



## Pay Claim for 2019-20

The pay claim outlined below is submitted on behalf of our members in the Scottish Government Main Bargaining Unit for the period 1 April 2019 to 31st March 2020.

The detailed points of the claim are:

### 2019 Pay Claim in Summary

- 1. All unions are seeking substantial pay increases for members in 2019 which deliver**
  - (a) increases in basic pay and all fixed cash allowances at least equal to RPI which ensures inflation proofing of earnings**  
**plus**
  - (b) a substantial additional increase in pay to begin the process of restoration of lost earnings for our members in 2019 as promised by ministers last year (PCS calculates that to achieve our aims would require a pay increase of 10% with a cash underpin of £2500)**
- 2. Payment of a Living Wage of £10 per hour (£19,314) from 1 April 2018 and to be extended to all Government contracts. All employers in the Scottish Government main bargaining unit should as a minimum attain Living Wage Accredited Status.**
- 3. Payment of progression in full and shorter journey times**
- 4. Confirmation of continuation of the No Compulsory Redundancy Guarantee**
- 5. 35 Hours Working Week (net) without loss of pay**
- 6. 30 Days Leave on Entry**
- 7. Pay Coherence across the Scottish Sector** (which would help reduce the risk of discrimination in pay and conditions across the sector)
- 8. Equality as Central Feature of Pay Determination with Regular Equal Pay Audits**
- 9. All service related benefits are available to all staff within 5 years or less**
- 10. Introduction of Miscarriage Special Leave**
- 11. Compensation for all hours worked**
- 12. Review of Qualifying Period for Paternity Leave**
- 13. Introduction of Disability Leave**
- 14. Review of Travel & Subsistence Rates**

### Ministerial Commitments and Ending the Pay Cap

Last year the trade unions were able to reach agreement with employers on pay offers in most of our bargaining areas in the devolved Scottish Government sector. The commitment given by the Scottish Government that they were committed to a journey to restore earnings following years of austerity pay freezes and pay caps was a major factor in convincing our members to accept offers which delivered less than our 2018 pay claim. The commitment to this journey was fully endorsed by the Cabinet Secretary for Finance and the First Minister. Yet it is not reflected in the Government's 2019-20 pay policy. Our members feel betrayed and angry. They expect ministers to honour promises made to them

## **Cost of Living Increase and Restoration of Lost Earnings**

This year's pay increase must protect staff from increases in annual inflation as measured by the Retail Price Index (RPI) Anything less would represent a further cut in living standards for our members. And they face massive uncertainty as to where the cost of living will go after Brexit with all the uncertainty that will bring for working families. Already experts are predicting massive hikes in the price of essentials in the event of a hard Brexit

Not only do members have to contend with inflation in 2019, they have suffered greatly during the period of austerity with years of below inflation pay increases. The pay increase for 2019 must also address the commitment given by ministers to restore the losses we have faced through 10 years of pay freezes and pay caps.

Our claim for restoration is fully justified.

Members of public sector pension schemes have also seen significant changes to benefits and retirement age. Those who are also members of the civil service scheme have seen the introduction of increased contribution rates. For a civil servant on average salary, who pay tax at the basic rate, increased pension contributions will have reduced take home pay by around £1,000 a year

The unions are therefore clear that this year's pay settlement must not only protect our members from the increases in inflation including potential steep rises due to Brexit, but it must also start to reverse the many years of real terms cuts to wages through pay restoration, honouring the promises made by the Government in 2018.

**This pay claim is therefore designed to protect the lowest paid workers but also start to bring our members earnings back into line with where they should be.**

## **Scottish Government Must Ensure Full Funding of Pay Settlements**

Given the recent Scottish budget allocations to employers the unions are concerned that employers will not have adequate funding to deliver the increases our members need. We note the additional funding which has been found to increase the pay of other public sector workers such as teachers and Local Government employees.

**Our members expect that their employers will also be provided with the money to ensure they too are awarded pay increases which address their needs in 2019.**

### **1. Cost of Living Increase of 10% or £ 2500**

**The latest RPI increase for January 2019 stands at 2.5%.**

The ongoing rises in the cost of living means that the disposable income held by a worker not receiving a substantial pay rise reduces and they will see their buying power eroded with all the pressures that places on themselves and those who depend on their income.

Our claim is supported by trade union evidence that the cost of living crisis continues to impact upon all working people across all socio-economic groups but with our lowest paid colleagues suffering the greatest detriment, as the increase in living i.e. household necessities has outstripped pay increases for several years and in particular has been exacerbated since 2010.

It is generally understood that inflation hits lower paid staff disproportionately and that there needs to be additional measures to address this, usually in the form of a cash underpin.

Therefore the 2019 pay award has to

- (a) Address the impacts of inflation
- (b) Begin to restore living standards with a substantial above inflation increase
- (c) Continue with measures to protect the lowest paid

**Increases in basic pay and all fixed cash allowances at least equal to RPI which ensures inflation proofing of earnings plus a substantial additional increase in pay to begin the process of restoration of lost earnings for our members in 2019 as promised by ministers last year is therefore justified and reasonable.**

## **2. A Living Wage of £10 per hour**

While the Scottish Government has to their credit included the Scottish Living Wage in its pay policy, it needs to take the logic further. The unions are clear that the living wage should be the pay floor of basic pay for all workers and that the public sector has a vital role in setting the example to the rest of the economy.

The Scottish Living Wage of £9:00 per hour is significantly above the UK Government's national living wage but we contend that it still not enough to ensure workers a reasonable and civilised standard of living.

**The trade unions believe that £10 per hour or £19,314 pa is required to meet those ends.**

The Welsh Government has already agreed to introduce a minimum wage of £10 per hour from 1 April 2018 and the Scottish Government should follow suit.

The trade unions considers that a living wage is an essential demand to eradicate low pay and deliver dignity in the workplace. We believe that the Scottish Government as an employer has an unrivalled opportunity to build on the positive work undertaken so far by ensuring that the living wage is implemented in all contracts to deliver public services entered into with private sector companies or third sector organisations.

**We therefore call for all employers to seek accreditation as Living Wage Employers and to ensure all contractors pay £10 per hour or the Scottish Living Wage as a minimum.**

## **3. Pay Progression**

In previous years, the Scottish Government Public Sector Pay Policy, unlike that of the UK Government, provided for the continuation of pay progression without strings. We are concerned that there are contradictory references to pay progression in the pay policy with suggestions that progression payments are to be traded for efficiency gains. This is unacceptable on the grounds of equality and fairness. Staff are entitled to be paid the rate for the job they do and progression to the maximum in the shortest time is a crucial element in achieving that aim.

**We want confirmation that progression increases will be paid in full without strings attached.**

Any minimum cost of living increase should also be paid in addition to progression.

Further we believe that staff should be paid the rate for the job (the maximum) once they are fully competent in their role.

**We call for a reduction in progression journey times as a step to that end.**

## **4. No Compulsory Redundancy Guarantee and Workloads**

The 2019-20 Scottish Government Pay Policy includes a further extension of the No Compulsory Redundancy Guarantee and we seek confirmation that this will continue. However, management must also acknowledge that that while staff will welcome the guarantee there have still been significant job cuts, which are ongoing.

**Those staff who remain face ever-increasing pressure. Yet they have not seen their efforts reflected in their pay awards.**

## **5&6 Working Time**

Our standing claims for reduced hours and increased leave entitlement are as valid today as ever.

British workers have among the longest working hours and lowest holiday entitlement in Europe. Meeting these demands will significantly benefit members and their families and help with the competing pressures of work and family life.

## **5 Reducing the Working Week**

**Our claim is for the immediate introduction of a 35 hour net working week for all staff without loss of pay.**

Already a significant number of employers covered by the SG Public Sector Pay Policy offer staff a 35 hour working week, some a 36 hour week and more a 37 hour week.

There have been significant developments in this area with many employers offering reduced weekly hours without loss of pay. We have also seen studies across the economy both in the UK and internationally which show that reduced working time leads to increased productivity, a more engaged workforce and improves the health and well-being of staff. Further as expected developments in technology and in particular Artificial Intelligence impact on resourcing it is important that workers too share in the benefits in the reduced requirement.

The Scottish Government should be an exemplar to the rest of the Scottish economy in this area and reduce working time for all staff.

## **6 Improvements to Annual Leave Entitlement**

The Scottish Government prides itself on being an employer who champions equality, the family and Fair Work principles. It should reflect these principles in the annual leave package it offers the staff who deliver its programme. As in the case of weekly working hours there are differing leave packages for different employers all of whom ultimately work for the same Scottish Government. There should be a consistent leave entitlement of 30 days for all staff on entry to the job. That would ensure fairness, help with work life balance and improve the health and well-being of all staff.

## **7. Coherence across the Scottish Sector**

Years of a delegated bargaining system has resulted in huge inequities within pay systems with workers doing broadly the same jobs for wildly different rates of pay. This system has created discriminatory practices that, nearly 50 years after the Equal Pay Act, should be considered unacceptable for any government

The trade unions have had a long term objective of seeking coherence in pay and terms and conditions across the Scottish Government Sector, particularly in those areas directly covered by the Scottish Government's Public Sector Pay Policy.

Coherence would help reduce the risk of discrimination in pay and conditions across the sector. At this critical time constitutionally we would reap the benefits of coherence in making re-organisation of the Scottish public sector landscape far less challenging for employers as well a more attractive option for union members.

We therefore call for

- a) National bargaining at Scottish Government level on pay for all staff in the Civil Service and its related bodies in order to:
  1. Establish a common pay and grading structure across the service
  2. Establish equal pay for work of equal value across the service
  3. Eradicate the inequities caused by the delegated bargaining system
- b) Coherence in pay, terms and conditions across all of the bodies covered by what is after all a single source pay policy.

## 8. Equality Principle

The underpinning principle of ensuring Equal Pay across the Scottish Sector is fundamental to our claim. The trade unions will continue to press for fair pay and terms and conditions that support a diverse workforce and wellbeing at work. Where initiatives discriminate we will continue to challenge this.

We want to ensure all pay systems are equality-proofed and we would welcome discussions on measures aimed at improving our members' working lives and that will enable them to balance their work with their family, personal and domestic commitments.

We are seeking commitments to eliminate inequality in pay systems and to have meaningful consultation about achieving this. For example, we are seeking a commitment to making available adequate dedicated funding should any discrepancies be discovered. Vital to this work is the undertaking of joint equal pay audits.

Scottish Ministers have previously recommended employers carry out equal pay audits on a three yearly cycle and this should be required of all employers in the sector.

Under Public Sector Equality Duty Special Regulations 2012 Equality impact assessments (EqIAs) should be carried out on annual pay settlements.

**We therefore insist that xxx carries out an EqIA on the outcome of this year's pay review and a full equal pay audit in 2019, and the results of both are shared with the trade unions.**

## 9. All service related benefits are available to all staff within 5 years or less

It has been established in case law that service related benefits including pay progression and maximum annual leave entitlement are likely to be discriminatory if the qualifying period exceeds 5 years. This has also been reflected in the Employment Equality (Age) Regulations 2006, Part 4.

**We therefore insist that all such service related benefits are attained by all staff within 5 years or less.**

## 10. Introduction of Miscarriage Special Leave

Our specific request is that SG commits to reviewing policy and absence guidance to specifically look at the treatment of miscarriage absence. The current treatment of absence either as sick leave or maternity based on the gestation for women who suffer miscarriage or late miscarriage is not representative of their condition. A women who loses their baby in such circumstances is not sick but is unable to work due to grief/loss and recovery. SG policy should properly reflect this.

## 11. Compensation for all hours worked

Our demand is that staff required to be available and to work additional hours are properly compensated for the time spent doing so and for the work they do. We believe that anyone who is on call should be compensated as they are not free to enjoy their time as they would wish. Should their time on call actually result in additional work being carried out, we believe that overtime should be payable. These provisions should be applied irrespective of grade.

## 12. Review of Qualifying Period for Paternity Leave

SG should remove or reduce qualifying periods for paternity leave. In addition, it is noted that preparations in advance of adopting a child can take up a lot of time (for very understandable reasons). We would like to propose that the entitlement to pre-adoption leave for primary and secondary adopters is increased.

## 13. Introduction of Disability Leave

The provision of leave for disabled members of staff (as an additional category of special leave) for reasons to do directly with their disability – examples would be guide dog training, assessments for

dyscalculia/dyslexia, HIV counselling, changes of medication, etc, so that they are not forced to take these as sick leave or annual leave. Larger government departments such as HMRC and the DWP already have this in place.

#### **14. Review of Travel & Subsistence Rates**

Some of these have not been updated for many years. We appreciate that some rates are affected by HMRC restrictions. We propose engagement under partnership to agree what can be updated in line with cost of living increases to ensure staff are not out-of-pocket for undertaking SG duties.