

## **WAY FORWARD: CLARIFICATION REGARDING SWAPS and ROTATIONS**

1. The Way Forward Agreement on pay and grading and the associated Pay Directives set out the basis for payment of shift allowances for employees on rotations. They also cover the arrangements for when employees are required to work ad hoc on a different shift, or when they swap voluntarily with line manager agreement to a different shift. It has come to light that in a few offices there are three circumstances that require further guidance:
  - i) where swaps are made over a long period
  - ii) where for operational reasons the rotation has in practice been changed or where specific jobs are covered by agreement with the line manager
  - iii) where a rotation includes a reserve week or “floating” week
2. In the longer term there is a need to regularise these arrangements, so that the formal record of staffing arrangements reflects the actual staffing practice and people generally work the jobs they have signed for. The PBS revision will provide the opportunity to do this.
3. There is a need to ensure that employees are fairly rewarded for the attendances they perform, in line with the principles and terms of the Agreement.
4. Pending the joint review under the PBS revision, it has been agreed with CWU that where swaps are established in advance as being continuous over a longer period (which must be of at least 8 weeks), the two employees concerned may be treated for pay purposes as if each holds the other job. This arrangement will be termed a “long-term swap”. It will require agreement between the two employees and their line manager(s), and once agreed may not be reversed until the end of the period. It will mean that each employee is tagged on payroll with the shift allowance appropriate to the other job (i.e. the job or rotation that they have swapped into), with this payment continuing during periods of absence. This will be entered into payroll as a “permanent change” (thereby avoiding the need to complete temporary change forms each week). Resourcing units should record all such changes and ensure that they are checked and reviewed every 8 weeks (or after whatever longer period is agreed locally). Any further changes arising from this would then be notified to payroll as another permanent change.
5. The facility for individuals to swap a complete week on a temporary basis for urgent domestic or personal reasons will be available on an exceptional basis. Any such swap must have the prior approval of the line manager and be recorded in writing. Because this facility is available on an exceptional basis the expectation is that such swaps will be rare and cannot normally be available to any employee more than twice a year. If there is evidence that there is an excessive number of such temporary swaps, there must be an immediate joint local review to regularise staffing arrangements in line with paragraph 2. The allowance will be paid to each employee at the appropriate rate for the shift or rotation actually worked. However the basic principle is that the payments in total neither increase or decrease as a result of the swap. If there is evidence that its provision is resulting in an increase in cost then there will be a review at national level.
6. Swaps may not take place involving jobs that require selection by skills, except where the swap is between two jobs involving the same specialism. Swaps that take place must involve the necessary skills to perform the tasks required.
7. Where a rotation or attendance pattern is adjusted in the long term by a local

agreement between the line manager and CWU and cleared through the resourcing unit, then the change should be formalised within the staffing arrangements of the office and the payment for the new pattern of rotation or attendance recalculated accordingly for the employee(s) involved. Where employees work a different attendance covering absence or a vacancy on a temporary basis for a particular week, they will be paid the correct rate for the shift actually worked in place of the underlying payment for their normal attendance or rotation.

8. Where offices have included reserve or “floating” weeks within rotations, during which employees are liable to work any shift (within the rotation or office) depending upon which jobs are vacant, an underlying shift payment is calculated from the average of the shifts within the rotation, in the normal way, but *excluding* the floating week (e.g. if there is a four week rotation including one floating week, the payment is the total of the shift payments due for the three scheduled weeks divided by three). This payment is then made each week of the year, including during absence, *except* for the floating weeks worked. During these the payment will be the rate for the shift actually worked, entered as a temporary change. This ensures that the employee has a reasonably consistent level of earnings but is paid for the variety of shifts involved with the floating week.
9. It is essential that, in units that have these staffing practices, Unit Managers (DOMs/Shift Managers) meet with local CWU representatives and identify:
  - jobs that are fixed or settled
  - jobs that are covered by rotations
  - the job holders within those rotations
  - the reserves (where allocated to a rotation but not to a job in the rotation)
10. Having established this base data, together with any changes made to rotation patterns, the details of any long term swaps (i.e. for at least 8 weeks as above) that are agreed with the line manager will need to be identified.
11. Any revisions to data capture for the employees affected by these arrangements will need to be forwarded to Transaction Services units without delay.
12. It is agreed, in principle, that the arrangements in paragraph 4 may be back-dated to 8 May if there is joint local agreement and that any over-payments and under-payments should then be rectified. In such cases Unit Managers and local CWU representatives will therefore need to identify the shifts actually worked by individuals and any discrepancy between those and the shifts they were recorded as being on in the data provided to Transaction Services. When over-payments and under-payments are identified they should be reconciled to ensure that they balance out, with no overall change in the total paid across the office, and arrangements should be agreed locally for the recovery of the over-payments.