

# ON-CALL – LOCAL NEGOTIATIONS

Protection of local on-call agreements ends on 31<sup>st</sup> March 2011.

There is now a 'national enabling agreement' which lays down principles upon which locally negotiated agreements must be based.

Employers are obliged to review their on-call system but not necessarily to change it unless it does not meet these principles.

The SoR has produced guidance the enabling agreement which is available on [www.sor.org](http://www.sor.org).

## SoR Aims

- 1. For members to retain their current earnings:** This review of on-call should not be used to save money – a big temptation in these difficult financial times. Radiographers need to be clear that if at the end of this process they end up doing the same work for the same hours they should take home no-less pay. *However, members need to understand that the success of this aim depends entirely on their own willingness to fight – including taking industrial action.*
- 2. Harmonisation should bring terms and conditions up to the level of the best not down to the worst.** Almost inevitably harmonisation is viewed as meaning 'averaging out' the result of which is winners and losers. The SoR take the view that harmonisation can mean bringing everyone up to the level of the best and it is this that we believe is the right way forward. *SoR reps need to explain to members that they may need to fight, up to and including industrial action, to achieve this.* We should be encouraging other unions to join the fight to improve their members pay rather than allowing ours to drop. If other unions are not prepared to come with us then members will need to consider

whether to go it alone. Radiography is a key service and we are therefore in a strong position to influence the outcome of this review if members are sufficiently determined.

- 3. We are a critical service and this should be reflected in the pay.** The term 'equal pay for work of equal value' is banded around as though it means that everyone should be paid the same for the hours they work regardless of their skills. This clearly doesn't apply to normal day time rates and therefore there is no reason why it should apply to on-call rates for different staff groups. Equal pay for work of equal value refers specifically to sex discrimination not to differences in pay between staff groups generally. SoR reps should question carefully any assertion by management that a particular proposal does/doesn't meet equal pay legislation. SoR reps should also insist on knowing what defines 'equal work'. The SoR believes that radiography is very valuable work, particularly on-call, as the hospital very quickly grinds to a halt without it.

Equal pay for work of equal value is about sex discrimination and it is only the courts that can definitively decide whether the legislation has been breached so – *don't be bamboozled into accepting the employer's definition.*

- 4. Band 5 radiographers should be paid at least Band 6 rates for doing the same work as Band 6 radiographers out of hours.** The current AfC terms and conditions, like Whitley before it, allows for Band 5 radiographers to be paid less for out of hours work than their Band 6 colleagues. Many Trusts moved away from this system under local agreements because it was felt by members that this wasn't fair as everyone does the same work on-call and takes the same level of responsibility. The SoR recommends that this situation is maintained and that we don't allow Band 5 radiographers working on-call to be paid less than their Band 6 colleagues.

**5. Current system to remain in place until local negotiations are complete.** Realistically the local on-call situation is so complex that it is highly unlikely that any new system will be ready to implement by 1<sup>st</sup> April 2011. Therefore, the SoR believes that the most sensible way forwards is for the current system to remain in place until the local negotiations are complete. This has already been agreed by a number of Trusts. SoR reps should vigorously resist any attempt to put any 'interim' system into place or to hurry into a new system merely to meet a deadline.

*It is critical that members understand that it is not going to be easy to achieve these aims and that the results are in their hands. The SoR doesn't have any way of influencing this except through the determination and active involvement of members. The SoR will provide advice and support for reps and members in their fight to achieve the best possible settlement.*