

Reference No: E107/4/95; **Date:** 31/10/97

Circular 33/1997:- Agreement in Relation to Grades Represented by the Civil and Public Service Union

A Dhuine Uasail

I am directed by the Minister for Finance to convey the following instructions to Departments arising out of his acceptance of General Council Report 1323 regarding an agreement on the restructuring of grades represented by the Civil and Public Service Union (CPSU) under Clause 2(iii) A of the PCW pay agreement. The General Council Report is being issued to Departments separately.

Flexibility of Working

2. The revised structures, salary scales and other provisions referred to in this circular have been agreed on the basis of acceptance by the CPSU of the flexible working arrangements and other measures of change specified in the agreement attached as Appendix 3 to General Council Report 1323. In this regard the attention of Departments is drawn to the agreed provisions in relation to the following matters.

- * Duties of Clerical Assistant, Clerical Officer and Paperkeeper
- * Signing off of work
- * Open reporting with other grades
- * Cross stream reporting
- * Decentralisation/regionalisation of promotions
- * Existing flexibility
- * Atypical recruitment
- * Co-operation with organisational change, new schemes and initiatives, and technology
- * Varying hours of attendance
- * Maintaining standards of performance
- * Deployment of surplus staff
- * Training

3. The measures referred to in paragraph 2 represent a contribution on the part of staff in the area of flexibility and change, in the interests of efficiency and effectiveness and an improved quality of service. It is important that the opportunities which these provisions present should be availed of by Departments in accordance with the terms of the agreement which, among other things, acknowledges the importance of

preserving the basic ethos of public service which is central to the civil service.

To/ All Departments etc.

Classes Affected

4. The provisions of this circular apply only to grades represented by the CPSU. Grades represented by other unions whose pay was in the past determined by reference to movements in the pay of grades represented by the CPSU are not covered by the terms of this circular.

5. The revised pay scales shown in this circular relate to the grade of Staff Officer and to the new grade of Clerical Officer, which includes persons currently serving as Clerical Assistants and Paperkeepers. Separate instructions will be issued to the Departments concerned on the revised pay scales applicable to departmental grades represented by the CPSU.

Revised Structure

6. There will be a single clerical grade, entitled "Clerical Officer", which will replace the existing grades of Clerical Officer, Clerical Assistant (including typist and shorthand typist), Clerical Assistant (Data Entry) and Paperkeeper. Accordingly, apart from the arrangements referred to in paragraph 42, upgradings/promotions from Clerical Assistant/Paperkeeper to Clerical Officer will no longer arise and no such upgradings/promotions should be made following the date of this circular. Likewise, no appointments to Paperkeeper should be made following the date of this circular.

7. There will be one set of duties for all members of the new Clerical Officer grade, comprising all the duties of the existing grades of Clerical Officer, Clerical Assistant (all categories) and Paperkeeper and all members of the new grade will be liable for the full range of these duties. On this basis officers currently serving as typists will be liable for the clerical duties of the new grade and will perform such duties as required.

8. There will be a standard scale and a higher scale for the new Clerical Officer grade. There will be no distinction in liability for duties between staff on the standard scale and those on the higher scale. The number of persons to be assigned to the higher scale for Clerical Officer will be the equivalent of 30% of the number of persons serving in the existing grade of Clerical Officer. Further instructions in this regard are given in paragraphs 30 to 41.

Implementation arrangements for serving staff

Revised Pay Scales

9. Serving staff in the grades of Staff Officer, Clerical Officer, Clerical Assistant, (all categories) and Paperkeeper will be assimilated to the revised pay scales shown in Appendices 1 to 6 of this circular. The revised scales will be implemented in phases. The first phase will be payable with effect from 1 December 1995 and the second phase will be payable with effect from 1 June 1997. The scales shown in Appendices 1 to 6 take account of these phasing arrangements and also of the general round eases sanctioned in Circulars 12/96, 18/96 and 28/97. The scales and assimilation arrangements shown in Appendix 6 relate only to serving Clerical Assistants appointed on or after 6 April 1995 paying the Class A rate of PRSI contribution and making an employee contribution in respect of personal superannuation benefits.

Assimilation of serving staff to the revised scales

Staff Officers and Clerical Officers

10. Officers serving as Staff Officers and Clerical Officers on 1 December 1995 should be assimilated to the revised scales effective from that date on the basis of corresponding points as shown in Appendices 1 and 2 to this circular. Serving Staff Officers and Clerical Officers who entered the grades after 1 December 1995 should have their starting pay recalculated with effect from the date of entry by reference to the revised scales. Revised arrangements for starting pay on promotion, to take account of long service increments, are being communicated to Departments.

Staff Officers and Clerical Officers in receipt of allowances

11. Payment of the computer programming allowance to Clerical Officers will continue. The position of Staff Officers and Clerical Officers in receipt of allowances for the performance of the duties of a higher grade will be dealt with in the separate instructions referred to in paragraph 42. This Department should be consulted in all other cases involving the payment of allowances to Staff Officers and Clerical Officers.

Clerical Assistants

12. Officers serving on 1 December 1995 as Clerical Assistants, including typists, shorthand typists and Clerical Assistants (Data Entry), should be assimilated to the revised scale effective from that date as shown in Appendix 4 or 6, as appropriate, to this circular. Serving Clerical Assistants

who entered the grade after 1 December 1995 should have their pay recalculated by reference to the revised scale. Incremental dates will remain unchanged except that in the case of an officer on the maximum of the existing Clerical Assistant scale the incremental date on the revised scale will be 1 December.

13. Serving Clerical Assistants who have six years or more satisfactory service on the maximum of the existing scale on 1 December 1995 should be assimilated to the 12th point of the revised scale with effect from that date. Serving Clerical Assistants who attained six years satisfactory service on the maximum of the existing scale within 12 months of 1 December 1995 should be placed on the 12th point of the revised scale with effect from the date such service was attained. In these cases the incremental date on the revised scale will be 1 December i.e. all Clerical Assistants who are assimilated to the 12th point under the arrangements outlined in this paragraph will, subject to satisfactory service, progress to the 13th point of the scale with effect from 1 December 1996.

Clerical Assistants in receipt of the Word Processing Allowance

14. The word processing allowance will be abolished with effect from 1 December 1995. Clerical Assistants holding the allowance should be assimilated to the new Clerical Officer scale as follows :

Clerical Assistants holding the word processing allowance on 1 December 1995

- (a) A Clerical Assistant holding the word processing allowance who was below the maximum of the scale on 1 December 1995 will be assimilated to the new Clerical Officer scale with effect from that date on the basis of the pay rate resulting from the assimilation arrangements referred to in paragraph 12 plus the amount of the word processing allowance. Since the rate of pay determined on the foregoing basis will be an off scale point the person concerned should subsequently be assimilated to a scale point by reference to the normal arrangements in this regard, involving a new incremental date.

- (b) A Clerical Assistant holding the word processing allowance who was on the maximum of the scale for less than six years on 1 December 1995 should be

assimilated to the 13th point of the new Clerical Officer scale with effect from that date.

- (c) A Clerical Assistant holding the word processing allowance who was on the maximum of the scale for more than six years on 1 December 1995 should be assimilated to the 14th point of the new Clerical Officer scale with effect from that date.

In cases covered by (b) and (c) above the incremental date on the new scale will be 1 December.

Clerical Assistants who first received the word processing allowance after 1 December 1995

- (d) Where a Clerical Assistant was serving on 1 December 1995 but did not receive the word processing allowance until subsequently, the provisions of paragraph 12 or 13, as appropriate, should be applied with effect from 1 December 1995. The assimilation arrangements should subsequently be revised in line with the provisions outlined in (a) to (c) above, as appropriate, with effect from the date on which the word processing allowance was first payable.
- (e) A person who entered the Clerical Assistant grade after 1 December 1995 and who held the word processing allowance from the date of entry should have his/her pay recalculated by reference to the provisions of (a) above with effect from the date of entry. Where the word processing allowance did not become payable until subsequent to the date of entry the provisions of paragraph 12 should be applied with effect from the date of entry and the arrangements outlined in (a) should be applied with effect from the date on which the word processing allowance was first payable.

Clerical Assistants in receipt of other allowances

15. Allowances payable to Clerical Assistants for confidential duties and for the performance of the duties of the Clerical Officer grade will also cease with effect from 1 December 1995. Officers holding such allowances should be assimilated to the new scale by reference to the arrangements in paragraph 12 or

13, as appropriate, (or paragraph 14 if the word processing allowance is also held) plus the amount of the allowance in question. Since the rate of pay determined on the foregoing basis will be off scale point the persons concerned should subsequently be assimilated to a scale point by reference to the normal arrangements in this regard, involving a new incremental date.

16. This Department should be consulted about the position of Clerical Assistants in receipt of any other allowances.

Retrospective payment for Clerical Assistants in receipt of allowances

17. In the case of Clerical Assistants assimilated to the new scale under the provisions of paragraphs 14 and 15, payment of the allowance(s) in question should cease with effect from 1 December 1995 or the date of first payment, as appropriate. Accordingly, payments of the allowance(s) made since those dates should be taken into account (i.e. deducted) in calculating retrospective payments due on foot of the assimilation arrangements referred to.

Persons who ceased to hold an allowance

18. The arrangements referred to in paragraphs 14-17 relate only to a person who held an allowance from 1 December 1995, or from such later date as the allowance was granted, continuously up to the date of this circular. In the case of a person who held an allowance on the dates referred to but subsequently ceased to hold it prior to the date of this circular, (other than on promotion) assimilation should be by reference to the arrangements referred to in paragraph 12 or 13 only, as appropriate, i.e. on basis of scale pay only. In such a case the allowance will be treated separately and a deduction from retrospective payments will not arise.

Assimilation of Paperkeepers to the new Clerical Officer scale

19. Officers serving as Paperkeepers on or after 1 December 1995 should be assimilated to the new Clerical Officer scale with effect from that date or the date of appointment to the Paperkeeper grade, if later, on the basis shown in Appendix 5 and, subject to (c) below, will progress incrementally along the scale. Incremental dates will remain unchanged on assimilation to the new scale except that in the case of an officer on the maximum of the existing Paperkeeper scale the incremental date on the revised scale will be 1 December. The following assimilation arrangements will apply:

- (a) Service Pay will be abolished and, as shown in Appendix 5, is absorbed into pay with effect from 1 December 1995. Payments made since that date in respect of service pay should be taken into account (i.e. deducted) in calculating retrospective payments due on foot of the arrangements for assimilation to the new scale.

- (b) Paperkeepers on the maximum of the Paperkeeper scale who have a total of 16 years satisfactory service (established and unestablished) in the civil service on 1 December 1995 will be assimilated to the 12th point of the new scale with effect from that date. Serving Paperkeepers on the maximum who attained 16 years satisfactory service within 12 months of 1 December 1995 should be placed on the 12th point of the revised scale with effect from the date such service was attained. In these cases incremental date on the revised scale will be 1 December i.e. all Paperkeepers who are assimilated to the 12th point under the arrangements outlined in this sub-paragraph will, subject to satisfactory service, progress to the 13th point of the scale with effect from 1 December 1996.

- (c) Progression beyond the 13th point of the new scale will be subject to certification by the Head of the Department concerned in relation to ability to perform the full range of clerical duties of the new Clerical Office grade.

20. Allowances payable to Paperkeepers should cease with effect from 1 December 1995. Assimilation of Paperkeepers holding allowances to the new scale should be on a basis similar to that described for Clerical Assistants holding allowances (paragraphs 15 to 18). In the case of a Paperkeeper the assimilation point will be based on the arrangements outlined in paragraph 19 plus the amount of any allowance held at the date of this circular.

Salary scale for new entrants

21. A separate scale, shown in Appendix 7, will apply to those first entering the new Clerical Officer grade from competitions announced after the date of this circular. An

officer appointed from a competition already advertised for the grade of Clerical Assistant on the basis of the existing pay scale should be placed on the new Clerical Officer scale in accordance with the arrangements applicable to serving staff (Appendix 6).

Long Service Increments

Staff Officer Scale

22. The revised pay scale, shown in Appendix 1, for the grade of Staff Officer includes a long service increment payable on completion of three years satisfactory service on the maximum of the scale. This long service increment will be part of the scale structure for the future. A second long service increment is payable on a personal basis to serving Staff Officers on completion of six years satisfactory service on the maximum of the scale.

Clerical Officer Scale

23. The revised pay scale, shown in Appendix 2, for the new Clerical Officer grade includes two long service increments payable on a personal basis after three years and six years satisfactory service, respectively, at the maximum of the scale. These long service increments will not be part of the scale structure for the future. Only serving Clerical Officers, as defined in paragraph 27, will be eligible for both long service increments. Only serving Clerical Assistants and Paperkeepers, as defined in graph 29, will be eligible for the first long service increment.

Application of Long Service Increments to serving Staff Officers

24. A Staff Officer who was on the maximum of the scale for less than six years on 1 December 1995, or who reached the maximum of the scale before 1 June 1997 (including a person assimilated to the maximum of the revised scale with effect from a date before 1 June 1997, as shown in Appendix 1), will, subject to satisfactory service, be eligible for the first long service increment without the requirement that three years be served on the maximum. In such cases the first long service increment, as outlined in Appendix 1, will be payable with effect from 1 December 1995 or such subsequent date before 1 June 1997 as the person concerned reached the maximum of the scale.

25. A serving Staff Officer appointed to the grade prior to

the date of this circular will be eligible for the second long service increment, as outlined in Appendix 1, with effect from 1 December 1995 provided s/he had six years satisfactory service on the maximum of the scale on that date or with effect from such later date as s/he attains six years satisfactory service on the maximum of the scale. Persons appointed to the Staff Officer grade on or after the date of this circular will not be eligible for the second long service increment. (Persons who will be advanced to the Staff Officer grade in line with the arrangements referred to in paragraph 42 of this circular will be regarded as serving Staff Officers for the purpose of qualification for the second long service increment.)

Application of Long Service Increments to serving Clerical Officers

26. A serving Clerical Officer who was on the maximum of the scale for less than six years on 1 December 1995, or who reached the maximum of the scale before 1 June 1997, will, subject to satisfactory service, be eligible for the first long service increment without the requirement that three years be served on the maximum. In such cases the first long service increment, as outlined in Appendix 2, will be payable with effect from 1 December 1995 or such subsequent date before 1 June 1997 as the person concerned reached the maximum of the scale.

27. A serving Clerical Officer appointed to the grade prior to the date of this circular will be eligible for the second long service increment, as outlined in Appendix 2, with effect from 1 December 1995 provided s/he had six years satisfactory service on the maximum of the scale on that date or with effect from such later date as s/he attains six years satisfactory service on the maximum of the scale. Other serving Clerical Assistants or Paperkeepers assimilated to the new Clerical Officer scale in accordance with the terms of this circular will not be eligible for the second long service increment. (Persons who will be advanced to the Clerical Officer grade in line with the arrangements referred to in paragraph 42 of this circular will be regarded as serving Clerical Officers for the purpose of qualification for the second long service increment.)

28. Serving Clerical Officers who receive the first long service increment under the provisions of paragraph 26, will, subject to satisfactory service, receive the second long service increment three years after receiving the first long service increment or on attaining six years satisfactory service on the

maximum of the scale, if earlier.

Application of a long service increment to serving Clerical Assistants and Paperkeepers

29. As indicated in paragraph 23 serving Clerical Assistants and Paperkeepers will be eligible on a personal basis for one long service increment, as outlined in Appendix 4, 5 or 6, as appropriate. This long service increment will be payable, subject to three years satisfactory service at the maximum of the new Clerical Officer scale, to Clerical Assistants and Paperkeepers serving at the date of this circular and to persons appointed from competitions already advertised for Clerical Assistant on the basis of the existing pay scale. The requirement that three years satisfactory service be given on the maximum of the new Clerical Officer scale will apply even in the case of a former Clerical Assistant or Paperkeeper who reached the maximum of the new scale with effect from a date before 1 June 1997. Persons recruited to the new Clerical Officer grade from competitions advertised after the date of this circular will not be eligible for any long service increment.

Higher scale for Clerical Officers

30. A new higher scale, as shown in Appendix 3, will be introduced for the grade of Clerical Officer.

Assignments to the Higher Scale

31. As indicated in paragraph 8, the number of persons to be assigned to the higher scale will be the equivalent of 30% of the number of serving Clerical Officers as defined in paragraph 32.

32. The number to be assigned to the higher scale in each Department should be based on the number of Clerical Officers who were actually serving on the assignment dates specified in paragraph 34, i.e. not including Clerical Assistants assimilated to the new Clerical Officer scale on 1 December 1995 or on 1 August 1996 (or those advanced to Clerical Officer in line with the arrangements referred to in paragraph 42). Clerical Officers on leave with pay and Clerical Officers on leave without pay who, although on leave, are regarded as eligible for promotion will be entitled to be considered for assignment to the higher scale. Such staff will also reckon as part of the staffing complement of the Clerical Officer grade for the purpose of calculating the number to be assigned to the higher

scale.

33. Where, in determining the number to be assigned to the higher scale for Clerical Officer, 30% of the staff complement, as defined in the preceding paragraph, does not yield a whole number, the figure in question will be rounded up to the next highest whole number.

34. Assignments to the higher scale will be made on a phased basis as follows:

(a) 50% of the assignments with effect from 1 December 1995;

(b) balance of the assignments with effect from 1 August 1996.

35. The number on the higher scale for Clerical Officer will be maintained at the level established on the final phase of the assignments with effect from 1 August 1996.

Pay on Assignment to the Higher Scale

36. An officer assigned to the higher scale will move across to that scale at his/her pay on the standard scale (as determined by the assimilation arrangements applying with effect from 1 December 1995 (paragraph 10)) and move along the higher scale by annual increments in the normal way. A person assigned to the higher scale from below the maximum of the standard scale will retain his/her existing incremental date. Where a person on the maximum of the standard scale or on a long service incremental point is assigned to the higher scale the date of assignment will be the incremental date on the higher scale.

37. An officer who is on a point below the ordinary maximum of the standard scale (i.e. excluding any long service increments) at the time of his/her assignment to the higher scale, will on the first anniversary of the assignment to the higher scale, be awarded an increment on the higher scale. This increment will be additional to the normal increment. It will not affect the normal incremental progression of such an officer and his/her incremental date will remain the same. Increments on the higher scale will be subject to the usual rules as regards the grant of increments.

38. Where an officer assigned to a higher scale would

subsequently have qualified for a long service increment if s/he had remained on the standard scale, the pay rate applicable on the higher scale may be reviewed on the date on which the long service increment would have been payable. If the amount which would have been payable on the standard scale on that date is greater than the rate actually payable on the higher scale, the officer may be placed on the point on the higher scale equal to that greater amount with effect from the date the long service increment would have been due. That date will then become the incremental date on the higher scale.

Basis for Progression to Higher Scales

39. All assignments to the higher scale for Clerical Officer, both initially and subsequently, will be made departmentally. There will be no interdepartmental element in making these assignments.

40. (a) When an assignment to the higher scale arises a Clerical Officer will be eligible for progression if the Head of the Department is satisfied that the officer concerned (i) has performed the duties assigned to him/her in the grade in a satisfactory manner, (ii) has been satisfactory in general conduct and (iii) is suitable from the point of view of health with particular regard to sick leave (in this respect the provisions of Circular 34/76 and 32/91 shall apply).
- (b) In the event that a scheme of performance appraisal/performance review for the grades represented by the CPSU is introduced the question of progression to the higher scale will, in consultation with the union, be considered in that context.

Assignments to the Higher Scale

41. The initial assignments to the higher scale (i.e. those made with effect from 1 December 1995 and with effect from 1 August 1996) will be confined to serving Clerical Officers as defined in paragraph 32. 50% of those initially assigned will be selected on the basis of seniority, provided they meet the conditions set out in paragraph 40 (a); the balance of the initial assignments will be selected on the basis of criteria determined by the Head of the Department following negotiation with the union provided the persons to be assigned meet the

conditions set out in paragraph 40 (a). The means of determining future assignments will be the subject of further discussion between the union and departmental managements. Except in the case of the initial assignments all members of the new Clerical Officer grade will be eligible for the higher scale. The criteria employed for selection for progression to the higher scale shall relate solely to the duties of the Clerical Officer grade and selection for such purpose shall carry no implication that the officer selected is suitable for promotion to a higher grade.

Advancements/Upgradings

42. The agreement with the CPSU accompanying General Council Report 1323 provides for a number of advancements/upgradings from Staff Officer to Executive Officer, Clerical Officer to Staff Officer and Clerical Assistant/Paperkeeper to Clerical Officer. Separate instructions will be issued to Departments in this regard. While implementation of the advancements/upgradings will require retrospective adjustment of pay this will, in general, only involve an advance of one increment in addition to the assimilation terms provided for in this circular.

Annual Leave

43. With effect from the current leave year, 1997/98, the minimum annual leave allowance will be 20 days for CPSU grades which currently have an allowance of less than that amount. The additional annual leave involved (i) will be subject to the normal arrangements for taking annual leave set out in Circular 26/85 and (ii) should be implemented in a way which does not result in further payroll costs.

Superannuation

44. Officers assimilated to the new scales, including the long-service increment(s), and who retire while on those scales, will be pensionable on the basis of those scales.

45. Officers who retired after 1 December 1995 but before 1 June 1997 will have their pensions revised, in the normal way by reference to the rates of pay applicable to serving staff on 1 June 1997.

46. The lump sum of an officer who retired between 1 December 1995 and 31 May 1997 (both dates inclusive) will be calculated by reference to the first phase of the appropriate revised scale, as shown in the appendices, applicable at the

date of retirement. The lump sums of officers who retire on and after 1 June 1997 will be calculated by reference to the fully revised scales. (Death gratuities and marriage gratuities will be treated similarly).

47. Any questions of doubt or difficulty which may arise from the application of this circular should be raised, orally in the first instance with this Department (extensions 5412 or 5413).

Copies of Circular

48. Additional copies of this circular may be obtained, on requisition, from the Government Supplies Agency, 4/5 Harcourt Road, Dublin 2.

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J Fitzgerald
Assistant Secretary

Note: The Appendices to this Circular are not available electronically. Copies are available from your Personnel Section or General Conditions Section at the Department of Finance. Telephone: (01) 6318282 or (01) 6045439