

UNISON BIRMINGHAM BRANCH

PAY AND GRADING UPDATE

Unison response to Councils SINGLE STATUS Proposals - May 2007

New Pay and Grading Structure. The council are proposing a pay structure which has 7 wide grade bands. This would result in 40% of employees upgraded, 50% staying the same, and 10% downgraded as the council are not investing enough funds into the new pay line.

The council has gone back on earlier discussions reducing 3 growth increments down to 2. Under the proposals pay could also go down once linked to performance if you don't measure up to your managers expectations. Unison has grave doubts that such a scheme could be operated fairly.

Under these proposals senior managers are favoured and equal pay could take another 9 years to be achieved. Equal pay might NEVER be achieved, due to the introduction of competence / performance reviews linked to pay and we believe that glass ceilings within the bands will restrict progression. This is why we are demanding that a prompt Equality Impact Assessment is carried out NOW and are pressing them for an opportunity to discuss alternative structures. We are also expecting that the council will shortly announce a further slip to the implementation date of 1st October 2007.

Protection. The position of this branch remains to seek to achieve NO LOSERS. The Council has offered a three year protection package on 'basic pay only' so are not including bonus etc. UNISON are working with the other unions to try to ensure we get a fair protection deal for all and that bonus earners are not treated differently. This may require legal action and this is being explored.

Assimilation. Assimilation rules dictate where you are placed within the wide grading band so it's important that this is done fairly. The council want to slot as many people in as possible where they are now but under their rules those upgraded will only get put on the bottom of the band and this will affect mainly women. If bonus earners basic pay goes up, but overall pay is reduced due to withdrawal of bonus, they would move to the bottom of the band. This is in stark contrast to earlier positions of the council that those downgraded would be assimilated at the top of the band. This means potentially even higher cuts to bonus earners than we first anticipated. Unison is challenging both these assimilation rules.

Back Pay. The council are claiming that they can not afford the full six years equal pay back pay (£200 million) that they owe to some mainly female occupational groups. They think they can raise £100 million but this is over the next 2 years. We recommend that members do not accept any offers of settlement that is below the full six years. The council have now settled most of the claims with home care staff, those that have declined the offer are at the early stages of lodging equal pay claims which will be supported by UNISON. Based on recent conversations with the council, we are expecting that Care Assistants will be offered settlements in July 2007 and some groups of employees employed by Citiserve (Direct Services) will be made offers in October 2007. Other groups with clear and significant claims will then be looked at the end of the financial year and beyond as funding becomes available. This is why at the mass meeting at Birmingham City FC in March the members decided to start Mass Litigation.

Mass Litigation. The collective grievance for school based (non-citiserve) staff is now being finalised and will shortly be sent to the council – this covers over 3000 staff. The Regional Office are now scheduling all other occupational groups (with claims) for further grievances.

Leavers/Role Changers. Anyone leaving the Council or changing roles/contracts within the council should request and complete a UNISON equal pay enquiry form ASAP as there is a six month time limit.

Appeals. There will be a right of appeal and the development of an appeals process is nearing conclusion. We will share and consult with UNISON members on the 'final draft' as soon as it is available.

Market Supplements. UNISON continues to seek to achieve an agreement that gives us the assurances we need about consistency, fairness and transparency of a practice of paying additional pay on top of basic for recruitment and retention purposes. Unison have put forward a suggested draft 'agreement' as an alternative to a management 'procedure'.

Hours. The council wants everyone to work a 36 ½ hour week. Nationally the trade union side has put forward a claim for a 35 hour week for all employees. If this is not agreed nationally then we would be in favour of reducing the current 37hr contracts down to 36 ½ hrs with no loss of pay. However we have argued that staff currently working less than 36 ½ hrs standard week should not have hours increased or pay reduced as a result of the change.

Leave. Some people will lose leave under the councils proposals, without protection and the council continue to discriminate against women, so UNISON has challenged this approach. UNISON demands that annual leave should be the same for everyone on a levelling up basis. In addition we have demanded that the current arrangements for concessionary and extra statutory days be preserved.

Monthly Pay. UNISON continues to oppose the proposed change to monthly pay for all those not already monthly paid, due to the hardship that this creates for those affected during the transitional period.

Street Cleansing Bonus Scheme. The Council's view is that the 6 months notice period within the street cleansing bonus scheme is not legally enforceable. UNISON does NOT agree with this interpretation, we have insisted that these employees have that contractual right to six months notice. This is part of a local collective agreement and as such forms part of their contracts of employment.

Flexibility. The council wishes to include something called the 'Employee Bargain'. This requires total flexibility of your employment contract. UNISON believes this is a very serious undermining of your terms and conditions and really about neatly packaging services ripe for privatisation, therefore we oppose this proposal.

Notice to terminate and re-engage employees. The council has served notice to terminate and re-engage employees, in case we can not reach agreement following our UNISON ballot on the final package. **UNISON would have a legitimate trade dispute if we can not agree and they impose a package, this could well mean industrial action.**

No final decisions on single status will be reached without a full ballot of the branch membership. [UNISON membership forms are available on 0121-622-8700.](#)