

Public Services Commission

Manual and Craft Workers Local Agreement



The Employers' and Employees' Sides of the PSC Joint Negotiating Committee are agreed that Version **3** of the Local Agreement for Variable Rostering of Heritage Railway Staff between the Public Transport Division of the Department of Infrastructure, the Public Services Commission (the Employer) and the Employees' represented by Unite the Union and Prospect is ratified.

The operative date of the agreement is 1 March 2015



PSC Local Agreement Manual & Craft Workers

Department / Division / Local Authority

Department of Infrastructure - Public Transport Division

Title

Variable Rostering of PSC Manual and Craft Workers Heritage Railway Engineering Staff Version 3

Scope of the Local Agreement

This forms a Local Agreement for variable rostering of all PSC Manual and Craft Workers Heritage Railway engineering staff between the Public Transport Division of the Department of Infrastructure (the Employer) and the Employees' Side of the PSC Joint Negotiating Committee (JNC). Both parties will act reasonably to support these working practices and the spirit of this agreement. This agreement will not come into force until it has been ratified by the JNC.

Rationale for amending the existing Local Agreement Version 1 (**See Annex B**)

The Local Agreement, Version 1, at Annex B is currently in effect, although no staff have been appointed on these terms.

The Department and Unite had previously agreed on an amended Version 2 of the Agreement, (**See Annex C**) which included clarification to certain terms and a new cover page; however, this version was never ratified at the Whitley Council.

Version 3 of the Agreement now supersedes the Local Agreement, Version 1.

Background

The Isle of Man's Heritage Railways are a key leisure and tourist attraction. The Snaefell Mountain Railway (SMR) operates from April until October, and the Steam Railway and Manx Electric Railways (MER) run from March until November each year. There are additional special events during the closed season.

Saturdays, Sundays and bank holidays are frequently the busiest days for passenger numbers and service demand. It is imperative that the railways resources are in place to support these services. Most of these resources are primarily operational; tram motormen, steam drivers, station masters etc. As these staff are required primarily for the seasonal demands their employment is for less than a full 12 months and conditions of employment use the *1993 'Agreement on Working Practices and Implementation of Shorter Working Week for Employees in the Railways Division of the Department of Tourism, Leisure and Transport'*(see Annex A).

Current Operational Position

To allow the railways to operate efficiently and safely, there are requirements that other staff members with engineering skills are also in attendance, in addition to those employed on a Seasonal basis. These relate to:

- depot mechanical and electrical engineers for tram and train preparation, breakdown and emergency response;
- permanent way workers for animals on the line, response to level crossing problems and lineside fires;
- overhead line electrical staff to monitor and attend to overhead wire failures on the MER and SMR.

The employment terms for the permanent staff under PSC Manual and Craft terms and conditions stipulate that Saturday and Sunday working is voluntary which creates problems in ensuring the railways are appropriately staffed during the busiest periods. The payment for weekend working at

enhanced rates also significantly increases the operating costs which in turn limits the number of Permanent staff the Department is able to engage.

A number of these skilled engineering staff are currently employed on a seasonal basis using the terms of the 1993 Local Agreement. This creates a position of uncertainty for the staff and employer.

There are also a number of existing permanent staff working terms that include a 39 hour working week. 2 hours are unpaid which are then rostered for time off in lieu. Overtime is not available for these staff until 39 hours has been reached.

Benefits of Adopting this Local Agreement

The changes will:-

- allow the appointment to a significant number of permanent jobs
- provide longer term job security to the employees which will provide greater personal financial stability
- replace a number of seasonal posts with permanent employment, providing staff with additional employment benefits such as annual leave, sick pay and pension scheme, benefits that are not applicable to Seasonal employees
- generate long term career prospects for staff with potential for progression within the organisation
- allow staff to develop their technical skills
- justify Department investment in training and skills development
- give clarity for both parties to unsocial working demands

Terms of the Local Agreement

Terms are an amended version of those within the 1993 *'Agreement on Working Practices and Implementation of Shorter Working Week for Employees in the Railways Division of the Department of Tourism, Leisure and Transport'* at **Annex A**.

Working Week and Hours of Work

- Staff will work a basic week of 37 hours.
- Employees will be engaged on terms which provide for their basic working week to be any number of days within 7 (e.g. 4, 5 or 6).
- The half hour lunch breaks will be unpaid. All breaks may be staggered and employees will be flexible in the timing of their breaks, including lunch break, to suit the operational requirements of the day.
- Standby arrangements will remain unchanged.
- New arrangements for filling in timesheets and general administration may be adopted by the employers.

Overtime

- Overtime rates will come into effect after 37 hours worked in any week.

Pay

- All posts are graded under the PSC Manual and Craft Worker Grading Scheme and paid at the appropriate PSC Manual and Craft Worker rate of pay.
- All overtime is to be paid at time and one half.
- No enhancements for weekend/public holiday/privilege day working.

For Example

- *Staff rostered on a Public Holiday and not required to attend work (e.g. Christmas Day) will be paid for the hours rostered that day with no enhancements or overtime*

- Staff rostered on a Public Holiday and required to attend work (e.g. Easter Bank Holiday) will be paid for the hours worked with no enhancements or overtime
- Staff not rostered on a Public Holiday and requested to attend work will be paid for the hours worked at overtime rate (time and one half) with no enhancements
- Staff not rostered on a Public Holiday and not attending work will receive no payment for that day

Clothing

- All staff who are provided with a uniform will be required to wear and maintain it to an appropriate standard.

Group of Staff Agreement Covers

This agreement applies to all future employees of the Department of Infrastructure, Public Transport Division, Heritage Railways Engineering, including seasonal and limited term staff receiving permanent contracts, apprentices transferring from apprentice posts to permanent posts, new external recruits and any existing Government employees who transfer voluntarily to the new Terms and Conditions; but excludes any staff redeployed into the section in circumstances where any pre-existing protection arrangements apply by virtue of their existing terms and conditions of service.

Does this supersede or link in with any other Local Agreements?

This Version 3 Local Agreement supersedes the current Local Agreement Version 1 at Annex B.

The Local Agreement (Annex B) supersedes the 1993 Local Agreement 'Agreement on Working Practices and Implementation of Shorter Working Week for Employees in the Railways Division of the Department of Tourism, Leisure and Transport' (see Annex A) for new employees and includes Apprentices transferring from Apprentice posts to permanent posts.

This agreement does not apply to existing employees of the Department of Infrastructure, Public Transport, Heritage Railways Engineering employed before the operative date of this agreement (1 March 2015).

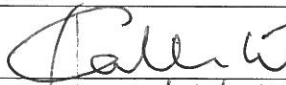
Review of Local Agreement

This Agreement may be reviewed at the request of either side.


Annual Review of Pay Rates

The rates of pay will be increased in line with any PSC Manual and Craft Worker pay awards.

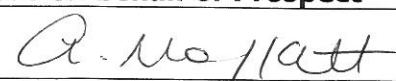
Signature on behalf of the Public Services Commission


Date: 1/6/16

Signature on behalf of Unite the Union


Date: 29/6/16

Signature on behalf of Prospect


Date: 1/6/16