

Q & A Bulletin Board

With INMO director of industrial relations Phil Ní Sheaghda



Query from PHN member

I am a PHN who has always had concession days at Christmas and Easter. I am being told that these are to go, but I thought the INMO was challenging this. Can you update me?

Reply

Yes we are challenging this and you may be aware a conciliation conference was held on Tuesday, December 18, relating to HSE's proposals regarding annual leave. The referral was made by the Staff Panel of Health Sector Unions.

The HSE position remains that; concession days will only be incorporated into annual leave for grades who legitimately held them prior to these changes being introduced by the Department of Expenditure and Public Reform. They insist that grades who have had concession days but were not awarded them officially will now forfeit.

The Trade Union's position has been, and remains, that concession days, where they applied, in some cases for 20 years, must remain as they are part and parcel of an individual's contract and terms and conditions of employment. Furthermore, the Trade Unions are arguing that the Department of Public Expenditure and Reform's letter to the Public Service Committee of ICTU, did not stipulate that those that had enjoyed concession days would now have to verify how they were awarded to them. The other issues outstanding in respect of Annual leave are:

- **Existing Employees** – Immunisation Days for public health nurses, we argue that these are 'time in lieu' and therefore outside of the provisions of this instruction from DPAR. The HSE disagree and requested that the Labour Court hear arguments.
- **New Entrants** – the HSE have a draft circular which has not been issued, which is disputed by the Trade Unions and agreement was not reached on this circular at the LRC. In essence what this circular proposes is that lower limits of annual leave will apply, eg. for nursing/midwifery grades, annual leave for all grades would be capped at 25 days.

The Unions have objected and referred the matter to the Public Service Agreement National Implementation Body seeking clarification. The LRC will reconvene the hearing once this clarification has been obtained.

Query from member

I am a fixed term worker and paying into the Health Service Pension Scheme. I am aware that there is a new pension, how will this affect me?

Reply

Yes, you are correct, there is a new pension scheme for new entrants to the public service, effective from January 1, 2013. This will not affect people who are currently working and paying into a pension scheme, as their pension will continue as is. The new pension scheme is different from the current scheme when calculating pension and lump sum, currently it is based on the salary of the grade on date of retirement. This new pension is

based on what is termed a career average scheme. What this means is, contributions that are made each year will be averaged over the career span and pension will be based on this sum which will be increased in line with consumer price index, on retirement, as opposed to the salary for the grade on retirement.

If you leave the service for a period in excess of 26 weeks at any time in the future, and then re-enter the public service, you will re-enter on the new scheme. This will not apply if your contract is not broken, ie. career break, secondment, maternity leave. Therefore it is very important that people consider this implication if considering resigning from their post in the future. The Department of Finance will be issuing an explanatory booklet on the new scheme very shortly and this will be available on their website. They normally produce a 'Frequently Asked Questions' bulletin on new schemes and this will also be on their website.