



Pay, Terms and Conditions Package – Employer’s Final Offer (2017–2020)

This employee version is a summary of the *Employer’s Final Offer* presented to our trade unions.

This offer applies to pay groups in scope of workforce modernisation phase 1.

Title	WFM offer 3
Author	Employment Relations
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These proposals supersede all previous circulars/agreements and offers connected with pay, terms and conditions applicable to pay groups: civil servants, manual workers, nurses and midwives, Energy from Waste operations, family support workers, Le Geyt Centre, residential childcare officers, ambulance service and youth service	



1. Introduction

This document is a summary of the final package of pay, terms and conditions for the period 2017 to 2020, to apply to all current States of Jersey employees within workforce modernisation phase 1.

New recruits will receive the new terms and conditions when implemented.

1.1 Contents of the offer

The proposed offer of pay, terms and conditions should be viewed as a whole, rather than as individual parts. The key elements of the offer are:

- Basic pay
- Hours of work
- Unsocial hours
- Overtime
- Standby and callout
- Annual leave
- Sickness and injury at work
- Sleep-in payments
- Additional payments

This offer should be read in conjunction with the documents:

- *Personal statement*
- *Personal statement guide*
- *Factsheet 1: Workforce modernisation – an overview*
- *Factsheet 2: The modified approach to pay bands*
- *Factsheet 3: The new pay structure*
- *Factsheet 4: Changes to terms and conditions*
- *Factsheet 5: Support and re-evaluation your outcome*
- *Payscale for 2017-2020*

1.2 States of Jersey Job Evaluation Scheme

A single job evaluation scheme has been implemented across the pay groups within workforce modernisation. The scheme has been adapted from the NHS Agenda for Change scheme in partnership between management and employee representatives.

A job evaluation exercise was carried out between January 2014 and October 2016, during which job information templates were completed by postholders in conjunction with line managers.

The job information templates were sent to job matching panels, which used the job evaluation scheme to assign a number of job evaluation points to each role across sixteen factors, awarding each job information template a total job evaluation score.

As part of the job evaluation process, a quality assurance process took place to assess the job information templates scores. The quality assurance process identified a number of irregularities in the job evaluation process resulting in a modified approach to job evaluation (which is explained in more detail in *Factsheet 2: The modified approach to pay bands*).

In general terms, this involved taking an average score of all job information templates in a grade to create an average score to place the jobs in that grade in the new structure.

All employees will be entitled to appeal their outcome using the agreed process.



1.3 The Framework Agreement

The negotiations for workforce modernisation were conducted within the Pilot Framework Agreement under a single table arrangement. Balloting on the final package will only be carried out by those unions with specific bargaining rights for the pay groups in scope and whose members are directly affected by workforce modernisation.

1.4 Funding and inclusions

The offer covers the assimilation period (1 July 2017 to 31 December 2020) and includes:

- pay revisions to the structure (formerly known as 'cost of living' rises/pay awards)
- changes to terms and conditions (impacts vary by pay group)
- pay progression (formerly known as increments)

2. Pay, terms and conditions

The new pay structure provides the basis for all pay groups within workforce modernisation to move towards equal pay for work of equal value.

2.1. Basic pay: pay band structure and job evaluation boundaries

There are ten pay bands in the workforce modernisation structure, which are labelled A to J in ascending order of seniority. The boundaries between the pay bands in job evaluation terms are mainly aligned to the NHS Agenda for Change structure (except for more senior roles) and are set out below:

Pay band structure

Pay bands	A	B	C	D	E	F	G	H	I	J
JE min. pts	86	161	216	271	326	396	466	540	601	661
JE max. pts	160	215	270	325	395	465	539	600	660	765

Pay 2017-2020

2017 min.	£18,224	£22,598	£26,830	£31,510	£37,049	£41,930	£48,133	£54,527	£61,670	£69,710
Target rate	£21,320	£26,436	£31,387	£36,861	£43,340	£49,051	£56,309	£63,788	£72,147	£81,551
2017 max.	£23,298	£28,889	£35,620	£41,832	£49,184	£57,727	£66,268	£75,070	£84,907	£99,403
2020 min.	£19,915	£24,695	£29,320	£34,434	£40,486	£45,821	£52,600	£59,587	£67,394	£76,180
Target rate	£22,402	£27,778	£32,981	£38,733	£45,541	£51,542	£59,168	£67,027	£75,810	£85,692
2020 max.	£23,298	£28,889	£35,620	£41,832	£49,184	£57,727	£66,268	£75,070	£84,907	£99,403

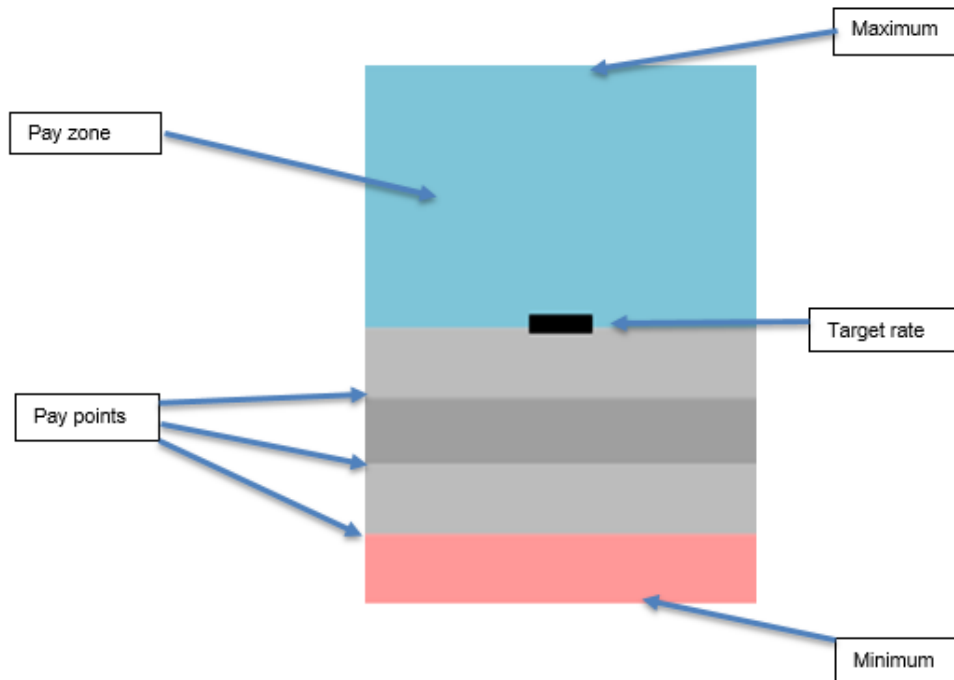


For the full pay scales, including all pay points within each new pay band, trainee and apprentice rates and additional payments, see *Payscale for 2017-2020*.

2.2 Basic pay: pay band construction

The pay bands are divided into two sections:

- the first is made up of pay points (previously known as increments) up to a target rate
- the second is a pay zone from the target rate to a maximum rate



During the assimilation period, the intention is to work in partnership with the unions to explore the viability of introducing additional performance and/or competency based criteria for pay within the pay zone above the target rate. If agreed, this will enable pay progression above the target rate.

2.3 Basic pay: assimilation and pay progression

At the point of assimilation, your current rate of pay will be used to place you within your new pay band.

An employee's current rate of pay consists of current basic pay, any pensionable pay received and any pay protection currently applied.

Each starting point has differing rules that dictate progression through the structure, to the end of assimilation on 31 December 2020.

Nurses and midwives will assimilate directly to the target rate due to their unique circumstances regarding the inability to protect losses in their total pensionable earnings (including extra duty payments) under the existing policy.

Employees in the pay zone, above the target rate will not receive a reduction in basic pay at the end of the assimilation period or in any subsequent year except for reasons of organisational change.

2.4 Basic pay: pay revisions and awards

To move towards equal pay for work of equal value, employees paid at or below the target rate will receive the following pay awards with effect from 1 January in the given year:



	2018	2019	2020
Pay Revisions	1.00%	1.50%	2.50%

Employees paid above the target rate in the pay zone will receive the following pay awards with effect from 1 January in the given year:

	2018	2019	2020
Pay Awards	0.50%	0.75%	1.25%

Employees at or above the maximum rate of the band will not receive an award.

2.5 Pay protection

During the assimilation period, employees will be entitled to pay protection.

The total pensionable package of each employee on assimilation will determine the protection level required. Total pensionable package includes; current basic pay, any pensionable pay and any current pay protection.

An employee will be protected as below:

Year	Year 1 (with effect from 1 July 2017)	Year 2 (with effect from 1 January 2018)	Year 3 (with effect from 1 January 2019)	Year 4 (ending 31 December 2020)
Percentage of protection	100%	100%	100%	100%

After the final year of protection, employees will have their basic pay reduced to the maximum rate of their evaluated pay band as indicated in their *personal statement* and receive any other payments in line with their job in the new pay structure.

If at any time during assimilation an employee's total pensionable package exceeds their former package, their pay protection will end.

Employees covered by pay protection who are due to lose regular pensionable pay by 31 December 2020 will either have their shift patterns reviewed or be prioritised for redeployment.

During the assimilation period, employees are encouraged to discuss the effect on their pension of any loss of pensionable pay on or before 31 December 2020 with the Pensions Team.

2.6 Hours of work – effective date three months from date of agreement

The standard working week for a full-time equivalent (FTE) employee will be 37.5 hours. Unless otherwise agreed by your department's Chief Officer, all breaks, whether for meals or other rest periods, will be unpaid. In addition:

- rest periods will be determined by management and in consultation with affected employees and their representatives
- during the assimilation period, management are required to reasonably phase in the changes to individuals' working hours
- the working hours of term-time only employees will be calculated according to the Reward Guidelines



2.7 Unsocial hours (currently shift/extra duty) – effective date 1 July 2017

Normal working hours are defined as Monday to Friday, 7am to 7pm. Unsocial hours payments are intended to award employees who are required to work a formal shift pattern outside of normal working hours to deliver service need. This excludes ad hoc unsocial hours working and those on flexi arrangements (except zero hours agreements).

The following premium payments for unsocial hours working (calculated at the target rate of the employee's job) will be made for each hour worked:

- Nights, Monday to Friday: + 30% of reference pay point
- Saturday: + 30% of reference pay point
- Sunday: + 40% of reference pay point

The nurses and midwives pay group is currently unique in that the extra duty payments (the equivalent of unsocial hours) are not eligible for pay protection due to their variability and their treatment under the pensions schemes. As a result, during the period of assimilation (1 July 2017 to 31 December 2020), their existing extra duty system and rates will continue to operate for existing employees only.

- from 1 January 2021, all nurses and midwives will be paid under the new unsocial hours payment terms
- the new unsocial hours payments will apply to all new recruits with effect from three months after the date of agreement

Unsocial hours payments are:

- not paid to employees in pay band J and above.
- **are calculable** for the following payments:
 - sickness and injury at work pay
 - annual leave
 - parental leave pay, including maternity, paternity and adoption
 - severance payments, including compulsory and voluntary redundancies and voluntary severance
- **are not calculable** for the following payments:
 - overtime
 - General/Bank/Public Holiday working payments
 - standby and callout
 - sleep-in
 - other allowances

2.8 Overtime – effective date 3 months from date of agreement

Overtime must be authorised by management and is classified as hours worked beyond the 37.5 hour standard week. Part-time employees will need to work a 37.5 hour standard week before they are eligible for overtime.

The mechanism for rewarding overtime should be agreed with the employee in advance of the overtime being worked. Where work is performed at a different band from an individual's ordinary basic pay, the payment will be based on the target rate of the band applicable to the job worked.

The following table shows how overtime is recognised in the new reward/band structure:

New pay band	Overtime payments
A to F	Premium rates
G to I	Plain rates



J	Not eligible
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Premium rates are defined as follows:

- Monday to Friday: 1.5 x hourly rate, or plain time off in lieu (TOIL)
- Saturday: 1.5 x hourly rate, or plain time off in lieu (TOIL)
- Sunday: 2.0 x hourly rate, or plain time off in lieu (TOIL)
- General/Bank/Public Holiday: 2.0 x hourly rate *plus* plain time off in lieu (TOIL) or 3.0 x hourly rate

In addition, overtime payments:

- come into effect following a minimum 15 minute period after the end of the rostered shift
- are not permanent, non-pensionable and are not calculable for any other payment
- are not payable to:
 - zero hours and bank workers
 - employees in pay band J and above
 - employees working flexi-time

2.9 General/Bank/Public Holiday Working – effective date 3 months from date of agreement

Where an employee is not required to work on a General/Bank/Public Holiday, they receive their basic pay for the day.

Where an employee is required to work on a General/Bank/Public Holiday within their ordinary working hours, they will in addition to their normal basic pay receive the following:

- basic pay for the whole day and either:
 - TOIL (at plain time) for the hours worked or
 - 1.0 x hourly rate for the hours worked

The basic pay element above is pensionable, whereas the additional payments for General/Bank/Public holiday working are non-pensionable.

2.10 Standby and callout – effective date 3 months from date of agreement

A standby and callout arrangement is a formal arrangement required by management to be readily available for and deal with emergency/unplanned operational situations that occur outside of normal working hours.

A callout is defined as any action that is required to address the particular emergency/unplanned operational situation that employees on standby arrangements are being summoned to respond to.

A one-size fits all approach to standby is not suitable due to the varying nature of operational requirements. Three standby models are provided below:

Model	1	2	3
Pay band	A-B	C-F	G-I
Standby	£1.60 per hour	£3.00 per hour	Quarter of hourly target rate
Callout	Overtime at premium rate (or	Overtime at premium rate (or	No additional payment



	TOIL at plain time)	TOIL at plain time)	
Other details	Two-hour minimum callout	No minimum callout	No minimum callout

Management have the discretion, in consultation with employees and their representatives to:

- choose which model best suits their service; and
- whether to make payments or to offer TOIL in agreement with the employee prior to the callout being worked

Also:

- standby and callout payments are non pensionable
- not calculable for any other payment
- not payable to zero hours and bank workers
- not payable to employees at pay band J and above, except for in any instance where it is a statutory requirement

2.11 Annual leave – effective from 1 January 2018

In order to ensure consistency across all employee groups, especially those working uneven work patterns, annual leave entitlement will be calculated and used in hours.

Annual leave entitlement accrues to full-time employees as follows:

- on appointment: 187.5 hours per annum
- after 5 years' service: 210.0 hours per annum
- after 10 years' service: 232.5 hours per annum

Employees are expected to take their full annual leave entitlement within each particular year. The timing of annual leave will be subject to management approval, taking into account the needs of the service and operational requirements.

Should an employee not take all of their annual leave entitlement in a year, subject to prior management approval, up to 37.5 hours, may be carried forward to the following year.

In addition:

- nurses and midwives, whose working year for the calculation of annual leave runs from April, will have their new annual leave entitlement pro-rated for 2018 (i.e. 1 April to 31 December 2018)
- annual leave entitlement is pro-rated for part-time employees according to their FTE rate
- employees will no longer be eligible for Halsbury Days
- for recruitment and retention reasons, specific employee groups may be given higher entitlement than the 'on appointment' value
- the effect of the changes to annual leave entitlement for term-time only employees will be calculated according to the Reward Guidelines

2.12 Sick leave and sickness pay – effective date 3 months from date of agreement

Sick leave entitlement and sickness pay will be calculated in hours, as follows:

Length of service	Hours of sick leave/pay
0 years to 1 year	225 hours (6 weeks) full pay



	225 hours (6 weeks) half pay
After 1 year	978.4 hours (6 months) full pay 978.4 hours (6 months) half pay in any 2 year period

In addition:

- sickness pay will be calculated on an employee's regular pensionable pay (to include unsocial hours payments as described above)
- Chief Officers, through their senior managers, will have the discretion to extend sickness entitlement by up to a further 489.2 hours (3 months) at half pay
- Management retain the discretion to:
 - request a medical certificate on the first day and/or the second day of absence
 - deny employees the opportunity for working overtime where their absence levels and patterns of absence are cause for concern

2.13 Injury at work pay – effective date 3 months from date of agreement

Injury at work pay is separate from sickness pay and only applies to injuries sustained at work. From the first day of appointment, injury at work entitlement is as follows:

Length of service	Hours of injury at work/pay
Upon appointment	978.4 hours (6 months) full pay Then 978.4 hours (6 months) half pay

This entitlement is based on an employee working a 37.5 week. The entitlement will be reduced respective to an employee's FTE at the date of injury.

In addition:

- Chief Officers, through their senior managers, will have the discretion to extend injury at work pay entitlement at either full or half pay on a case by case basis
- any compensation / insurance payments will be offset against the injury at work pay paid by the Employer to the employee (except for compensation from the Criminal Injuries Compensation scheme)

2.14 Sleep-in payments – effective date 3 months from date of agreement

A sleep-in is defined as a period in which employees must stay at their place of work throughout the night, to be available to provide care/service for service users. Employees may be woken during the night and be required work, no additional payment on top of what is detailed applies.

Employees undertaking sleep-ins will be paid at 50% more than employees on standby model 3 and is inclusive of all work and disturbances as set out below:

Entitlement		
Standby model 3 + 50%	OR	0.375 x hourly target rate

3. Additional payments

There are a number of other types of payment associated with work in the public sector in Jersey.



Many of these are associated with additional roles and responsibilities that are not part of an employee's ordinary role. They will be addressed in line with the Employer's Final Offer, as follows:

Allowance	Pay Group	Action under the Employer's offer
Midwifery supervision	Nurses & midwives	Retain and review
Clothing	Nurses & midwives	
Abseiling	All	
Diving and kitting up	All	
Confined spaces	Manual workers	
Underground	Manual workers	Remove
Travel time	Manual workers	
Fuel time	Manual workers	
First aid	All	Not included in workforce modernisation
Weekly to monthly pay	All	

For additional payments rates, see *Payscales for 2017-2020*.

4. Non-consolidated lump sum payment

Employees will receive a non-consolidated payment, dependent on their FTE rate. This is a one-time payment that will be paid to employees for moving on to the new pay, terms and conditions.

The non-consolidated payment will be of a maximum value of £400 for a full-time employee (working 37.5 hours per week, 52.18 weeks per year) and will be pro-rated for employees working part-time.

Employees with multiple appointments will have payment divided proportionately between appointments, to a maximum of £400 per employee.

5. Review clause

In order to ensure that the package works as intended, a review in conjunction with unions will take place on an annual basis, starting on 1 July 2018.

The review will take place without prejudice to either party. It is the responsibility of both parties in the review to take into account all aspects of the offer including affordability and sustainability.

6. 2018 increments

As part of the final offer, 2018 increments will be awarded to all employees who are not already at the top of their pre-workforce modernisation grades. This includes employees:

- recently appointed to a post, either as new starters or through promotion
- on trainee / broad-banded progression, who have not successfully completed their performance progression plan in 2017
- on a career break
- or those who are currently on the capability policy