

Date: Friday, 23 February 2007

## **ALL MEMBERS**

### **UPDATE ON CURRENT ISSUES**

Dear Brother/Sister,

You may be aware of certain current issues both locally and nationally that you should be informed about. I apologise for not being able to circulate this communication earlier but we have attempted to cover most points within this circular, any further information can be gained from your branch and brigade officials.

#### **CPD Payments:**

Despite Merseyside FBU opposition the national FBU have now reached agreement with the national employers within the NJC on the issue of CPD. Members will now have to apply for the CPD and await the outcome of that application process, there is an appeal process to those who fail to receive CPD payments. I have attached all the national advice received on this issue, including advice from FBU Head Office on filling the forms. (Please do not shoot the messenger)

Backdated LSI payments, ceased from October of last year and owed our members will now be released; we are in discussions with management and hope that those payments will be ready for the next pay packet.

#### **Seasonal Trends.**

Members will also be aware of the massive increase in the scope of the absence and attendance policy, a policy not agreed with the FBU. The increase in the scope of this policy effectively includes in the region of 650 of our members in the punitive element of the policy. Members will also be aware that one of the criteria in receiving CPD is the expected inclusion of absence and attendance records including warnings received.

The FBU are in constant discussions with our legal team on this matter and a form of words for members who wish to lodge a grievance on this matter is attached for your information and action.

### **Discipline Issues emanating from Industrial Action.**

The Brigade Officials attended a NJC Joint Secretaries meeting with management in London recently; the meeting was to discuss the FBU registered dispute regarding a breach of the return to work agreement regarding discipline emanating from activities emanating from the industrial action. Members will be aware of a significant number of discipline which has caused stress to those under investigation and unrest from our members who have observed this attack.

The meeting started positively and both sides appeared committed to resolving this dispute. Unfortunately, the talks quickly broke down after lunchtime, although I stress, not due to any actions of the FBU team who remained prepared to talk throughout the day. It is welcome however, that the local joint secretaries have agreed, subsequent to the meeting, that we will continue dialogue and to assist that process all relevant discipline will be suspended for a period to allow those talks to continue, we will keep members fully informed of progress on this important matter.

### **Employment Tribunal.**

Members will be aware that the FBU have had to defend ourselves in an employment tribunal recently. Members will also be aware of significant press interest in this matter. The FBU are making no comments to the press until the judgement is delivered to the FBU, expected within 28 days of the rising of the hearing. As soon as the judgement is delivered we will ensure all of our members are made aware of the decision.

### **Senior Management Pay Rise.**

Members may have read press reports on the pay increases to the senior management team, reported to be 15%. I have attached the press report for your information. At the Fire Authority meeting, yesterdays date, it was clear that there was division of the elected members on this issue and a vote was required. It is our understanding that the pay package had the support of the Labour Group and only carried with the support of the Tories!

I am aware that this circular only covers a number of points members are acutely interested in at present, and we will prepare more circulars to provide that information as quickly as possible.

Yours in unity

L Skarratts  
Brigade Secretary

Suggested wording for FBU members who wish to lodge a grievance regarding the current trends initiative.

*I wish to appeal against a formal warning by MF&RS under the unilaterally imposed Absence and Attendance policy and that I have been warned about my "unsatisfactory performance" under the auspices of a perceived sickness/injury "trend". I am further aggrieved that no information, either written or verbal, has been issued with regards to the criteria that meets a "trend" or that any manager within MF&RS is willing to name the person who made the decision on "trends" and enforced the issuing of these warnings.*

*I believe that the correct method of dealing with any sickness absences is by MFRS applying SOP ADM 0100 and ADM 0103. My union with whom you collectively agree such procedures (which are then incorporated into my individual terms and conditions of employment under paragraph 1) confirm that ADM 0100 and ADM 0103 are agreed, whereas the policy which I have been warned under is neither agreed nor incorporated into my contract.*

*Please confirm if my personal circumstances were taken into account and what guidance and/or explanations were issued on what constitutes a "trend" or otherwise under the unilaterally imposed Absence and Attendance.*

*I look forward to receiving a hearing date for my appeal at which I wish to be represented by an FBU representative.*