Irish Nurses and Midwives Organisation
Cumann Altraí agus Ban Cabhrach na hÉireann
Working Together

27th February, 2013.

The INMO Overview and Initial Analysis of the Labour Relations Commissions Proposals on the Extension of the Public Service Agreement (Croke Park)

If this agreement is ratified, it will apply for a period of three years from 1st July 2013 and the pay and productivity provisions that are set out will be implemented with effect from 1st July 2013.

The government's intention is to affect a further reduction of €1bn in the cost of pay and pensions over the three years from 2013 to 2016.

It is recorded that public service workers have already contributed €1.5bn in pay in non-pay savings under Croke Park 1 between 2010 and 2012. These proposals set out a number of changes under a variety of headings as follows:-

Pay & Productivity Measures

Proposal to changes to Sunday premium is; to reduce Sunday premium from a rate of double time to a rate of time and three-quarters.

Twilight Payment

Time and 1/6th paid between 6.00pm and 8.00pm will no longer be payable in any sector.

The average rostered Staff Nurse/Midwife or Promotional Nursing/Midwifery Grade who is rostered to work weekends and out of hours evenings will see the following changes:-

Salary Scale	**37.5 hours Hourly rate**	**39 hours Hourly rate**
€30234 (min)	15.45	14.86
€37408 (mid)	19.12	18.38
€43800 (max)	22.38	21.52

Time plus 1/6th Annual Loss (3 x 12 hour shifts per week)

Salary Scale	**Hourly Rate**	**1/6th payment**	**2 hours x 1/6th**	**Weekly amount**	**Annual Loss**	**% Annual Loss**
€30234	15.45	2.57	5.14	15.42	804.62	2.66
€37408	19.12	3.19	6.38	19.14	998.72	2.67
€43800	22.38	3.73	7.46	22.38	1167.79	2.67

Change from double time to time plus ¾ - Annual Loss (30 x 12 hour shifts p.a.)

Salary Scale	37.5 Hourly Rate	12 - hour shift	30 shifts p.a.	39 Hourly Rate	Time plus 3/4	12 - hour shift	30 shifts p.a.	Loss p.a.	% Loss p.a.	Total % Loss (1/6th + ¾)
€30234	15.45	185.40	5562	14.86	11.15	133.74	4012	1550	5.12	**7.78**
€37408	19.12	229.44	6883	18.38	13.79	165.42	4963	1920	5.13	**7.80**
€43800	22.38	268.56	8057	21.52	16.14	193.68	5810	2247	5.13	**7.80**

- Staff who continue to work Sundays on an on-going and permanent basis will be compensated in the following manner:

- Compensation for the loss of premiums equivalent to 12 months of the loss calculated by reference to the period from 01.06.2013 to 31.05.2014, i.e. number of Sundays multiplied by 0.25.

- Payment would be made in two instalments: 1st January 2015 50% of the compensation; and 1st July 2015 50% of the compensation.

(This is a reduction to the compensation provided for in Croke Park 1. There is no mechanism to reverse this cut in the proposals).

In addition management have advised that they will actively seek to reduce the overall numbers of staff rostered for duty on Sundays, and at the same time all staff will co-operate with the measures to achieve the most cost effective skill-mix and staffing ratios to meet service needs. This proposal also states that an intensive engagement process will begin immediately to review existing skill-mix and staffing ratios to ensure that these identified needs are met and that co-operation will be forthcoming for other measures to improve efficiencies and effectiveness of hospital services in particular concentrating as much care provision as possible into the Monday to Saturday period.

This agreement also proposes that staff co-operation will be forthcoming for the establishment of Hospital groups and for the reorganisation of services within and between those groups.

Additional Working Hours

- This proposal sets out that the standard working hours of public servants will increase. Those working a 35 hour or less (net of rest breaks) will increase to a minimum 37 hour week;
- Those with a working week that is greater than 35 hours but less than 39 hours, net of rest breaks, will increase to a 39 hour week; and
- Working hours for those currently with a net working week of 39 hours or greater will remain the same. However an hour of overtime worked each week for these grades will be unpaid.
- The proposal re hours goes on to state that management will allow persons to opt to remain on their current hours with appropriate pay adjustments for a period after which the provisions of job-sharing (paragraph set out below in brackets will apply).
- The actual implementation of these proposals will require detailed consultation at workplace level in order to maximise the capacity to accommodate issues for affecting individuals.

- Extra hours worked will be deployed and may be aggregated on a daily/weekly or annual basis as best meets the service demands, following local consultation, based on the principles agreed in each sector.
- The gross working week inclusive of breaks will increase as appropriate to reflect the increased net hours worked and divisors for the calculation of overtime will be adjusted accordingly.
- Staff will co-operate with the revisions to rosters necessary for the full deployment of the additional hours and with any consequential revisions.
- No cost increasing claims can be made consequential on an increasing working time inclusive of leave.
- Nothing in this agreement shall serve to restrict working arrangements involving greater flexibility in those sectors where they currently exist.

What this means for Nursing and Midwifery

The working week would increase to 39 hours and the calculation that is currently used in respect of premium time, i.e. the hourly rate of pay would be adjusted from 37.5 to 39. This would in effect reduce premium earnings based on the hourly rate for nursing/midwifery.

Rosters would have to be agreed at local level and attendance patterns, i.e. work sharing, would also be altered.

Work-Sharing Proposals

The proposal states that, in order to support the effective management of increasingly scarce staff resources into the future and the protection of service to the public, the following principles will apply:-

- The implementation and operation of the work-sharing arrangements is at the discretion of management, who retain the discretion to alter, reduce and/or standardise the range of work sharing patterns available to staff having regard to the specific business needs of their organisation.
- No work-sharing pattern should be less than 50% of full time working hours.
- Staff currently on patterns of less than 50% or not working a pattern within the agreed range of patterns for their organisation, will be migrated to the new arrangements within a period of 12 months. The change in pattern will be discussed with the individual prior to implementation of the change.
- In line with previous agreed arrangements, each individual's work-sharing arrangements will be formally reviewed on annual basis (or earlier if required). Where such a review has not yet taken place, a review must be completed by the end of 2013.
- Management's discretion to alter or change an individual's work-sharing arrangements, on the giving of due notice (3 months), is confirmed. Management reserves the right, on reasonable business grounds and with reasonable notice, to refuse access to the scheme, to require a person to vary their work sharing arrangements, or to require a person to resume full time work.

What this means for Nursing and Midwifery

The minimum hours that would be worked would now seem to be restricted to half time and those that are currently working less than half time would be migrated to that arrangement

within twelve months. There would be an annual review of the reduced hours and it would appear that the rights of the employer are strengthened in this proposal.

Overtime

Revised overtime arrangements are proposed as follows:

- For those on salaries of up to €35,000 (inclusive of allowances in the nature of pay), overtime will be paid at time and a half at the first point of the appropriate scale.
- For those on salaries (inclusive of allowances in the nature of pay) of €35,000, or greater, overtime will be paid at the rate of time and quarter at the individual's scale point.

In addition, divisors for the calculation of overtime will be adjusted to take account of any additional hours provided for above.

For those grades currently with a working week of 39 hours or more (net of rest breaks), an hour of overtime worked each week will be unpaid.

What this means for Nursing and Midwifery

On the current salary scales, this means that a Staff Nurse/Midwife on point 4 would get his/her overtime calculated on point 1, i.e. the hourly equivalent of €30,234 as opposed to the hourly equivalent of €34,666 or €2.15 less per hour of overtime worked.

Increments and Related Balancing Measures

Those on salary scales less than €35,000 per year (inclusive of allowances in the nature of pay) will receive their next increment when it falls due and then wait 15 months (rather than 12) before the following increment is paid.

Staff who earn between €35,000 and €65,000 (inclusive of allowances in the nature of pay) will receive their next increment when it falls due, then wait 15 months (rather than 12) before any following increment is paid and then 15 months (rather than 12) before any further increment is paid (2 three month delays over the lifetime of the agreement).

For those on salaries between €35,000 and €65,000 inclusive of allowances in the nature of pay and who reach the maximum of the scale following a single 15 month incremental period, a reduction of annual leave entitlement of 3 days will apply, or an equivalent amount to the value of the 3 annual leave days or a quarter of the most recent increment, whichever is the lesser.

Nurses and Midwives working in the Public Service who are now at the top of their scale will forfeit six days leave or the pay equivalent over the lifetime of the agreement, i.e. before the end of 2016.

What this means for Nurses and Midwives who are on the max of salary scale between €35,000 - €65,000

A total of six days annual leave will be reduced over the three year period of this agreement or the cash value of the six annual leave days or a half of the most recent increment, whichever is the lesser.

This is a temporary measure which will revert after the agreement reaches expiry date.

For higher paid public servants, the reductions are set out as follows:

- Any amount up to €80,000 (inclusive of allowances in the nature of pay), the reduction will be 5.5%;
- Any amount over €80,000, but not over €150,000 (inclusive of allowances in the nature of pay), the reduction will be 8%;
- Any amount over €150,000, but not over €185,000 (inclusive of allowances in the nature of pay), the reduction will be 9%; and
- Any amount over €185,000 (inclusive of allowances in the nature of pay), the reduction will be 10%.

These reductions are then qualified by the following provisions:-

The reductions to those on salaries marginally above €65,000 (inclusive of allowances in the nature of pay) cannot, at any point, reduce the salary below €65,000.

All reductions on those between €65,000 and €100,000 (inclusive of allowances in the nature of pay) will be for the lifetime of the agreement, at which point those on such salaries will revert to the incremental point that they were on prior to this agreement. In other words, this is a temporary measure.

For those on salary scales above €100,000 the following Table sets out what this reduction to salary means for those on the various bands.

% Reduction on Salary of €100,000	**% Reduction on Salary of €150,000**	**% Reduction on Salary of €200,000**
€80000 x 5.5% = €4400	€80000 x 5.5% = €4400	€80000 x 5.5% = €4400
€20000 x 8% = €1600	€70000 x 8% = €5600	€70000 x 8% = €5600
		€35000 x 9%% = €3150
		€15000 x 10% = €1500
Total Reduction = €6000	Total Reduction = €10000	Total Reduction = €14650
% reduction = 6%	**% reduction = 6.66%**	**% reduction = 7.33%**

There is no mechanism to reverse this cut in the proposals.

Other Pay Related Measures

Allowances – The government's review of allowances which has been advised must now be co-operated with and where a dispute arises, following negotiations between the various sectors and Trade Unions, the matter must then be referred to the Labour Relations Commission and/or the Labour Court.

Travel & Subsistence – The government has notified its intention to the review travel and subsistence arrangements and these proposals commit the Trade Unions to full co-operation with this review.

Public Service Pensions – Separate to these proposals the government have now advised that they intend to align the reductions in public service pensions in payment with the reduction applied to serving staff. The government have advised that they will apply to pension in payment which are greater than €32,500 only.

New Entrant Salary Scales –
to allow for an ending of the two tiered salary scales and allow for staff commencing employment post 2010 to be incorporated onto same pay scales as 2010 entrants over time, therefore new entrant salary scales across the public service will be ended and arrangements will be made to revise incremental scales to allow new employees move to similar pay rates as their colleagues over a period of time.
The government have confirmed that this does not apply to the graduate placement for nursing/midwifery which they consider to be a separate scheme and while they have agreed to engage in negotiations in respect of the scheme, they confirm that this provision of the proposal does not apply to it.

Redeployment – The redeployment distance will continue to be 45km from the existing headquarters or staff home location, whichever is nearer to the new location. The introduction of the possibility of disciplinary action when a staff member refuses an assignment under the new redeployment protocol is in this proposal. There also is the possibility where redeployment may not be an option and voluntary redundancy would be sought (this could be read as a form of compulsory redundancy in the event that redeployment is not an option – therefore the only option would be voluntary departure). The full text is set out in Section 3 of the main document.

The Department of Health has confirmed that unimplemented agreements re; Senior Staff Nurse, Regularisation of actors and Annual Leave for existing employees, previously agreed with the INMO, will be implemented on acceptance of these proposals. The Department of Health has also committed to discussions on the proposed graduate nursing programme; the INMO has already referred this matter as a grievance to the labour relations commission and is awaiting a hearing date.

See Appendices below:

- **Nursing & Midwifery Manager Grades - Impacted by Proposed Government Reductions in Pay**

- **Government Proposals - Working Hours - Premium Payments – Increments - Impact on Staff Nurse/Midwife Grade**

Phil Ni Sheaghdha,
Director of Industrial Relations.
27th February, 2013.

Nursing & Midwifery Manager Grades
Impacted by Proposed Government Reductions in Pay

The following reductions will apply on salaries of €65,000 and greater (inclusive of allowances in the nature of pay):

5.5% on any amount up to €80000
8% on any amount over €80,000 but not over €150,000

Grade	**1st**	**2nd**	**3rd**	**4th**	**5th**	**6th**	**7th**	**8th**	**9th**	**10th**
Principal Nurse Tutor	58359 -	59479 -	60501 -	63696 -	64814 -	65855 -855 65000	67134 -2134 65000	68849 -3787 65062		
Asst. Director of Public Health Nursing (*inclusive of midwifery qualification €2791)	54339 -	57380 -	58629 -	59780 -	60943 -	65326* -326 65000				
Director of Public Health Nursing	71978 -3959 68019	74084 -4075 70009	76197 -4191 72006	78309 -4307 74002	80419 -4434 75985	82532 -4603 77929				
Advanced Nurse /Midwife Practitioner	54870 -	55952 -	56996 -	60201 -	61210 -	62383 -	63477 -	64566 -	68853 -3787 65066	
Asst. Director Nursing Band 1	54870 -	55952 -	56996 -	60201 -	61210 -	62382 -	63477 -	64566 -	68853 -3787 65066	
Asst. Director Nursing Non-Band 1	52059 -	53189 -	54339 -	57379 -	58629 -	59780 -	60943 -	62534 -	-	
Director of Nursing Band 1	73106 -4021 69085	75069 -4128 70941	77035 -4327 72798	78995 -4345 74650	80956 -4476 76480	82925 -4634 78291	84885 -4791 80094			
Director of Nursing Band 2	68940 -3792 65148	70811 -3895 66916	72686 -3998 68688	74554 -4100 70454	76433 -4204 72229	78306 -4307 73999	80180 -4414 75766			
Director of Nursing Band 2A	68409 -3409 65000	69585 -3827 65758	70764 -3892 66872	71939 -3957 67982	73118 -4012 69097	74293 - 4086 70207	75470 -4151 71319			
Director of Nursing Band 3	63652 -	65061 -61 65000	66447 -1447 65000	67821 -2821 65000	69190 -3805 65385	70570 - 3881 66689	71939 -3957 67982			

Director of Nursing Band 4	59410 -	61238 -	63060 -	64890 -	66688 -1688 65000	68462 -3462 65000	70232 -3863 66369			
Director of Nursing Band 5	55513 -	56737 -	57959 -	59178 -	60399 -	61626 -	62849 -			
Director Centre Nurse Education	63980 -	65992 -992 65000	67961 -2961 65000	69931 -3846 66085	71900 -3955 67945	73871 -4063 69808	75840 -4171 71669	77893 -4284 73609		
Area Director (Planning & Development Unit)	77953 -4287 73666	80283 -4423 75860	82590 -4607 77983	84567 -4765 79803	86772 -4942 81830	89022 - 5122 83900	91240 -5299 85941			
Director (Planning & Development Unit)	71021 -3906 67115	72938 -4012 68926	75052 -4128 70924	77374 -4256 73118	79919 -4396 75523	82535 -4603 77929				

Note:

1. Those on salaries (inclusive of allowances in the nature of pay) greater than €65,000 but less than €100,000 will move back by the appropriate percentage to an off-scale point on their incremental scale.

2. Salaries will not fall below €65,000 as a result of the reduction.

3. The above reductions are in addition to the proposed measures on increments outlined below:

   Salaries of €65,000 and greater inclusive of allowances in the nature of pay

   - Incremental progression will be suspended for three years for those on salaries of €65,000 and greater.

   - If a person's salary increases above €65,000 during the Agreement, the pay reduction provisions outlined above will apply.

Salaries between €35,000 and €65,000 inclusive of allowances in the nature of pay

- Two three-month increment freezes will apply (total of a six month freeze) during the Agreement. This would take effect after the next increment is paid but for two consecutive years there would be a fifteen month period between increment dates.

- For those currently on the final point on the incremental scale, the following arrangements apply:

  A total reduction of annual leave entitlement over the period of the Agreement of 6 days:

  OR

  A cash deduction from salary of an equivalent amount to the value of the 6 annual leave days or a half of the most recent increment, whichever is the lesser.

- For those who reach the maximum of the scale following a single 15 month incremental period, a reduction of annual leave entitlement of 3 days will apply, or an equivalent amount to the value of the 3 annual leave days or a quarter of the most recent increment, whichever is the lesser.

Salaries below €35,000 inclusive of allowances in the nature of pay

- A three month increment freeze will apply during the Agreement. This freeze will take effect after the next increment is paid with the following increment being awarded in fifteen months rather than twelve.

Government Proposals
Working Hours - Premium Payments - Increments

Impact on Staff Nurse/Midwife Grade

Staff Nurse /Midwife Hourly Rate of Pay

Salary Scale	37.5 hours Hourly rate	39 hours Hourly rate
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Time plus 1/6th - Annual Loss (3 x 12 hour shifts per week)

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Change from double time to time plus ¾ - Annual Loss (30 x 12 hour shifts p.a.)

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Total Reduction = €6000	Total Reduction = €10000	Total Reduction = €14650
% reduction = 6%	**% reduction = 6.66%**	**% reduction = 7.33%**

Compensation for the loss of premium equivalent to 12 months of the loss calculated by reference to the period from 1/6/2013 to 31/5/2014, i.e. number of Sundays x 0.25. Payment will be in two instalments 1/1/2015, 50% of compensation and 1/7/2015, 50% of compensation. However, the Agreement provides that Management will seek actively to reduce the overall numbers of staff rostered for duty on Sundays concentrating as much care provision as possible into the Monday to Saturday period.

Note:

4. The above reductions are in addition to the proposed measures on increments outlined below:
5.

Salaries below €35,000 inclusive of allowances in the nature of pay

- A three month increment freeze will apply during the Agreement. This freeze will take effect after the next increment is paid with the following increment being awarded in fifteen months rather than twelve.

Salaries between €35,000 and €65,000 inclusive of allowances in the nature of pay

- Two three-month increment freezes will apply (total of a six month freeze) during the Agreement. This would take effect after the next increment is paid but for two consecutive years there would be a fifteen month period between increment dates.

- For those currently on the final point on the incremental scale, the following arrangements apply:

  A total reduction of annual leave entitlement over the period of the Agreement of 6 days:

  OR

  A cash deduction from salary of an equivalent amount to the value of the 6 annual leave days or a half of the most recent increment, whichever is the lesser.

- For those who reach the maximum of the scale following a single 15 month incremental period, a reduction of annual leave entitlement of 3 days will apply, or an equivalent amount to the value of the 3 annual leave days or a quarter of the most recent increment, whichever is the lesser.

Salaries of €65,000 and greater inclusive of allowances in the nature of pay

- Incremental progression will be suspended for three years for those on salaries of €65,000 and greater.

- If a person's salary increases above €65,000 the pay reduction provisions for those on salaries of €65,000 and greater will apply.