

Labour Relations Commission Proposals
FAQs

PAY AND PRODUCTIVITY MEASURES

Increase in Hours

Q.1 What is the increase to the standard working week?

The standard working week for public servants will increase as follows:

- Those with a net working week of 35 hours or less will increase to 37 hours per week.
- Those with a net working week that is greater than 35 hours but less than 39 hours will increase to a 39 hour week.
- Those with a net working week of 39 hours or greater will remain the same. However, an hour of overtime worked each week for those grades with a net working week of 39 hours or greater will be unpaid.
- Where as of the date of the LRC proposals (25th February 2013) a public servant would have to increase their working time by more than 3 hours to meet the new requirements, the first 3 additional hours will be implemented by 1st July 2013; the remaining liability will be implemented by 1st January 2015.

Q.2 Can I remain on my current working hours?

Arrangements will be made by management to allow staff members to opt to remain on their current hours with the appropriate (pro-rata) pay reduction for a period of time. After a period, persons will be expected to move to one of the standard worksharing patterns, which are to be agreed under these proposals.

Q.3 How will the extra hours be used?

The extra hours will be used to best fit the business needs of your employer. Broad principles of how they will be employed in each Sector are set out at Appendix 1 of the LRC proposal. Detailed arrangements for the implementation of additional hours for each Sector/Body/Agency will be undertaken by public service employers in advance of the proposed implementation date on 1st July 2013.

Q.4 I work in a public office. Will the office opening hours be affected?

Opening hours of Public Offices may change, depending on the particular service needs of the organisation and its clients.

Q.5 Do the extra hours for teachers mean that schools will be open for longer teaching?

No. The additional hours in the Education Sector will involve an expanded liability on first and second level teachers to perform substitution and supervision duties and to provide cover for absent colleagues without additional payment.

Overtime

Q.6 I am earning under €35,000. How is my overtime payment affected?

For those on salaries up to €35,000 (inclusive of allowances in the nature of pay), overtime will be paid at the rate of time and a half at the first point of the appropriate scale. The appropriate scale in each case will be determined by 1st July.

Q.7 I am earning over €35,000. How is my overtime payment affected?

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

Q.8 I work overtime on a Saturday afternoon and Sunday. How will my overtime payment be affected by the proposed Agreement?

Payment for overtime worked on a Saturday afternoon and Sunday that was previously paid at double time, will be limited to time and three quarters.

Q.9 How will the divisor for overtime be affected?

The increased working time will have an impact on hourly rates of pay and divisors for the calculation of overtime will be adjusted accordingly.

Q.10 I am currently working a 39 hour week. How will my overtime be affected?

For those currently with a net working week of 39 hours or greater, an hour of overtime worked each week will be unpaid.

Premia

Q.11 Will staff who are rostered to work on Sundays continue to receive an additional payment?

People who are rostered to work on Sunday will continue to receive an unsocial hours payment. The total amount payable will be limited to time and three quarters.

Q.12 Will there be compensation paid to those who continue to work Sundays?

The proposed Agreement provides that staff who continue to work Sundays on an ongoing and permanent basis will be compensated. Compensation will be based on the actual loss of income calculated over a twelve month period from 01/07/13 to 30/06/14 (i.e. number of Sundays worked by .25). This compensation will be paid in 2015.

Q.13 I currently receive Twilight Payments. Will this continue?

No, under the terms of the proposed Agreement, Twilight payments and any equivalent payments across sectors will no longer be payable.

Q.14 I work in the Education Sector and currently receive payment for Supervision and Substitution. How will this be affected?

Separate payment for supervision and substitution duties undertaken by teachers from 1 July 2013 will be eliminated.

Increments and related balancing measures

Earnings under €35,000

Q.15 I am earning under €35,000. How will my increment be affected?

For those on salaries below €35,000 (inclusive of allowances in the nature of pay), a three month increment freeze will apply during the proposed Agreement. The freeze will take place after the next increment is paid. The following increment will be awarded in fifteen months or equivalent if the increment interval is longer.

Q.16 I am earning under €35,000 and my next increment is due on 5th July 2013. When will this be paid and what will my next increment date be?

Under the terms of the proposed Agreement in this case the increment would be awarded on 5th July 2013 and the next increment would be fifteen months later on 5th October 2014 (or equivalent if the increment interval is longer).

Q.17 I am currently earning under €35,000, what will happen to my increment if I am promoted over the next three years and my earnings go over €35,000?

Where an employee's salary (inclusive of allowances in the nature of pay) exceeds €35,000 during the proposed Agreement, a second incremental freeze of 3 months will apply in accordance with the arrangements for those on salaries between €35,000 and €65,000 (inclusive of allowances in the nature of pay).

Earnings between €35,000 and €65,000

Q.18 I am earning between €35,000 and €65,000. How will my increment be affected?

For those on salaries between €35,000 and €65,000 (inclusive of allowances in the nature of pay), there will be two three month increment freezes during the proposed Agreement. This will take effect after the next increment is paid. For 2 consecutive years there would be a 15 month period between increment dates. If the increment interval is longer than 12 months (e.g. incremental interval of 2 or 3 years), the freeze will be for a single 6 month period.

Q.19 I am earning between €35,000 and €65,000 and my next increment is due on 5th July 2013. When will this be paid and what will my next increment date be?

Under the terms of the proposed Agreement, the increment would be awarded on the 5th July 2013. The next increment would be fifteen months later on 5th October 2014. The following increment would be paid after another fifteen months on 5th January 2016.

Q.20 I am currently earning between €35,000 and €65,000. What will happen if I am promoted over the next three years to a salary over €65,000?

If you are promoted to an incremental salary above €65,000 during the proposed Agreement, progression along the scale will be frozen.

Q.21 I am earning between €35,000 and €65,000 and due to move to LSI 1 on 1 January 2014. How am I affected by the proposed changes in increments?

Under the terms of the proposed Agreement, in this case LSI1 would be awarded on 1 January 2014. However the following increment will be deferred by a period of 6 months.

Q.22 I am earning between €35,000 and €65,000 and on LSI 1 of my incremental scale and due to move to LSI 2 on 1st January 2014. How am I affected by the proposed changes in increments?

Under the terms of the proposed Agreement in this case, LSI2 would be awarded on the 1 January 2014. Under the proposals relating to leave or cash deductions, a pro-rata level of leave or cash deduction will be required depending on when you achieve the increment.

Q.23 I am earning between €35,000 and €65,000 and on LSI2 of my incremental scale. How am I affected by the proposed changes in increments?

For those currently on the final point on the incremental scale and with salaries between €35,000 and €65,000 (inclusive of allowances in the nature of pay), the following arrangements will apply:

- A total reduction of annual leave entitlement over the period of the proposed Agreement of 6 days or
- A cash deduction from salary of an equivalent amount to the value of the 6 annual leave days or half of the most recent increment, whichever is the lesser.

Q.24 I am earning between €35,000 and €65,000 and after a single 3 month delay for my increment, I will reach the maximum of scale. How am I affected by the proposed changes in increments?

For those employees 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 3 month delay for their increment, the proposed Agreement provides for a limited leave adjustment or cash deduction as follows:-

- A total reduction of annual leave entitlement over the period of the proposed Agreement of 3 days or
- A cash deduction from salary of an equivalent amount to the value of the 3 annual leave days or quarter of the most recent increment, whichever is the lesser.

Q.25 I want to opt for a cash deduction rather than an annual leave reduction. How will this operate?

Employers will put administrative arrangements in place for the operation of this arrangement and will advise staff members when these arrangements have been settled.

Higher Remuneration over €65,000

Q.26 What impact will the adjustment proposed have on my salary?

The Government intends to apply a reduction in pay for those on salaries of €65,000 and greater (inclusive of allowances in the nature of pay) as follows:-

Annualised amount of Remuneration	Reduction
Any amount up to €80,000	5.5%
Any amount over €80,000 but not over €150,000	8%
Any amount over €150,000 but not over €85,000	9%
Any amount over €85,000	10%

By way of illustration, take a public servant who currently has a gross pay rate of €120,000. The first €80,000 will be reduced by 5.5%. The next €40,000 of their pay rate will be reduced by 8%. Their gross pay rate will be reduced by €7,600 to a rate of €12,400.

Q.27 When will this pay cut happen?

The reduction in pay will take effect from 1st July 2013.

Q.28 I am earning €65,500. How am I affected by the pay reduction?

Persons covered by the proposed Agreement will not have the remuneration fall below €65,000 as a result of the application of this reduction.

Q.29 I am earning over €65,000 but under €100,000. How does this pay reduction affect my salary scale?

Those on salary scales (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. The overall scale will remain in place. Progression along the scale will be suspended for 3 years.

Q.30 My salary scale ranges from €85,900 to €105,400. How is my scale affected by the pay reduction?

Salary scales above €100,000 will be reduced by the appropriate percentage permanently. Salary scales ranging above €100,000 will fall to be considered under the anomalies provision of the proposed Agreement.

Q. 31 I workshare. How is the rate of adjustment in my salary calculated?

As is the norm for part time workers, the salary of worksharers and those on other atypical work patterns will be calculated by reference to the whole time equivalent salary for the grade in question.

Q.32 I am earning over €65,000. How will my increment be affected?

For those on salaries of €65,000 or greater (inclusive of allowances in the nature of pay), a graduated pay reduction will apply as noted in Paragraph 2.28 of the proposed Agreement. Paragraph 2.28 states that; In addition to the measures on increments above, and as a means to ensuring broad equity of contribution, the parties note that the Government intends to apply a reduction in pay for those on salaries of €65,000 and greater (inclusive of allowances in the nature of pay. Increment progression along incremental salary scales will be suspended for three years from 1 July 2013.

Q.33 I am earning over €65,000 and on the max of scale. How am I affected by the proposed changes to increments?

For those on salaries of €65,000 or greater (inclusive of allowances in the nature of pay), and on the maximum of the scale a graduated pay reduction will apply as noted in Paragraph 2.28 of the proposed Agreement.

Q.34 I am earning over €65,000 and on LSI 1 of the scale. How am I affected by the proposed changes to increments?

For those on salaries of €65,000 or greater (inclusive of allowances in the nature of pay) and on LSI 1 of the scale a graduated pay reduction will apply as noted in Paragraph 2.28 of the proposed Agreement and will remain on that point for 3 years.

Q.35 Are LSIs considered part of the pay scale?

Yes, LSIs where they apply are considered part of the incremental scale for this purpose.

Q.36 I am on a salary less than €65,000 but my allowance (in the nature of pay) brings my salary to over €65,000. How is my increment affected?

As your remuneration including allowances in the nature of pay brings your salary to over €65,000, your pay will be reduced as noted Paragraph 2.28 of the proposed Agreement and not increased in line with increments. However, should your circumstances change e.g. by loss of the allowance, to bring your salary below €65,000, account will be taken of the service accrued for incremental purposes during that period.

Q.37 I am on the max of scale on salary less than €65,000 but my allowance (in the nature of pay) brings my salary to over €65,000. Would I be subject to the annual leave deduction?

No.

Q.38 My salary is over €65,000 and my increment date is 10 July 2013. Will I receive it?

No, increment suspension will apply to all persons on salaries of €65,000 and greater (inclusive of allowances in the nature of pay) from 1 July 2013.

Q.39 My salary is over €65,000. When increments resume, will my current increment date apply?

It is intended that when increments resume account will be taken of time served on existing scale points.

Q.40 I am currently on an increment received after more than 1 years service (e.g. an LSI). Will account be taken of that when increments resume?

Yes, it is intended that when increments resume account will be taken of time served on existing scale points.

Other pay related measures

Q.41 Are allowances affected by the proposed Agreement?

There will be full cooperation with follow up to the Government's Allowances Review, taking account of the recommendations contained in Labour Court Recommendation 20448.

<http://www.labourcourt.ie/labour/labcourtweb.nsf/7a18f8963dd5836380256a01005bb358/80256a770034a2ab80257af40032a3ea?OpenDocument>

Q.42 Is Travel and Subsistence affected by the proposed Agreement?

The Government intends to review and standardise Travel and Subsistence arrangements across the Public Service. Work has commenced on the review. In accordance with normal procedures, there will be negotiations with staff representatives and normal IR machinery may be utilised in accordance with this proposed Agreement.

Q.43 Are there proposals to address the imbalance in the New Entrant Salary scales?

In order to address the imbalance between those who entered the public service since 2011 and those who entered before that date, revised incremental salary scales will be prepared for the same grade entrants to each public service sector.

Q.44 Are there any changes to the Pension Related deduction (PRD)?

The public service Pension Related Deduction (PRD) is being reduced:

Current Rates

Measure	Bands	Rates
Pension Related Deduction	€0 - €15,000	Exempt
	€15,000 - €20,000	5.0%
	€20,000 - €60,000	10.0%
	Above €60,000	10.5%

Proposed Rates

Measure	Bands	Rates
Pension Related Deduction	€0 - €15,000	Exempt
	€15,000 - €20,000	2.5%
	€20,000 - €60,000	10.0%
	Above €60,000	10.5%

For almost all Public Servants this will mean a reduction in the pension related deduction (PRD) cost of €125.00 over a full year.

Pensions

Q.45 Are current public service pension payments affected by the proposed Agreement?

Yes, in parallel with the planned pay reduction on 1 July 2013, the Government has decided to legislate for a reduction in all public service pensions greater than €32,500; pensions below that level will not be affected. The reduction to be imposed on affected pensions will range from 2% to 5% and will be implemented by way of increasing and extending the Public Service Pension Reduction (PSPR).

Q. 46 What is the Public Service Pension Reduction (PSPR)?

The Public Service Pension Reduction (PSPR) is a tiered reduction of public service pensions above €12,000 which is in place since 1 January 2011, and which applies to all relevant pensions awarded up to end-February 2012. With effect from 1 July 2013 it is intended to amend/extend the Public Service Pension Reduction (PSPR) so that all public service pensioners who have retired, or will retire before end August 2014, on pensions of €32,500 or more experience a pension reduction (or additional reduction) of between 2% and 5%. The precise details of this new reduction, including the revised and new PSPR rates, will be set out in legislation to be brought forward before July 2013.

Q.47 I retired before end February 2012 on a pension in excess of €32,500. How am I affected by the proposed measure?

It is proposed that, with effect from 1 July 2013, an increase in the PSPR (Public Service Pension Reduction) will be applied to pensions in payment above €32,500.

Q.48 I retired post February 2012. How is my pension affected by the proposed measures?

A new separate PSPR rate will be introduced to apply to all those who retire or have retired on pensions above €32,500 between 1 March 2012 to 31 August 2014 (both dates inclusive).

Q. 49 Will there be another “Grace Period”?

To facilitate public service management in planning for staff departures in an orderly fashion, it has been decided that public servants who retire before the end of August, 2014 will have their pension and lump sum calculated by reference to the current pay rates, that is, the rates before the pay reductions which will apply from 1 July, 2013.

Q.50 I intend to retire on or after 1 July 2013 but before end August 2014. How will my pension benefits be affected?

Public servants who retire before the end of August, 2014 will have their pension and lump sum calculated by reference to the current pay rates, that is, the rates before the pay reductions which will apply from 1 July, 2013. For those on pensions in excess of €32,500 their pension will be reduced by the new PSPR rate but their retirement lump sum will be unaffected.

Q.51 What will be the rate of increase in PSPR?

The rates have yet to be decided but the intention is that all public service pensioners who have retired, or will retire before end August 2014, on pensions of €32,500 or more experience a pension reduction (or additional reduction) of between 2% and 5%. The precise details of this new reduction, including the revised and new PSPR rates will be set out in legislation to be brought forward before July 2013.

Q.52 I intend to retire on or after 1 September 2014. How will these changes affect my pension benefits?

Your pension and lump sum awards will reflect, if applicable, the pay reductions (on remuneration over €65,000) which are provided for under the LRC proposals. It is not envisaged that you will be liable to PSPR.

WORKPLACE REFORM

Redeployment

Q.53 Has there been a change to the guideline 45km redeployment distance?

No. The guideline distance for redeployment continues to be 45km.

Q.54 Where surpluses have been identified how will staff be identified for redeployment?

Where an activity or programme is no longer being carried out, the posts associated with that activity or programme will be deemed surplus and available for redeployment. Surplus posts may also arise from rationalisation, reconfiguration or restructuring of services or as a result of the Employment Control Framework (ECF) or in line with business needs.

Given the variety of organisations and roles that could be involved, different approaches (geographical, operational, functional, competencies and qualifications, volunteers/seniority, or a combination) may need to be applied to the identification of posts that are surplus. The decision on which of these approaches to apply will be a matter for each individual organisation, based on their business needs.

Volunteers will be sought by the organisation from among the surplus posts at each relevant grade associated with the activity or programme. If there is an insufficient number, Last-In-First-Out (LIFO) will be applied.

Q.55 How will a vacancy be filled by a redeployment assignment?

The CV's of those identified for redeployment will be sent to the Public Appointments Service (PAS). PAS, in conjunction with receiving organisation, will conduct a selection process to establish the suitability of individuals on the Resource Panel for the vacancy concerned based on skills and best fit to role.

Q.56 Will there be cross sectoral redeployment?

Cross-sectoral redeployment is already a feature under the existing arrangements. The redeployment arrangements will be based on the “best fit” for the vacancy in the location. The appropriate match will be determined by the PAS in conjunction with the receiving organisation.

Legislation is being prepared to remove the legislative barriers to redeployment and mobility in general within the public service and is expected to be published in the current Dáil term. It will empower the PAS to designate an existing employee of a public service body for appointment to an equivalent post in another body. Movement between sectors and between NCSSBs also involves a change of employer and the proposed legislation will provide for continuity of service for the purposes for the transfer of pension rights, as well as for certain statutory entitlements (e.g. the Redundancy Acts, unfair dismissal, parental leave etc) which are linked to length of service.

Q.57 Can a staff member appeal a cross sectoral redeployment assignment?

A person may appeal the cross-sectoral assignment to an independent adjudicator who will issue a decision within the terms of the scheme within 21 days. A person’s appeal can include grounds such as the impact on their social and personal circumstances, caring and family responsibilities and costs. The adjudicator’s decision will be binding on all parties and will be final. In all instances the individual will be required to take up the position offered in advance of the adjudication process.

Q.58 What happens if a staff member refuses a redeployment assignment?

If a person refuses an assignment to a comparable role in the public service they will be subject to normal disciplinary procedures.

If a person is being moved from their own sector to another sector, they may appeal the assignment to an independent adjudicator who will issue a decision within the terms of the scheme within 21 days. In all instances the individual will be required to take up the position offered in advance of the adjudication process.

Worksharing

Q.59 How will this proposed Agreement impact on work life balance arrangements?

Work-Life Balance arrangements will continue to be promoted across the public service. These arrangements underpin important social policy goals, in particular supporting the ongoing participation of parents and carers in the workplace. The Irish public service has a proud record of promoting these arrangements and the employee profile across the service reflects the strong efforts made over the last few decades to ensure that public servants’ employment terms allow them to balance their work and home commitments

Q.60 I have a standard worksharing pattern, will I be affected by the proposed Agreement?

A worksharer is an employee who was recruited to a full time position and has opted to reduce their hours to an agreed work sharing pattern. The implementation and operation of worksharing schemes in each public service organisation continues to be at the discretion of management. The LRC proposals reiterate management's right to alter, reduce and/or standardise the range of patterns available, having regard the specific business needs of their organisation. In practice, this means that each public service organisation will need to consider the if there is a need to amend the range of options available.

For example, in the Civil Service, there are currently over 50 variations of patterns in use. These may be reduced to a range of 6-8 patterns. In this case, it is likely that the most popular patterns, of which almost 90% of worksharers are currently availing, will continue to be available.

Any worksharer on a pattern that represents less than 50% of full time hours will be expected to migrate to an available pattern. Changes to patterns will be discussed with individuals and individuals will be given sufficient notice to migrate to the new arrangement.

Q.61 I am on a work pattern less than 50%. How will I be affected by the proposed Agreement?

Changes to patterns will be discussed with individuals on a case by case basis. Worksharing staff who are on a pattern less than 50% of full time working hours will be expected to migrate to a pattern in the range of worksharing options set by management in his/her organisation. Worksharing patterns that reflect less than 50% of full time working hours will no longer be available. (Unless the circumstances outlined in Q.62 and Q.63 apply.)

Q.62 I am in receipt of Carer's Allowance and can only work a maximum of 15 hours per week to retain this allowance. How will I be affected by the requirement to work at least 50% of full time hours?

It is recognised that Carers are providing a valuable service to society and in recognition of this, those in receipt of the Carer's Allowance will not be compelled to increase their working hours beyond 15 hours a week but the hours worked will be at the appropriate pro rata pay rate.

Q63. I am an employee with a disability which limits the amount of work that I can do. Will I no longer be able to work in the public service unless I can work at least 50% of full time hours?

Where a public service employer has reached a reasonable accommodation with an employee with disabilities to work less than 50% of full time hours, the reasonable accommodation will remain in place.

Q.64 – If I am currently on a work pattern that is not on the final agreed list of worksharing options, what will I be expected to do?

Where a person is currently on a pattern which is not on the agreed list of options, management and the individual will agree on a suitable pattern from the agreed list. Individuals will be given sufficient notice to plan for their migration to the new pattern but will be expected to migrate to a new pattern by the end of June 2014 at the latest.

Q.65 - Can management refuse my application for worksharing or an amendment to my current worksharing pattern?

There is no change proposed to existing arrangements in terms of the discretion management currently has regarding the approval of worksharing arrangements. Management will consider each application for worksharing and/or amendments to current arrangements on a case by case basis based on how best to meet the business needs of the organisation and considering the personal responsibilities and obligations of the officer concerned.

Q.66 - Will my worksharing arrangements be reviewed?

Current arrangements provide for individual worksharing arrangements to be reviewed annually. However, it is acknowledged that in practice worksharing arrangements are not all reviewed annually. The LRC proposals reiterate that these reviews will take place on an annual basis and for a review to be completed by the end of 2013 for cases where such a review has not yet been carried out. This review should take place between the individual on the worksharing pattern and his/her line manager.

Flexible Working Arrangements

Q.67 - Who can avail of flexible working arrangements (flexitime)?

Public service organisations that currently have flexible working arrangements (flexitime) in place will continue to have flexitime. Key proposals by the LRC in relation to flexitime relate to the number of days flexi leave allowed and provision to amend the core time bands, if necessary. It is important to note that the operation of flexitime must support the business of the organisation and the provision of services to the public.

Assistant Principals, their equivalents and grades below who currently have access to flexible working arrangements will continue to have access to these arrangements with amendments to access to flexi leave (see question 68).

It is not generally envisaged that management will need to limit the operation of flexitime. However, local discussions will take place prior to any limitation being implemented.

Q.68 - I am currently an AP in the Civil Service on flexitime. How does the proposed Agreement affect me?

You will continue to be able to avail of flexitime in that you will be able to, within certain limits, vary your arrival times, departure times and lunch breaks. However, you will no longer have access to flexi leave.

Q.69 - I am currently an AP and do not have flexitime. Under the terms of the proposed Agreement can I avail of flexible working arrangements?

If you can not currently avail of flexible working arrangements in your organisation/section, you will not be able to avail of such arrangements under the terms of the proposed Agreement. Where flexitime is currently available it will continue to be available, subject to the revised provision that Assistant Principals and equivalents can not avail of flexi leave.

Q.70 - What is the maximum amount of Flexi Leave allowed in any Flexi period?

The maximum amount of flexi leave to be taken by Higher Executive Officers, their equivalents and grades below, will be one day per flexi period. Assistant Principals and equivalents will no longer have access to flexi leave.

The proposed changes allow for the reduction of flexi leave from a potential of 19.5 days per year to a potential 13 days per year (i.e. one day flexi leave every four weeks). Attendance of staff members in the office during normal business hours is a key aspect of improving productivity and increasing the capacity of organisations to deliver services.

Q.71 - Can management limit the operation of flexible working arrangements?

The LRC proposals reiterate the existing prerogative of management to limit the operation of flexible working arrangements in their organisation and/or sections of their organisation. Local discussions will take place prior to the implementation of any such changes.

