advance with your manager just like normal annual leave. They have written to us to give us an assurance that childcare needs would be taken into consideration when managers consider leave requests on what would previously have been the fixed days. Some departments are already operating a system where the concessionary days are floated and not fixed.

There is however a further implication of floating these days. Some work groups are currently entitled to overtime premiums and TOIL for working these days as they are expected to work them as part of their normal working arrangements. Care Assistants and Street cleaners for instance would gain leave but also suffer financial loss under these proposals, so the net effect would be that the value of the extra leave may be cancelled out by the loss of overtime premiums.

Weekly/Fortnightly to Monthly Pay

Basically this is a cost saving – pure and simple! It will save £450,000 per annum in introducing monthly pay to all weekly and fortnightly paid employees if the council get their way. We have resisted Monthly pay before and will continue to do so.

Contingency discussions have focused on how we get employees over the transitional period if the employer imposes this without agreement. The Council has refused to buy-out this term and have suggested a small loan as an alternative repayable through payroll reductions over several monthly pay dates, to get employees through the short transitional period.

Implementation Time Scale

The Council is now suggesting that the introduction of new rates will not be until at least 1st January 2008. Any Green circle employees (winners) will have rates back-paid* to 1st April 2007. The Council has indicated to the Cabinet that dates may slip even further.

*This 'back pay' is separate to the 'other back pay' being pursued in equal pay claims.

Protection

The Council promised us 3 years protection from 1st April 2007. However due to late implementation this will in effect only mean just over 2 years protection. The employers argue that employees in the red circle (losers) are effectively already on protection and have been since 1st April 2007 so they will have had 3 years by 31st March 2010 when protection arrangements cease. Unison think 3 years should mean 3 years from the date the employee is notified of their pay cut, and we are pursuing this with the Council.

Bonus

Birmingham City Council is the first local authority to exclude the value of bonus from Single Status protection arrangements. This is why bonus earners already have a specific trade dispute and are already preparing for Industrial Action. This will result in 50 % pay cuts for many bonus earners in the New Year if we don't all fight together to defend them and other groups losing pay. Other local authorities have consolidated bonus payments into basic pay prior to protection commencing and we think is the fairer approach that the Council should be taking. Notice to terminate bonus is delayed pending further talks.

Birmingham City Council Hardship Fund

UNISON has treated the Council's 'empty political gesture' that they will create a hardship loan facility, secured against our member's homes with derision. We argue that an inability to repay those loans due to reduced income could leave members homeless. The Council should not be encouraging debt, but trying to help our members avoid it.

Standard Working Week

The council wants to introduce a standard working week of 36.5 hours for all staff (part-time = pro-rata).

Nationally the trade union side has put forward a claim for a 35hour week for all employees. If this is not agreed nationally then we have argued locally that staff currently working less than a 36½ hrs standard week should not have hours increased or pay reduced as a result of the change. If the council imposed either of these we have insisted upon protection arrangements. Several thousand Teaching Assistants and also Day Centre Officers would be effected amongst others, most of whom are women.

Possibly our largest concern with this element of the package is that the council want the flexibility of any 5 from 7 day working which in some circumstances may result in

the loss of weekend overtime premium rates dependent on which days your rest days are scheduled. For instance a Street Cleaner normally works 5 days Monday to Friday. If they work weekends they get paid at weekend overtime rates. If the employer decides that with the new increased flexibility they require a street cleaner to work 5 days from Saturday to Wednesday with rest days on Thursday and Friday, any overtime worked on Thursday and Friday would only be paid at flat time rate.

MOTION TO MASS MEMBERS MEETING:-

- 1. This meeting REJECTS the new employment package.**
- 2. This meeting commits to informing non-union members why we are rejecting the package and seek their support in taking the same approach, and to encourage them to join Unison.**
- 3. This meeting commits to seeking to achieve 'NO Losers' and 'levelling up' by supporting actions called for in pursuance of those objectives.**
- 4. This meeting commits to opposing Performance Related Pay.**
- 5. This meeting calls upon the Council to hold 'meaningful negotiations' with the trade unions around the elements of the package that continue to cause concern, and to jointly develop an acceptable pay structure, with increased financial commitment.**
- 6. This meeting agrees that if meaningful negotiations fail, in line with the decision agreed at the March 2007 mass meeting, we will seek authorisation for an official industrial action ballot.**
- 7. This meeting authorises the creation of a strike hardship fund to support our strategic campaign.**
- 8. This meeting agrees that we hold a joint trade union demonstration outside the Council House at the earliest opportunity following the issue of the new contract letters.**
- 9. This meeting endorses the close working and co-ordination of effort with all of the other TUC affiliated council unions.**

WE CAN WIN THIS DISPUTE !

HAVE YOU NOTICED THAT A PATTERN IS DEVELOPING?

The council has a vision, and it appears to be to introduce as many private sector practices as possible and to gain greater flexibility and control over the workforce. That coupled with pay cuts in some service areas makes life a lot easier to shape up services and ship them out to the private sector.

**We need to draw a line and make a stand starting by
REJECTING YOUR NEW CONTRACT OF EMPLOYMENT – Warts and All.**