

**REVISED MANAGEMENT PROPOSAL**  
**PROVISION OF 24/7 LABORATORY SERVICE**

**14<sup>th</sup> January 2009**

**INTRODUCTION & BACKGROUND**

There are a number of business drivers that require Laboratory Medicine to review its service provision out with normal working hours:

- Requirements of European Working Time Directive (EWTD) now being enforced by CPA.
- New guidelines that require routine tests to be carried out 24/7 e.g. Troponin.
- Introduction of new working hours for Junior Doctors resulting in routine laboratory requests being required 24/7.

As a result of these requirements, the *Diagnosics Directorate Glasgow and Clyde Laboratory Medicine Negotiating Forum* was formed with its first meeting held on 12<sup>th</sup> February 2008.

It was agreed that this group would review existing out of hours / on call arrangements and develop a sustainable framework system for out of hours working for all laboratory medicine disciplines.

An initial proposal was presented by Management at a meeting held on 10<sup>th</sup> June 2008 for consideration resulting in a document presented by Unite in response at a follow up meeting held on 26<sup>th</sup> August 2008. At that meeting management-side thanked Unite for their proposal and gave the undertaking that the document would be taken away for review.

After much consideration and debate a new management proposal was presented to staff side at the meeting of the OOH Negotiating Group held on 16<sup>th</sup> December 2008.

As a consequence of further discussion, the following represents a revised management proposal for staff-side consideration.

## PRINCIPLES

In developing these proposals, management acknowledge the following underlying principles.

1. Final Agreement will be viewed as a jointly agreed package to be signed off by both management and staff-side.
2. Any proposed changes to payments or working practices are governed by terms and conditions as prescribed by Scottish Ministers under Regulation, and the Boards' organisational change Policies.
3. 37.5 hour working week (Monday to Sunday). Enhancements payable outwith current normal working hours i.e. 9am to 5pm for existing staff only.
4. Core laboratory working hours 8am to 8pm
5. Working practices must comply with the Working Time Regulations.
6. Staffing levels will be as a direct result of demand on the laboratory and will vary according to site requirements.
7. access to laboratory service 24/7 in order to achieve
  - a. 4 hour unscheduled care targets
  - b. Outpatient waiting time targets
  - c. Inpatient waiting time targets
  - d. Bed utilisation
  - e. National Clinical guidelines (e.g. SIGN and, when applicable to Scotland, NICE or other agreed standards).
8. Improved work distribution and workflow to reduce stress to staff
9. Range of service provided to meet clinical needs based on outputs from individual management teams.
10. All staff will be contracted to provide a 37.5 hour week on a 24/7 basis
  - a. Contractual agreements will attract employee and employer superannuation contributions and will, therefore, contribute towards pension entitlement.
  - b. Contractual basis would only apply to new members of staff joining the service after the acceptance of this agreement.
  - c. Existing staff would be given the opportunity to opt in to the new contractual arrangement
  - d. Existing staff who do not wish their out of hours participation to be contractual may continue under a voluntary arrangement but are required to give management one year's notice to exit from the new 24/7 service provision outlined in this paper.
  - e. Employees who currently work 9 to 5 may choose to participate in the new 24/7 service provision model but only under the new contractual arrangements.

## PROPOSAL

The Working Time Regulations require every individual to have a daily rest period of no less than 11 hours. Consequently no period of work can exceed 13 hours. Realistically this means a working period of no more than 12 hours.

1. Create three distinct working periods with staff working one of the following periods throughout the 24 hour day, 7 days per week.
  - a. 8.45am to 5pm
  - b. 8am to 8.15pm
  - c. 8pm to 8.15am
2. The above is on the proviso that some staff may not be able to rotate through all of the distinct working periods and operational management would strive to accommodate individual needs in line with work / life balance. This will apply to existing staff only.
3. Staff will only work a 37.5 hour week regardless of the above working periods.
4. Remuneration will be paid in the form of an annual supplement, where appropriate. This supplement is calculated on the basis of an AFC Banding hourly rate. The proposal show below is applicable to existing staff only.

## PAYMENT RATES

### Biochemistry & Haematology

WORKING ARRANGEMENTS	PAYMENT RATE FOR EXISTING STAFF
8.45am to 5pm (45 minutes meal break)	Normal payment rate
8.00am to 8.15pm (45 minutes meal break)	Normal payment rate until 5pm and enhanced hourly rate from 8am and 8.45am and 5pm to 8.15pm
8pm to 8.15am (45 minutes meal break)	Enhanced payment rate
Weekends (as part of normal working week)	Enhanced payment rate will apply from 5pm on Friday to 8am on Monday
Public Holiday Working (as part of normal working week)	Enhanced payment rate will be paid for all hours working during a public holiday

Based on the above working arrangements, it is proposed that an annual supplement would be paid to all existing members of staff participating in regular and rostered 24/7 continuous service working and will vary according to intensity, for example a 1 in 12 pattern would equate to £12,000.

This offer is only made to existing employees.

All new staff engaged after the signing of this agreement will be contracted to work to provide a 24/7 service under the terms, conditions and payment rates applicable under Agenda for Change.

## All Other Laboratory Disciplines

EMPLOYEE TYPE	WORKING ARRANGEMENTS	PAYMENT RATE FOR EXISTING STAFF
Worker Type 1	8.45am to 5pm (Monday to Friday with 45 minutes meal break)	Basic payment rate
Worker Type 2	8.45am to 5pm (Monday to Friday with 45 minutes meal break) with regular rostered weekend working	Basic payment rate will apply from 8.45am to 5pm (Monday to Friday) plus an availability payment of £25 plus attendance supplement of £21.65 for every hour worked at weekends from 8am to 8pm.
Worker Type 3	8.00am to 8.00pm (Monday to Friday) (45 minutes meal break) and fully participates in on call from home and weekend working ie 24/7 service provision, 365 days per year, including Public Holidays.	Annual Supplement payment for period worked from 8am to 9am and 5pm to 8pm weekdays and 8am to 8pm at weekends. In addition an availability payment of £25 plus attendance supplement of £21.65 for all hours worked between 8pm and 8am at weekends plus one hour to cover travelling to and from hospital (On Call from Home).

### Compensatory Rest

If required to work between 11pm and 2am then an officer will not be required to commence duty until 1pm the next day and shall finish that period of duty at the normal time.

If required to work between 2am and 6am then the officer will be entitled to the next day off.

If required to work between 6am and 9am then an officer will commence their normal duty from the time of the call and shall then be entitled to leave after completing their normal number of hours from the commencement of duty.

### Payment

Based on the above working arrangements, it is proposed that an annual supplement would be paid to all members of staff participating in regular and rostered 24/7 continuous service working and will vary according to intensity, for example a Worker Type 3 working a 1 in 12 pattern would receive an annual supplement of £4,200 plus actual hourly earnings based on a rate of £21.65 per attendance hour after 8pm at night. This offer is only made to existing staff.

**All new staff engaged after the signing of this agreement will be contracted to work to provide a 24/7 service under the terms, conditions and payment rates applicable under Agenda for Change.**

## ADDENDUM

All current Out of Hours associated allowances will cease on the adoption of this agreement although the differential between the new payments and current actual Out of Hours earnings will be protected as per the Board's Organisational Change policies for existing staff only.

This Agreement will be superceded by the publication of the national review expected in 2010.