

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Corporate Services

Corporate & Efficient Governance Committee: 25 November 2009

Subject: Terms & Conditions of Employment for Local Government Employees - Amendments to Public Holidays

1. Purpose

- 1.1** To advise the committee of work undertaken to date in relation to the harmonisation of terms and conditions of employment (for former APT& C and Manual Workers) following the implementation of the Single Status Agreement.
- 1.2** To detail proposals for the future amendment of West Dunbartonshire Council's terms and conditions of employment for Local Government Employees.
- 1.3** To seek approval to amend the days currently designated as Public Holidays.

2. Background

- 2.1** Following the Council decision of 19 August 2008 a new set of Terms and Conditions of Employment were introduced in respect of Local Government Employees.
- 2.2** As part of these arrangements 8 days were designated as Public Holidays
 - 1 January (or next working day)
 - 2 January (or next working day)
 - Easter Monday
 - May Day (first Monday in May)
 - Fair Monday (third Monday in July)
 - September Monday (last Monday in September)
 - Christmas Day (or next working day)
 - Boxing Day (or next working day)
- 2.3** Following representations made by the Trade Unions at the Joint Consultative Forum of 26 March 2009 a number of issues were noted in relation to Good Friday which is currently not a designated Public Holiday

3. Main Issues

Development of Terms & Conditions Manual

- 3.1** Following the agreement of a new set of Terms and Conditions of Employment by Council on 19 August 2008 work has been successfully

undertaken to effect contractual changes in respect of employees covered by the Single Status Agreement.

- 3.2** Prior to the harmonisation of terms and conditions of employment several manuals detailing terms and conditions of service relating to different categories of jobs and from several antecedent authorities existed. Work has now been completed to consolidate these differing terms and conditions and effect the changes agreed by Council to produce one document that will now reflect the Terms and Conditions of all Local Government Employees with West Dunbartonshire Council.
- 3.3** Following discussions with Trade Unions and approval by the Corporate Management Team the revised manual is now ready to be issued.
- 3.4** This will provide the Council for the first time with a definitive set of Terms and Conditions of Employment that not only reflect modern working practices and support service delivery but meet our duties and responsibilities in respect of pay equality.
- 3.5** Manager and Trade Union awareness sessions will be scheduled to coincide with the production and issue of the Terms & Conditions manual.

Future Changes to Terms & Conditions of Employment

- 3.6** It is essential that consistency and equality are maintained to provide a robust defence to future inequality claims and auditing procedures have been put in place to ensure that departments adhere to the agreed Terms & Conditions of Employment. In addition as part of the Council's ongoing equality duty regular reviews will be undertaken on current and future Terms & Conditions of Employment.
- 3.7** It is therefore proposed that any future changes to Terms & Conditions of employment not governed by legislative changes or forming part of national collective bargaining mechanisms (adopted as part of West Dunbartonshire Council's Terms & Conditions of Employment) are submitted to the Corporate & Efficient Governance Committee for approval.

Amendments to Designated Public Holidays

- 3.8** Following concerns raised by Trade Unions and Managers in relation to operational difficulties and the removal of what is perceived to be a recognised religious holiday it is proposed that Good Friday is designated as a Public Holiday and that Fair Monday (third Monday in July) is designated as a normal working day. This would bring the Local Government Employees into line with other employee groups including Teachers and Craft Operatives in relation to the Easter break. The number of designated Public Holidays would remain at eight as previously agreed by Council.
- 3.9** Good Friday falls predominantly in April, therefore in most situations the 8 designated Public Holidays would tie in with the West Dunbartonshire Council leave year of 1 April – 31 March. It should however be noted that in some occasions, notably in 2013 as Easter falls on 29th March, 9 public holidays

would fall within the leave year of 2012/13 and 7 would fall within the leave year of 2113/14.

4. Personnel Issues

- 4.1** The redesignation of Good Friday as a Public Holiday and the removal of Fair Monday as a Public Holiday while resulting in no direct HR issues would be perceived as a positive response to employee requests.

5. Financial Implications

- 5.1** There would be no financial implications associated with this proposal as the number of days that premium payment would be paid would remain as 8.

6. Conclusions and Recommendations

- 6.1** Over recent months Single Status has been a key priority, and considerable effort has gone into the implementation of the Single Status Agreement and the introduction of a harmonised set of Terms & Conditions of Employment which support modern employment practices and demonstrate equality. It is therefore essential that appropriate measures are taken to audit and amend Terms & Conditions in the future.
- 6.2** It is therefore recommended that any future changes to Terms & Conditions of employment not governed by legislative changes or forming part of national collective bargaining mechanisms (adopted as part of West Dunbartonshire Council's Terms & Conditions of Employment) are submitted to the Corporate & Efficient Governance Committee for approval.
- 6.3** It is further recommended that Good Friday is redesignated as a Public Holiday and Fair Monday is removed as a Public Holiday with effect from 1 April 2010 and that arrangements are made to notify staff accordingly.

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Appendices: **Background Papers:**
Wards Affected: N/A.