

## **Clarifications and Updates on Frequently Asked Questions Document on Implementation of the Public Service Stability Agreement 2013-2016 (Haddington Road Agreement)**

**Updated 17<sup>th</sup> October 2013**

### **Annual Leave**

The annual leave entitlement of employees should be adjusted to reflect the additional working hours of employees under the provisions of the Haddington Road Agreement.

In the case of employees who have varying weekly hours of attendance or who work shifts of varying lengths, annual leave entitlement is generally recorded in hours. Their entitlement is calculated by dividing the normal weekly working hours for the grade by 5, and multiplying this figure by the annual leave entitlement for the grade.

e.g. an employee who works a 37 hour week and gets 25-days annual leave per year is entitled to 185 hours per annum, i.e.  $25 \text{ (annual leave days)} \times 7.4 \text{ (hours)}$

From the 1st July 2013 the above employee is required to work 39-hours per week under the terms of the Haddington Road Agreement. Their annual leave entitlement should be adjusted to 195 hours per annum, i.e.  $25 \text{ (annual leave days)} \times 7.8 \text{ (hours)}$

Where employees retain their pre-July 2013 working hours, their annual leave will be adjusted on a pro rata basis to the new WTE working hours. Using the above example, an employee who before the 1st July 2013 works 37-hours per week, and opts to remain working 37-hours instead of increasing to 39-per week will continue to have an annual leave entitlement of 185 hours after the 1st July 2013, in contrast to the WTE, who now has an annual leave entitlement of 195 hours per annum.

In the case of an employee who works the same number of hours every day, their annual leave will also be adjusted to reflect the longer working day under the Haddington Road Agreement

e.g. an employee who works 35-hours per week (7-hours Monday to Friday) increases their working hours to 37-per week under the Haddington Road Agreement. His/her working day increases by 24-

minutes per day. S/he is entitled to 25-annual leave days per year. His/her new leave entitlement is now 185 hours per annum, i.e. 25 (annual leave days) x 7.4 hours (or 25 days at 7-hours 24-minute).

If an employee retains their pre-July 2013 working hours, their annual leave will be adjusted on a pro rata basis to the new WTE working hours. Using the above example, an employee who before the 1st July 2013 works a 35-hour week, opts to remain working 35-hours instead of increasing to 37-per week will have an annual entitlement of 175 hours per annum, i.e. 25 (annual leave days) x 7 hours (or 25 days at 7-hours per day), in contrast to the WTE who now has an annual leave entitlement of 185 hours per annum.

### **Working Hours**

- Those at Grade VII and equivalent or below currently working less than 35 hours per week, will increase their hours by 2 hours 15 minutes per week, and will retain these hours on a red-circle basis, subject to working a minimum of 35 hours. These employees will only be entitled to overtime payments after they have worked 37-hours – any shortfall between their red-circled working hours and the 37-hours for the grade will be **paid at flat rate**. New entrants will be required to work the new revised hours for the grade i.e. 37 hours.  
**Note: To determine if a particular grade is equivalent to a grade VII, the maximum point in their salary scale must be lower than the first point of the Grade VIII salary scales as of the 1<sup>st</sup> July 2013.**
- Radiographers who currently work 35 hours per week will increase their working hours to 37. Discussions are ongoing in relation to those currently with working hours under 35-per week. Further clarification will issue in the next couple of days on this matter.
- 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 (including Consultants who signed the 2008 Consultant's contract).
- The phasing arrangements, i.e. first 2 hours and 15 minutes implemented from 1st July 2013 and remaining liability to be implemented from 1st July 2015, apply to Consultants who work under the terms of the 1991 Consultant's Contract, the 1997 Consultant's Contract and the 1998 Academic Contract.
- Where employees retain their pre-July 2013 working hours, their annual leave will be adjusted on a pro rate basis to the new WTE working hours.

### **Overtime**

- The existing caps on overtime for certain Clerical/Administration and EHO staff will continue to apply, i.e.

- In the case of employees whose salary equals or exceeds the second long service increment of the grade V scale, the hourly rate should be calculated by reference to the second long service increment of the grade V scale;
- The hourly rate for grades VI, VII and analogous grades should be calculated by reference to whichever is the lesser of individual's salary or the second long service increment of the grade V salary scale.
- The rates of overtime will be paid in line with the Haddington Agreement, i.e.
  - Those who earn <€35,000, T1/2 on the first point of their salary scale, for overtime worked Monday to Friday and the first 4-hours on a Saturday
  - Those who earn >€35,000 T1/4 of their own point of the salary scale (>€35,000) (subject to the fore-mentioned caps), for overtime worked Monday to Friday and the first 4-hours on a Saturday
  - Double time will apply after the first 4-hours overtime worked on a Saturday and for overtime on Sunday.
- The divisor for calculating overtime is 37.
- All employees will continue to receive overtime at double time for overtime hours worked between midnight and the normal start of the day (if they were in receipt of this payment prior to the Haddington Road Agreement).
- Ambulance personnel will continue to receive double time for overtime worked on their rest-days until a national agreement on annualized hours is reached (if they were in receipt of this payment prior to the Haddington Road Agreement).

#### **Twilight Payments (T1/6)**

- Twilight payments and any equivalent payments across the sectors will no longer be payable.
- However, all grades currently rostered for hours between 8pm to 12 midnight and receiving twilight payments, they will continue to receive payments between 8pm and 12 midnight only, **but not for the period between 6pm and 8pm.**

#### **Parental Leave**

- Current Parental Leave entitlements should be revised to take account of the increased working week, e.g. an employee prior to the 1<sup>st</sup> July 2013 worked 35-hours per week, their working hours increase to 37-per week under the HRA. S/he avails of 1-days Parental Leave per week. This employee's Parental Leave entitlement adjusts upwards from 7-hours per day to 7.4-hours per day for his/her remaining entitlement
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#### **Senior Staff Nurses**

Extract from Circular 17/2013

*It is understood that the personnel afforded the grade from July 2013 onwards will discharge duties and responsibilities in accordance with Clause 8 above, and it is expected that those who currently hold the grade will continue to co-operate in this regard.*

It should be noted that this should only apply to ward based positions.

**Superannuation – SSN**

Please note that Senior Staff Nurses are not considered as having been promoted and therefore should be treated in accordance with this position, in the calculation of pension entitlement.

**HRA Regularisation.**

Please note that regularisation should be effective from the 1<sup>st</sup> October 2013.