



FIRE BRIGADES UNION

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CIRCULAR 2012HOC0015AD

11 January 2012

TO: ALL RETAINED BRANCHES
Cc: All Wholetime Branches

Dear Brother / Sister

PART-TIME WORKERS PAY AND CONDITIONS SETTLEMENT : UPDATE 11 JANUARY 2012

Members will be aware that some considerable time ago, the FBU informed members that we had negotiated a settlement to the long-standing part-time workers dispute. This negotiated settlement was part of the practical implementation of the legal victory secured by the FBU, which went to the House of Lords. The agreement was recorded in NJC Circulars 3/2011 and 4/2011. It was notified to members in All Members circular **2011HOC0140AD**. This circular can be located on the following weblink: <http://www.fbu.org.uk/?p=2088>. The NJC Circulars can be found on these two weblinks:

<http://www.fbu.org.uk/wp-content/uploads/2011/03/NJC-4-11.pdf>
<http://www.fbu.org.uk/wp-content/uploads/2011/03/NJC-3-11.pdf>

The agreement require each of the employers to verify each eligible employee, and calculate an offer for each of you, to notify a data processing firm (Popularis), who will then send the offer with a letter fitted to the employee's "profile" (e.g. an ET claimant or not).

Unfortunately, the process has proven to be very problematic. The matter was raised at the NJC, and the delays resulted in the schedule having to be put back by a whole year, which was reported in an All Members circular in June 2010 :- <http://www.fbu.org.uk/?p=2555>

During 2011, there were a couple of false starts, but the data proved to be insufficient, so despite circulars being sent to members in early 2011, the letters containing the offer still couldn't be sent out.

In April 2011, a Pay and Conditions special was circulated <http://www.fbu.org.uk/wp-content/uploads/2011/04/7258-FBU-A4-Retained-bulletinLR.pdf> and an All Members circular <http://www.fbu.org.uk/?p=2809> announced a set of Frequently Asked Questions http://www.fbu.org.uk/wp-content/uploads/2011/04/2011HOC0180AD_RET_FAQ.pdf

During 2011, data and information was provided by fire and rescue authorities, but in many cases, the information was identifiably incomplete or inaccurate.

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At the close of 2011, it appeared that all parties would be in a position to have the relevant letters sent to members (and non-members). On 3 January 2012, a case conference between the National Joint Secretaries, each side's lawyers and the service provider, took place to iron out any final problems, and the date of 26 January 2012 was agreed. This is to allow sufficient time to have the finalised re-proofed letters printed. That said, we know that there are 1800 members who will receive a letter, but who will have an alternative timeline, to that which will apply to the majority of retained firefighters. These 1800 members represent a group who registered a claim with an employment tribunal in 2000, but who cannot be traced by employers. These members will be written to separately at their last known address, with details of the information that they should provide in order that we can process their claim. They have not been forgotten, but it was felt that it was better to deal with them separately rather than delay the whole process.

Should there be any change, then members will be notified via a circular to branches. Whilst this indecisive comment will understandably be considered by many members to be unsatisfactory, it is the result of the previous false starts mentioned above. This is exacerbated by the fact that we have been informed in the last few days, that at least one fire and rescue authority has indicated that it's previously provided financial offers of settlement, may have been calculated incorrectly. It is difficult for members and officials alike to fathom why it is beyond the capabilities of fire authorities to gather together some fairly routine data regarding their employees, and then to use that data to perform a simple calculation.

However, that is what we have experienced this far, so I hope that members will understand our reluctance to vouch for a date which is relevant to a large degree on fire authorities.

Best wishes.

Yours fraternally

A handwritten signature in black ink, appearing to read 'Andy Dark', with a stylized flourish at the end.

ANDY DARK
Assistant General Secretary

AD/jh