

Collective Agreement between West Midlands Fire Service / West Midlands Fire Authority and the Fire Brigades Union on matters in connection with contracts of employment

This document is a collective agreement between West Midlands Fire Service / West Midlands Fire Authority and the Fire Brigades Union.

The collective agreement is an outcome of discussions that have taken place in respect of a trade dispute registered on 11 April 2018. While this agreement resolves a number of issues it is recognised that there are some issues still outstanding, and therefore this agreement does not resolve the trade dispute in its entirety. It is recognised as a significant contribution to an overall resolution.

1. New Entrants Contract (NEC)

- 1.1 Due to a typographical error within the replacement NEC attached to the collective agreement reached on 25 June 2018, the following amendment has been agreed:

You are entitled to 22 days annual leave with an additional 5 (3) days for long service after completing (5) years 'continuous service'. In addition, you are entitled to 8 statutory and public holidays. The leave year runs in line with leave policy and leave will be balanced across the year and taken only in agreement with The Service.

- 1.2 WMFS will write to affected employees to inform them of the amendment.
- 1.3 For the avoidance of doubt, where a new employee is recruited into a managerial role which according to existing leave agreements attracts greater leave, contracts issued to such an employee will reflect the managerial role provisions.

2. 'Existing' Contracts

- 2.1 Paragraph 6.1 of the agreement reached on 25 June 2018 indicated outstanding matters which included:

- Re: Point 1 – clarification and then discussion around the matter of 'existing firefighters', which refers to staff joining the service who have been issued with contracts with elements which had not been discussed with the FBU;

- 2.2 Agreement has been reached on the following amendment to section 5 of contracts issued since 2009:

West Midlands Fire Service operates a variety of shift patterns. Changes from one shift pattern to another shall be on a voluntary basis. Movement into specific posts (temporarily or permanently) may require a change to your shift pattern for the duration.

This replaces the wording below:

You will be conditioned to an average 42 hour week. West Midlands Fire Service operates a variety of shift patterns and reserves the right to assign you to an appropriate shift subject to the operational needs of the Service. Your hours of work will include working unsociable hours, ie nights and /or weekends, for which you do not receive any extra remuneration. Transfer to a different shift pattern will not be implemented without reasonable consultation and notice.

Further information regarding the rota systems can be found in the relevant standing order. From time to time rota systems may be amended to meet the changing needs of the Service and following a reasonable period of consultation;

2.3 All other terms and conditions as detailed in the current contract of employment remain unchanged.

2.4 WMFS will write to affected employees and a copy of the letter is attached.



Signed:

Name	Phil Loach	Name	Andy Dark
Role	Chief Fire Officer	Role	Assistant General Secretary
Organisation	West Midlands Fire Service	Organisation	Fire Brigades Union
Date	21/9/18	Date	21/9/18

'Existing' contracts - variation to contract of employment letter

Dear

Variation to Contract of Employment Change to your Terms and Conditions relating to section 5 of your contract of Employment: Hours of Work

As you are aware the Fire Brigade Union lodged a trade dispute with the Service on 11 April 2018. One element of the trade dispute related Fire Fighter contracts. By way of working towards a resolution to the trade dispute, the Service has agreed to amend the wording within section 5 of the contract. The wording has specifically been agreed between the Service and Fire Brigades Union.

As this is a change from your current contract of employment, the Service as your employer, needs to inform you of these proposed changes and seek your agreement to changing from your current section 5 of your contract to the proposed new amendment to contract. The purpose of this letter is therefore to detail the proposed changes and ask you to agree to those changes by signing this letter which varies your contract of employment

With effect from 1 October 2018 you are being offered the amendment to contract as detailed below:

Previous contract wording:

You will be conditioned to an average 42 hour week. West Midlands Fire Service operates a variety of shift patterns and reserves the right to assign you to an appropriate shift subject to the operational needs of the Service. Your hours of work will include working unsociable hours, ie nights and /or weekends, for which you do not receive any extra remuneration. Transfer to a different shift pattern will not be implemented without reasonable consultation and notice.

Further information regarding the rota systems can be found in the relevant standing order. From time to time rota systems may be amended to meet the changing needs of the Service and following a reasonable period of consultation;

Proposed contract wording:

West Midlands Fire Service operates a variety of shift patterns. Changes from one shift pattern to another shall be on a voluntary basis. Movement into specific posts (temporarily or permanently) may require a change to your shift pattern for the duration.

All other terms and conditions as detailed in the current contract of employment issued to you remain unchanged.
In summary you are agreeing to:

The removal of the current text as outlined above with effect from 1 October 2018.

The new text that is outlined above which once accepted comes into effect from 1 October 2018.

Please confirm your agreement to these changes by signing and dating both copies of this letter and returning one copy to xxx People Support Services.

The second copy should be retained for your own records.

This letter forms a variation to your contract of employment and by signing and dating it you are signifying your acceptance to the changes and that your contract of employment will be varied by this agreement.

Yours sincerely

Sarah Warnes

SE People

Please sign both copies of this letter and return one to XXXXX (Address)

I hereby agree to accept the amendment to section 5 of my contract of employment relating to Hours of Work. The amended text to my contract will be 'West Midlands Fire Service operates a variety of shift patterns. Changes from one shift pattern to another shall be on a voluntary basis. Movement into specific posts (temporarily or permanently) may require a change to your shift pattern for the duration.'

I agree and accept the conditions of this offer as detailed above and agree that this letter forms a variation to my contract of employment which will be amended to reflect these changes. The variation to my contract will be effective from 1 October 2018.

Signed:

Print Name:

Role No:

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Date: