

Civil Service Conciliation and Arbitration Scheme

General Council Report 1425

(Meeting/s of 30 January 2002, 27 March 2002, 24 April 2002, 31 July 2002, 30 April 2003)

The F.U.G.E. seek the introduction of a system of Rest time credits for all Officers who are called out between the hours of 10.00 pm and 7.00 am (Mon-Fri) or any period on Saturday and Sunday to attend Emergency calls at Government Offices.

1. The Federated Union of Government Employees (FUGE) sought the introduction of a system of "Rest Time Credits" for all officers called out between the hours of 10.00pm and 7.00am (Monday-Friday) or any period on Saturday and Sunday to attend emergency calls at Government offices. Current arrangements under Department of Finance circular 27/99 – Extra Attendance allow for either additional pay or time off in lieu at a flat rate.
2. FUGE stated that under present arrangements their members generally opt for overtime payments rather than time off in lieu the following day for a number of reasons: (a) due to the low rate of pay for FUGE members, most officers cannot afford to opt for time off in lieu rather than payment; (b) taking time off in lieu is at the discretion of the Head of the Department/Office and is not always a feasible option, especially in some smaller offices where scheduling problems may arise as a consequence; and (c) time off in lieu at a flat rate is not reasonable compensation for time spent at a call-out during unsociable hours.
3. The Official Side stated that this claim should be rejected on the grounds that (i) if FUGE's concern is 'rest time', officers should opt for the time off in lieu; (ii) the incidence of call outs is irregular and officers are therefore not reliant on the overtime paid for such callouts and (iii) depending on the number of hours overtime worked up to the point of the call out, the officer is paid between 5 and 8 hours pay for the callout. In addition, the officer is also paid a key holder's allowance (€27.46/wk). The Official Side stated that it would therefore be difficult to justify paying the key holder's allowance, plus 5-8 hours pay, plus time off in lieu in the form of a rest period for such callouts.
4. The Staff Side requested that further consideration be given to the request in the context of family-friendly working and statutory rights to 'compensatory rest periods' described in the Organisation of Working Time

Act.

5. Having considered the matter fully, the following was agreed: (a) a compensatory rest period equal to the duration of the call-out be provided in the form of time off in lieu, as the tenor of the Act is that "time for time" be given; (b) 1 hour could be given where the call out lasts for less than 1 hour; (c) the time off in lieu would have to be taken within 2 weeks of the call-out and approved by management in advance and there could not be any build up of this time due to the fact that it is rest time credit.

6. It was also agreed that a letter to Personnel Officers would issue after agreement has been recorded.

7. This report recording agreement was adopted on 30 April 2003.

Agreed Report, recording agreement.

This report was adopted on 30 April 2003.