

**FINAL MANAGEMENT PROPOSAL**  
**PROVISION OF 24/7 LABORATORY SERVICE**  
**27<sup>th</sup> March 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 *Diagnostics 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. An updated management proposal was presented to the OOH Negotiating Group at its meeting on 14<sup>th</sup> January 2009 and subsequently discussed at a further meeting held on 3<sup>rd</sup> February 2009. A further paper dated 20<sup>th</sup> February 2009 was presented to the Negotiating Group on 27<sup>th</sup> February 2009 for discussion. A further paper dated 16<sup>th</sup> March 2009 was presented to the Negotiating Group on 17<sup>th</sup> March 2009 for discussion.

As a consequence of this further discussion, the following represents the final 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 will be payable outwith the current normal working hours i.e. 9am to 5pm.
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 six month's notice to exit from the new 24/7 service provision outlined in this paper a lesser period may be agreed by management when there are extenuating personal circumstances.
  - 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. They also require that an appropriate break is provided depending on the length of the working period. Consequently no period of work can exceed 13 hours. Realistically this means a working period of no more than 12 hours.

1. Staff within Laboratory Medicine will provide a 24/7 service.
2. It is acknowledged that some staff may not be able to rotate through a full 24/7 service and operational management would strive to accommodate individual needs in line with work / life balance. This will apply to existing staff only.
3. The standard working week will be 37.5 hours.
4. Remuneration will be paid, in addition to basic salary, for work undertaken outwith the current normal working hours i.e. 9am to 5pm and, where appropriate, this will be in the form of an annual supplement. The payment, in the case of Biomedical Scientists, is based on the hourly rate at the top point of Band 6 at time and a half (for other Staff Groups please see below).

## PAYMENT RATES

Annual Supplement (Hourly Rate) Biomedical Scientists	Annual payment to staff required to work their standard 37.5 hours rostered over Monday to Sunday round the clock (i.e. 128 enhanced hours per week). The supplement will be calculated to take account of the number of staff required to be on duty and the number providing the rota.	£25.12
Annual Supplement (Hourly Rate) Biomedical Scientists	Annual payment to staff required to work their standard 37.5 hours rostered over Monday to Sunday between 8 am and 8 pm (i.e. 44 enhanced hours per week). The supplement will be calculated to take account of the number of staff required to be on duty and the number providing the rota.	£25.12
Availability Payment All Staff Groups	An allowance to staff for each period they are required to provide on-call service from home or are rostered to attend the laboratory in excess of their standard hours	£25
Travelling allowance Biomedical Scientists	An allowance to Staff for each time they are called out from home to attend the laboratory.	£25.12
Attendance Supplement Biomedical Scientists	Hourly payment to staff for work done either in response to call from home or rostered work in excess of their standard hours	£25.12

Staff that work a public holiday will be entitled to a day off in lieu.

### **Biochemistry & Haematology - Working Arrangements**

The service will require 24/7 service provision and so staff will be required to work their standard 37.5 hours rostered over Monday to Sunday round the clock. Staff will be required to work on public holidays that fall within the rota.

Based on the above working arrangements, it is proposed that an annual supplement would be paid to all staff participating in regular and rostered 24/7 continuous service working and that it will vary according to intensity.

**All new staff engaged after the signing of this agreement will be contracted to provide a 24/7 service under the above terms.**

### **Microbiology - Working Arrangements**

The service will require 24/7 service provision and so staff will be required to work their standard 37.5 hours rostered over Monday to Sunday 8am to 8 pm and fully participate in providing on call from home outwith Monday to Sunday 8am to 8 pm. Staff will be required to work on public holidays that fall within the rota.

Based on the above working arrangements, it is proposed that an annual supplement would be paid to all staff participating in regular and rostered continuous service working (Monday to Sunday 8am to 8 pm) and that it will vary according to intensity.

**All new staff engaged after the signing of this agreement will be contracted to provide a 24/7 service under the above terms.**

### **All Other Laboratory Disciplines - Working Arrangements**

Where there is a requirement for a 24/7 service provision staff will be required to fully participate in providing on call from home outwith normal hours. In addition staff will also be required to participate in a Saturday morning and a public holiday rosters.

Where there is a no requirement for a 24/7 service provision staff may nonetheless be required to participate in both a Saturday morning and a public holiday roster.

**All new staff engaged after the signing of this agreement will be contracted to provide a 24/7 service under the above terms.**

## Other Working Arrangements

WORKING ARRANGEMENTS	PAYMENT RATE FOR EXISTING STAFF
8.45am to 5pm (Monday to Friday with 45 minutes meal break)	Basic payment rate
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 £25.12 for every hour worked at weekends from 8am to 8pm.
8.00am to 8.00pm (Monday to Friday) (with unpaid meal break as appropriate) 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 £25.12 for all hours worked between 8pm and 8am at weekends plus one hour to cover travelling to and from hospital (On Call from Home).
8.45am to 5.00pm (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.	An availability payment of £25 plus attendance supplement of £25.12 for all hours worked outwith the standard working hours ie 8.45am to 5.00pm plus one hour to cover travelling to and from hospital (On Call from Home).

### Compensatory Rest for Staff Providing an On-call Service

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.

## **OTHER STAFF GROUPS**

### **Part Time Biomedical Scientist Staff**

Part-time Biomedical Scientist staff will be paid enhanced rates per the above for all hours worked between 5pm and 9am weekdays and at weekends.

### **Trainee Biomedical Scientist Staff**

Trainee Biomedical Scientist staff participating in regular, rostered work outwith the current normal working hours will receive remuneration of 75% of the top of band 6 at time and a half.

### **Medical Laboratory Assistants / Biomedical Support Workers**

It is proposed that the working arrangements required for MLAs will be the same arrangements as required for Biomedical Scientists. It is proposed that MLAs will be paid enhancements based on the top point of Band 3 at time and a half ie £13.64 per hour.

### **Cytoscreeners**

It is proposed that the working arrangements required for Cytoscreeners will be the same as required for Biomedical Scientists working within the other laboratory disciplines excluding Biochemistry / Haematology. It is proposed that Cytoscreeners will be paid enhancements based on the top point of Band 4 at time and a half ie £16.01 per hour.

## 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 may be superceded by the publication of the national review expected in 2010.