

Government meets deadline on HRA hours “restoration”, pay talks next?

BRIAN SHEEHAN

The Government gave formal approval on April 14 for the restoration of the “Haddington Road hours” from July 1 next, at a cost of around €179m this year.

The decision will mean a new minimum floor of 35 hours per week for public servants and may pave the way for talks on a new public service agreement, or an extension to the current one, Building Momentum.

The Minister for Public Expenditure & Reform, Michael McGrath, welcomed the Government’s approval of the Independent Hours Body’s Report in relation to the HRA hours worked by certain staff / grades in the public service.

Importantly, Mr McGrath said that the Minister for Health is to arrange for immediate engagement with health sector unions and associations on the measures that are required to ensure “safe implementation of the recommendations” in that sector.

IRN understands that this means a special arrangement will be required to safely manage the change in healthcare settings, likely involving payment for hours in lieu of the hours reduction – but on a temporary basis.

However, this may last for some time given the sort of recruitment and retention issues that beset the service, as well as the system having to cope with both the continuing Covid-19 situation - and ever extending waiting lists.

“OUTSTANDING MATTER”

In a formal statement, DPER said the HRA hours were considered by the parties to be “an outstanding matter to be resolved”, and in this context, the Independent Hours Body, chaired by Kieran Mulvey, was established to examine issues arising from the Haddington Road Hours.

An amount of €150m was provided for under the terms of Building Momentum for the implementation of the Body’s recommendations in 2022.

DPER said the Independent Body’s deliberations were informed by:

- stakeholder engagement;
- detailed analysis of submissions received; and
- an assessment of the potential impacts of a reduction in working time across the public service in terms of service delivery and cost to the Exchequer.

Commenting on the approval of the recommendations, Minister McGrath welcomed the approval of the Independent Hours Body Report, saying it was “an important and complex piece of work as it was a key provision of Building Momentum”.

The Independent Body had strongly advised the Minister not to spread the implementation of the change, but to go for a ‘big bang’ approach on July 1. The Body had cited operational issues and complications that would arise, were a phased approach to implementation to be adopted.

“In approving the Report”, Minister McGrath said, “the Government will continue to prioritise service delivery”.

It was in light of the challenges the Health Sector may face in implementing the report that he understands that the Minister for Health will “arrange for immediate engagement” with health sector unions and associations on measures required to ensure safe implementation of the recommendations.

COVERS EXTRA COST?

The Government has also approved an additional €29m in 2022 to deliver on the Body’s recommendations, the Minister said.

It is unclear whether this will encompass the extra costs that will be incurred by the health service, given that it will have to pay for the continuation of the HRA hours where necessary, due to pressure on services and recruitment and retention challenges.

The Minister continued that it was “important to remember that Building Momentum embodied a strong commitment to reform and the improved delivery of public services”. The Government is “determined to ensure the current pay agreement is honoured in full”.

Mr McGrath noted that the HRA hours have been in place “for almost nine years now” and Government “is aware of the contributions made by all public servants throughout this time”. This contribution “has been, and still is, crucial to getting us through this difficult time, and the commitment shown by our healthcare workers and those on the frontline cannot be overstated”, he added.

SOME EXCEPTIONS

DPER also explained that the Mulvey report recommended that the HRA hours “will be restored to all civil and public service employments with effect from July 1, 2022, with the

exception of hospital consultants, academic grades. The Body did not see any basis to adjust the current arrangements for Primary and Post Primary teachers”.

The Body’s report states that replacement costs will not arise in all cases “but particularly in the case of posts at managerial level”.

The working hours will not be less than the level applied prior to the Haddington Road Agreement and in this regard, a minimum floor of 35 hours per week will apply.

“Based on the Body’s own estimations, the recommendations will cost approximately €179m in 2022,” DPER said.

MITIGATING FACTORS

The Department explains that the Independent Body assessment suggests that the cost of implementing the recommendation will exceed the €150m “but is satisfied that any excess can be mitigated/adjusted” by the fact that:

- A standardised minimum working week of 35 hours will now be in place across the civil and public service and which removes employment hour variables in the system.
- Replacement costs will not arise in all cases or sectors, and will not arise in the case of posts at managerial level, where both management and unions agree that this cohort of staff work in excess of contract hours, often during unsocial hours and without compensatory payment.
- The Independent Body recommends that both Government and the PSC/ICTU agree that no compensatory claims will be pursued or conceded in respect of any grade arising from the implementation of the recommendation to restore the HRA hours.
- In the absence of any detailed submissions from either party, the Independent Body is of the view that the “overtime divisor” should be a matter for further direct discussions between the parties.

THE IMPACT

A table provided by DPER shows the impact of the Independent Body’s recommendation on the length of the working week:

	HRA Hours Requirement	HRA Working Week (Net)**	Independent Body Adjustment	New Working Week (Net)**
Civil Servants	2.25	37	2 hours (weekly)	35
Clerical/ Administrative/ Management*	2	37	2 hours (weekly)	35
Education: All Other Grades	2	39	2 hours (weekly)	37
Nursing and Midwifery	1.5	39	1.5 hours (weekly)	37.5
Health and Social Care Professionals*	2	37	2 hours (weekly)	35
Medical and Dental (excl. NCHDs and Hospital Consultants)	2	39	2 hours (weekly)	37
An Garda Síochána	15 (annual)	40 + allocation of annual hours	15 hours (annual)	40
Tusla: Social Care Workers	2	39	2 hours (weekly)	37
Tusla: All Other Grades	2	37	2 hours (weekly)	35
<p>* Some cohorts within these categories had a pre-HRA working week of less than 35 hours.</p> <p>** Does not include breaks</p>				