



Re assignment of existing Local Authority Water Services Staff from water services roles to other roles in the local authority.

General

- Applies only to those local authority water services staff who now operate under the direction and control of Uisce Eireann following the signing of the Master Co Operation agreement.
- The provisions as set out only apply to staff who are reassigned, they do not apply to staff who apply for and are successful in competition for another role.
- Following reassignment where there is a change in job title the new title will apply.
- The employee will be reassigned at their existing substantive grade and the salary level attaching to that substantive grade. No reassignment should be at an existing acting grade in water services.
- Where the existing staff member operates under an atypical working week e.g. 39 over 7, they will now assume the working week applicable to the new role.
- In all instances staff being reassigned should receive details in writing setting out the new role and the arrangements applying to the role and specifically the provisions which apply for retention of earnings.

Earnings:

Allowances in the nature of pay

- Those allowances which are expressed as a fixed amount and are categorised as allowances in the nature of pay and are specifically provided for by way of circular letter or formal arrangement such as weekend allowance and on call should continue to be paid.
 - In respect of the payment of weekend allowance where there is a requirement on the employee to operate on a 39/7 roster in their new role the payment continues. In instances where the new role does not require any atypical shift pattern e.g. 39 over 5 the individual should continue to be paid the weekend allowance. In respect of on call the employee must sign up to and be available for the on-call roster if they wish to continue to be paid the allowance. Should the employee advise that they do not wish to undertake on call the allowance will cease. In circumstances where the employee does not wish to undertake on call, there is no entitlement to loss of earnings. In instances where no on call is required in the new role the individual should continue to be paid the allowance.
 - Eating on site allowance does not transfer as it is subject to revenue rules and will only continue where it is payable in the new role.

Other miscellaneous allowances

- These allowances are usually quantified in terms of overtime payments for undertaking specific duties. The value of these allowances as quantified in hours overtime should move with the employee to their new role. Wherever possible if similar overtime allowances exist in the new role these should be assimilated to the value of the allowance which has transferred. Should the employee advise that they do not wish to undertake the duties of the new allowance the allowance will cease.

Overtime

- Only overtime undertaken in local authority water services is assessable.
- Overtime earnings to be calculated and averaged over a 3-year look back period commencing Jan to Dec 2021, Jan to Dec 2022 Jan to Dec 2023.
- Overtime which is regular and rostered will be assessed for the purposes of continuation of earnings.
- Payments made in respect of call outs under the national on call scheme will not be considered to be regular and rostered overtime.
- Overtime which is intermittent or once off will not be considered to be regular and rostered overtime.
- Local authorities should be aware of provisions within the Organisation of Working Time Act as it relates to maximum weekly working hours.
- Specific local arrangements as it relates to annual leave cover **may** form part of overtime calculation however these will require to be examined on an individual basis and subject to further discussion.
- In a limited number of cases there may be specific and exceptional circumstances relation to water services overtime in certain local authorities these will require to be examined on an individual basis and subject to further discussion. In these circumstances there should be discussion with the LGMA before any formal engagement at local level.

Where an employee requests details in respect of values of allowances or overtime which will continue following reassignment local authorities should seek to expedite the provision of this information in a timely manner