

Civil Service Conciliation and Arbitration Scheme

General Council Report 1496

(Meeting/s of 26 September 2007, 27 February 2008)

Seeking to return to a system of choice between pay or time off in lieu in respect of public holidays for worksharers

1. The Staff Side put forward this claim at General Council stating that some time ago Departments/Offices changed from a position of allowing worksharers a choice in terms of pay or time off in lieu in respect of public holidays to where worksharers can only receive pay. The claim sought to return to a position where worksharers are to be allowed some discretion as to the method of payment they receive for public holidays.

2. Background

Section 21 - (1) of the Working Time Act provides that in respect of public holidays an employee is entitled to whichever one of the following his or her employer determines,

- a paid day off on that day
- a paid day off within a month of that day
- an additional day of annual leave
- an additional days pay

3. The claim was referred to the Equality Subcommittee and was included as part of the general review of Work Life Balance arrangements that is currently being undertaken.

4. The Official Side indicated that several Departments/Offices still allow for a choice of pay or leave if the worksharer has a 50/50 a week pattern. However a major administrative burden in relation to allowing time off in lieu for other worksharing patterns had been the experience in Departments/Offices. Therefore in accordance with Section 21 - (1) of the Act, Personnel sections had opted for payment of an additional day to worksharers for public holidays. The Official Side is also of the view that granting leave in lieu would further add to the Monday/Friday problem of having sufficient staff in offices to deal with members of the public and

respond to telephone queries. This problem is particularly prominent in local offices where there are high levels of worksharing arrangements..

5. Accordingly, the Official Side rejected the claim and a report recording disagreement was adopted on 27 February 2008.

Aengus O Riain

Joan Byrne

Official Side Secretary Staff Side Secretary

Agreed report, recording disagreement.

This report was adopted on 27 February 2008