

Civil Service Conciliation and Arbitration Scheme

General Council Report 1476

(Meeting/s of 26 July 2006, 25 October 2006)

This claim seeks a substantive increase, in both the minimum and service based, annual leave for Clerical Officers, Staff Officers and equivalent grades.

1. The CPSU are of the view that because the Clerical Officer grade is currently at the basic minimum of 20 days as provided under the Organisation of Working Time Act 1997 and the EU Directive on the matter allows for the employer to provide greater rights than the basic minimum as provided under the Act, the CPSU is seeking an increase at the minimum and also service based leave of the grades it represents.

2. The Official Side are rejecting the claim for the following reasons:

- Leave for the CPSU grades increased as part of the agreement with the Staff Side following the arbitration finding on the PSEU claim for additional leave.
- This increase in annual leave is recent. We would not accept that the basis of the claim is a justifiable reason for seeking extra annual leave. Simply because the legislation or EU Directive underlying a non-pay condition of service allows for better treatment is not, in itself, a reason for justifying improved conditions.
- CPSU grades already receive more annual leave than is provided for in the Organisation of Working Time Act, 1997. In addition they benefit from 2 privilege days.
- The Official Side remains of the view that there is a cost involved where leave or additional leave is concerned. While the Arbitrator in his previous report (596) on annual leave queried the basis on which the Official Side costed that claim, he did not say that that there was no cost involved.
- It was the erosion of differences in annual leave allowances that was one of the main reasons for the Arbitrator's finding in the staff favour. Conceding the claim would have knock on implications.

3. This report was adopted on 25 October 2006

Agreed report, recording disagreement

This report was adopted on 25 October 2006