

Civil Service Conciliation and Arbitration Scheme

General Council Report 1412

(Meeting/s of 31 July 2002, 30 October 2002)

Claim for the implementation in full of Circular 34/77 (Starting Pay on Promotion) to all former members of Inspector of Taxes promoted to the grade of Inspector Higher Grade since 31 May 1994.

1. At the General Council meeting of 31 July 2002, the Staff Side presented a claim that the terms of DPS Circular 34/77 be implemented in full in respect of all former members of the grade of Inspector of Taxes who were promoted to the grade of Inspector of Taxes Higher Grade since 31st May 1994.
2. This had been the subject of correspondence previously and the Staff Side queried whether the position of the Official Side remained unchanged.
3. The Official Side confirmed that its position on this matter [as set out in its minute of 13 May 2002; see copy attached] remained unchanged.
4. In that context, the Staff Side proposed that a report be prepared recording disagreement.
5. This report recording disagreement was adopted on 30 October 2002.

E107/9/85

13 May 2002

Ms Ethna Hoare
Assistant General Secretary
Irish Municipal, Public and
Civil Trade Union
Nerney's Court (off Temple Street)
Dublin 1

Dear Ms Hoare,

I refer to our discussions regarding the application of starting pay on promotion rules and the manner in which the grades of Inspector of Taxes and Inspector of Taxes (Higher Grade) are affected by the application of those rules, and in particular, the treatment of long service increments in the determination of an officers starting pay on promotion.

The Department understands that IMPACT has not agreed that its members should be subject to the restructuring agreement(s) implemented under the Programme for Competitiveness and Work [PCW], and that in this context, IMPACT asserts that the starting pay on promotion of its members should be determined solely by reference to the provisions of Circular 34/77.

The provisions of Circular 34/77 state in paragraph 3;

"3. Where an officer has been on the maximum of the scale for at least three years the starting salary is either;
(a) the minimum of the scale for the higher grade, or
(b) existing pay plus two increments on the higher scale, whichever is the more favourable for the officer."

While IMPACT has not agreed to be part of the restructuring agreements referred to, one fundamental point remains for this Department, that is the provisions of Circular 34/77 retain their validity to the area of starting pay even though they were set down in advance of the payment of long service increments. However, an approach to the treatment of long service increments in the determination of the starting pay on promotion of officers, including those serving in IMPACT grades, was required. The approach adopted mirrored the approach set out in the restructuring agreements for other grades and is set out as follows:

Under the starting pay on promotion rules, two additional increments on the higher scale are payable on promotion for three or more years service on the maximum of the scale. When the circular was first introduced, the standard scale maximum was the final point on the incremental pay-scale. With the introduction of long service increments, the maximum point to which an officer could ordinarily serve was the first long service increment, while the second long service increment was payable on a personal basis only. This was the context in which the restructuring agreements were put in place.

At present, the starting pay on promotion of an officer who is promoted while serving on the second long service increment is determined as follows;

*"An officer in receipt of the second long increment who is promoted will receive the most favourable of the following:
the minimum of the higher scale, or
the first long service increment plus two increments on the higher scale, or
the second long service increment plus one increment on the higher scale."*

It remains this departments position that an officer who is promoted while serving on the second long service increment cannot also benefit from the second additional increment [which is ordinarily payable to persons serving on the maximum of the pay-scale under the provisions of Circular 34/77]. As both the second additional increment payable under the provisions of Circular 34/77 and the second long service increment are payable for service on the maximum of the lower pay-scale, this department considers that the counting of both for starting pay on promotion purposes would represent a "double benefit" to the officer concerned.

Having considered the matter fully, this department feels that this is a fair treatment for promotees and does not need to change the determination of the starting pay on promotion of officers in IMPACT grades. The manner in which the starting pay of such officers is determined remains in line with the starting pay arrangements for all other grades [as set out in the various restructuring agreements already referred to].

I trust that this clarifies this matter and apologise for the delay in not writing to you earlier, which was due to the pressure of work in other areas.

Pat Casey
Principal

Tel. No. : 6045401
E-mail : pat_casey@finance.irlgov.ie

Agreed Report, recording disagreement.

This report was adopted on 30 October 2002