

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 1503

(Meeting/s of 24 September 2003, 26 November 2003, 25 June 2008)

That the starting salary of Civil Servants who are promoted by way of open competition be no less favourable than staff who are recruited by the competition.

1. The Staff and Official Sides held a number of bi-lateral meetings in 2006 and 2007.
2. The original Staff Side claim is that the existing pay on recruitment arrangements should be amended so that civil servants are treated no less favourably than non-civil servants when they are recruited from open competitions. The Staff Side provided two examples which they claim highlighted situations where anomalies had occurred and which they claim resulted in serving staff being financially disadvantaged.
3. The Official Side reject the Staff Side claim that the rules governing starting pay on recruitment are anomalous or that it financially disadvantages existing civil servants.
4. The rules governing the provision of additional increments on recruitment are clear. Additional increments can only be paid for additional qualifications and experience and where the person being recruited can show that they were also receiving a higher salary in their previous employment compared to the civil service one on offer.
5. This is generally not an issue for civil servants as it is unlikely that their pay at the previous grade would exceed their pay at the new grade, a key condition for the provision of additional increments on recruitment. The starting pay on promotion rules would take account of any higher earnings of an officer in a previous grade on open recruitment by allowing the officer to retain their existing pay until such time as the pay on the new scale catches up.
6. It is also the case that the starting pay on recruitment rules do not apply to all open recruitment competitions.
7. The Staff Side acknowledged the Official Side's position that the starting pay on recruitment was unlikely to apply to existing civil servants because of the salary condition.
8. In the context of the previous discussions on the starting pay on recruitment arrangements, the Staff Side then raised the different way in which the starting pay on promotion rules operate for confined and open competitions. The Staff Side regarded the different treatment as anomalous. The Official Side agreed to consider the request for the same treatment regardless of the competition from which the officer came from.

9. Civil servants promoted from confined competitions are entitled to the more favourable of the following:

- a) The minimum point of the new scale.
- b) Pay equivalent to their existing pay, including their accrued increment on the current scale, if any, plus an immediate increment on the new scale.

10. Civil servants recruited from open competitions are entitled to the more favourable of the following:

- a) The minimum point of the new scale.
- b) Pay equivalent to their existing pay including any accrued increment.

11. Circular 34/77, as amended, sets out the rules for starting pay on promotion as agreed by the Official and Staff Sides.

12. The Official Side considered the request. The Official Side is of the view that the different treatment of existing civil servants in open and confined competitions is not anomalous. The Official Side informed the Staff Side that it was not able to agree to the request for the following reasons:

Ø Confined and Open competitions are different by their nature. Open competitions are recruitment competitions whereas confined competitions relate to promotion and an additional reward is granted on promotion.

Ø The conditions applying for open competitions should be the same for all applicants.

Ø From the Official Side's point of view the default position should be that staff start on the minimum of the salary scale and progress up the salary scale as their experience in their new job increases.

Ø Exceptions to the minimum point of the salary scale have been introduced where blockages in recruitment have been identified. This type of exception does not apply to all competitions but where it does apply it applies to all applicants.

Ø By agreement with the Staff Side, confined and open competitions are treated differently with regard to the payment of travel, subsistence and removal expenses.

13. This report records disagreement on the claim and was adopted at meeting held on 25 June 2008

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Joan Byrne  
Staff Side Secretary

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Aengus O Riain  
Official Side Secretary

Agreed report

This report was adopted on 25 June 2008