



**DEFEND CONTROL JOBS**  
AN INJURY TO ONE IS AN INJURY TO ALL

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**FIRE BRIGADES UNION**  
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**TO: ALL MEMBERS**

Dear Brother / Sister

**PART TIME WORKERS' SETTLEMENT**

As members will be aware, since achieving our hard-won victory in the House of Lords and the Employment Tribunal in Croydon, the FBU has been in negotiations with the employers' side of the NJC and the relevant government departments (Treasury Solicitor and CLG) to reach a detailed agreement by way of settlement.

These negotiations on changes to the Grey Book and financial settlement have now concluded. We are currently finalising the finer points of wording.

Negotiations on pensions have moved on apace, following a long period of inactivity on the government side. Whilst we believe we have got the basis of an agreement on most of the areas now, this matter will take a little while longer because of the processes necessary to implement an agreement as a result of the pension scheme being a statutory instrument.

As you know, and as we have emphasised previously, it is essential to appreciate that this legal challenge and the test cases have been brought by the FBU alone. Confusion may arise because of another case lodged by the RFU on separate grounds. The RFU has never shown any intent to progress that case towards a determination. Throughout, the RFU members have had to rely on the outcome in the test cases brought, and fought, by the FBU. Despite this, the RFU have from time to time portrayed the outcomes as in some way being a result of their actions. **It is the FBU alone which is negotiating with the employers and the government to bring a favourable conclusion to these issues.**

The RFU will be meeting with the employers to see if they agree to the terms negotiated with the FBU. In truth they have little choice but to agree. They have a legal case which has been stayed, which had little or no chance of success because it is founded on an ill-conceived challenge using sex discrimination legislation, rather than the part time workers regulations.

The principles contained within the FBU's successful negotiations through the NJC include:

- The key aim of a Grey Book made free from discrimination against part time workers including sick pay.
- Sick pay will be paid for periods of sickness backdated to 30 June 2009
- Full protection of bounty payments already paid to retained firefighters;
- No reduction in the settlement sum to offset bounty payments already made
- In addition, a financial settlement which all retained firefighters will receive.

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Whilst negotiations with the government haven't quite concluded, agreement has been reached that bounty payments already received will not to be paid back by retained firefighters taking up the opportunity to receive a pension/pensionable service, nor will any adjustments be made to the employee's contribution to account for bounty payments having been received.

The details of the compensation payment are:

- the compensation is made in respect of the reference period i.e. 1 July 2000 to 30 June 2009 (known as the reference period)
- the compensation payment is based upon length of service, rank/role and level of cover provided. Cover pro-rata adjustment to be not less than 75% (which reflects the pay structure)
- the maximum levels of payment will be firefighter £675; leading firefighter/crew manager £700; watch manager/sub and station officers £725. There will be minimum payment of £150.
- The exceptions to the above, are those members who can evidence that they had been absent on continuous sick leave for absence of 9 or more months, with a non-injury related sickness during the reference period. Such cases will merit a higher payment based upon the person's average fire service earnings in a 12 week period.
- The agreement will mean the full settlement of any claims members have or may wish to register arising from the Grey Book up to 30 June 2009.

Letters will be sent to members shortly, advising you of how much this settlement means to you and what actions you should take. This letter will be sent to you by the FBU or by Thompsons solicitors. Please do not act on any advice, guidance or instruction from any other organisation, including your employer. Should the employer or any organisation try to contact you, please notify the FBU as soon as possible.

An NJC circular will be issued on the matter shortly.

Best wishes.

Yours fraternally



**ANDY DARK**  
Assistant General Secretary

AD/jh