

Civil Service Conciliation and Arbitration Scheme

General Council Report 1484

(Meeting/s of 13 December 2006, 28 February 2007, 30 May 2007)

To change the way in which overtime is currently being paid : that in future all overtime should be paid on the point of the scale on which the claimant is paid and that one gets paid for all hours worked.

1. The claim refers to the way in which HEOs, AOs and equivalent departmental grades are paid for overtime. In the case of these grades, overtime payments are capped at the sixth point of the HEO standard scale and the first hour of overtime receives no payment.
2. The Official Side said that these conditions for the payment of overtime to HEOs, AOs and equivalents have evolved over the years. Circular 7/87 (section IV) capped overtime payments at the maximum of the EO scale. Circular 20/91 (para. 2b) capped them at the fourth point of the HEO standard scale. GC Report 1346, in turn, capped them at the sixth point of the HEO standard scale.
3. The Staff Side said that there was no logic to this restriction or to non-payment for the first hour of overtime.
4. The Official Side said that the restrictions were not unreasonable considering the level of management and salary levels of the grades in question. Overtime rates in the civil service were generally very good, e.g. after the first eight hours of overtime in the overtime week, pay is at double the normal hourly rate; also, staff are paid for a minimum of 3 hours for overtime on Saturday, Sunday and public holidays (even when they attend for less than 3 hours overtime).
5. The Official Side had queried large organisations in the public sector about how they deal with overtime for their comparable staff. The investigation showed that these organisations had more or less identical practices with regard to overtime for staff comparable to HEO/AO. In fact, their cut-off point for overtime payments was somewhat lower than the sixth point of the HEO standard scale.
6. The staff side stated that they had access to overtime rates for bank officials which clearly showed much better rates than those being sought and were willing to share this information if that would assist

the Official Side in their deliberations.

7. The Official Side stated that considering there are approximately 3,500 HEOs (700 of them above the sixth point), 250 AOs, and 1000 equivalent grades, this would be a cost increasing claim according to Towards 2016 (Chap. VIII, para.27.7).

8. The Staff Side said that they did not accept that the claim was covered by the general prohibition on cost-increasing claims in Towards 2016 referred to by the Official Side. The claim was very clearly a "Minor Claim" and, as such had to be dealt with on its merits and was not debarred by the provisions of Towards 2016

9. The Official Side then drew attention to the fact that a range of allowances had to be adjusted upwards when the HEO/AO overtime cap was increased (in February 1990) from the fourth point to the sixth point of the standard scale (GC Report 1346).

10 GC Report 1346, which dealt with an identical claim, referred to "full and final" settlement of the issue (para. 4).

11. The Official Side therefore rejected the claim on the grounds that the conditions governing overtime payments for HEO, AO and equivalent grades were, taken as a whole, rational and reasonable and in line with those applied in other public sector organisations.

12. This report, recording disagreement, was adopted on 30 May 2007.

Agreed report, recording disagreement.

This report was adopted on 30 May 2007