

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 1271

(Meeting/s of 24 November 1993, 26 January 1994)

Claim that officers appointed as Executive Officer (Junior Analyst) having been in grades from which they were not promotable to EO in the ordinary course, should be treated for pay purposes, from the date of their appointment, as members of the Executive Officer grade.

### **Claim concerning the treatment for pay purposes of certain Executive Officers (Junior Analysts)**

1. The claim was that officers appointed as Executive Officer (Junior Analyst), having been in grades from which they were not promotable to EO in the ordinary course, should be treated for pay purposes, from the date of their appointment, as members of the Executive Officer grade.
2. The Staff Side said that officers appointed as EO (Junior Analyst) from the interdepartmental competition have been treated as appointments in an "acting" capacity if the grades in which they had been serving were grades from which they were not promotable to EO in the ordinary course. The effect of this was that even though the officers concerned have always been expected, from the date of their appointment, to carry out the full range of appropriate duties, they have not been entitled to increments on the EO scale for what, in some cases, could be a considerable number of years. Irrespective of the reasons that such a situation had arisen, the Staff Side stated that it was invidious and inequitable that officers should be asked to carry out the full duties of the grade and yet find that they were not paid as if they were members of the grade.
3. The Official Side said that the circular for the EO (Junior Systems Analyst) competition provided as follows:

"An officer serving in a general service grade will be offered appointment as an EO subject to completion of the minimum period of service for promotion to that grade. Otherwise he/she will be paid an allowance in accordance with Circular 21/74 (as amended by Circular 29/80) for carrying out the duties of the post pending completion of the requisite service. The allowance will be paid subject to the usual conditions."

Accordingly, whether the grade in which a successful candidate is serving is one

from which officers are promotable in the normal course to EO is of no relevance to the allowance arrangement. Appointments were made on an allowance basis only where the officers concerned could not be promoted to EO because they did not have the requisite service. Clearly, officers who are not EOs cannot be paid as though they are and the rules generally applicable to officers on acting-up allowances are applied to them in the normal way. As for the contention that appointees from the EO (Junior System Analyst) competition could be on acting-up allowances for a considerable number of years, the recent reduction in the service requirement for promotion to EO to three years meant that it was unlikely that appointments would be made on an allowance basis in the future and, where such appointments occurred, they would be for a short time, considerably less than one year. The possibility of acting-up appointments could be eliminated by a further reduction in the service requirement and the Official Side would be happy to consider a request from the Staff Side for such further reduction.

4. The Staff Side responded to this suggestion by stating that the issue involved was one concerning equity of treatment and that if an officer was asked to carry out the full functions of a grade, having been appointed to that grade following a competition for which he/she was eligible under the terms of the competition, then he/she was entitled to be treated for pay purposes in the same fashion as all other members of the grade.

5. Following further discussion, it was decided to record disagreement on the claim and this report, accordingly, records disagreement.

6. This report was adopted on 20 May 1994.

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