

PERTH AND KINROSS COUNCIL
JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF
LOCAL AGREEMENT

Part Time Teachers Public Holidays and Holidays Outside of Full Weeks

In terms of the Local Recognition and Procedure Agreement, it is accepted by all signatories acting on behalf of the Council and the recognised unions that this agreement is a binding local agreement effective from 18 December 2007. This supersedes relevant provisions within the National Agreement and constitutes a formal amendment to the terms and conditions of employment for teaching employees within Perth and Kinross Council.

John Fyffe, Executive Director (Education & Children's Services), on behalf of
Perth and Kinross Council:

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Douglas Stewart (EIS), on behalf of Teachers' Trade Unions:

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**PERTH AND KINROSS COUNCIL
EDUCATION AND CHILDREN'S SERVICES**

**Part Time Teachers
Public Holidays and Holidays Outside of Full Weeks**

BACKGROUND

Part Time Workers directive states that part time workers should not be treated less favourably than their full time colleagues. This paper therefore addresses the issue of holiday payments for part time teaching staff ensuring consistent payment of part time teaching staff.

A payment was made in 2002 to adjust for staff who were worse off up until that point. Therefore these adjustments should only be made from that point onwards.

NEGOTIATION

Management and a representative of the trade unions met and possible solutions were examined by both parties. The final proposal agreed was that a 'square up payment' would be made to those that were under their entitlement. No claw back would be made from staff receiving excess holidays. All efforts will be made to timetable at the start of the year to avoid the need for payments. The calculation for the payment is detailed below.

CALCULATION

1. The calculation will be made for any Teacher/Music Instructor that is not full time during the school session, except for those employed on a Job Share basis who should work between themselves to ensure they are each receiving the correct number of Public Holidays.
2. The first figure (a) needed is the FTE of each employee, e.g. one who works 4 days will be 0.8.
3. The next figure (b) required is the total number of holidays that fall in a week where the school is opened for part of the week, e.g. May Day would count, Christmas Public Holidays would not. This total may change year on year dependent when Academic Holidays are. See Appendix 1 for a summary of the total number of days for sessions 2001/02 to 2006/07.
4. The final figure (c) required is the number of the holidays mentioned at 3 above that fell on a teacher's working day.

5. To calculate the under/overpayment in holidays, the under-noted calculation is performed.
6. $[a + b + c] \times$ daily rate due for the period in question = over/underpayment. See Appendix 2 for example calculations.
7. Payment should be made as days due to the employee and should count as service, accordingly they will attract superannuation.

CONCLUSION

1. No recovery will be made of overpaid days as part of the annual process.
2. The Staffing Support Team will ask schools to ensure part time teachers are timetabled correctly to minimise any disadvantage to part time teachers and therefore any requirement for payments at the end of any session.
3. For Session 2007/08 onwards, payments will be made at the end of each school session in either September or October, subject to deadlines required by the payroll section, where this timetabling has not been possible.
4. For Sessions 2002/03 to 2006/07 claims require to be made to Audrey Whyte / Ewan Bayne, Education and Children's Services, Staffing Support Team, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD. Claims will require to be submitted on the forms shown in Appendix 3.

SUMMARY

The payment will be introduced as an annual process at the end of 2007/08 session where it has not been possible to timetable to make the adjustments. Total amounts will be monitored annually and reported to Education and Children's Services Senior Management Team, for annual reconsideration of method.

28 October 2007

APPENDIX 1

HOLIDAY DAYS FROM SESSION 2002/2003 TO 2006/2007

SESSION	MON	TUE	WED	THU	FRI	TOTAL DAYS
2002-2003	17 th Feb				14 th Feb	
	21 st April				4 th July	
	5 th May					5
2003-2004	23 rd Feb				20 th Feb	
	3 rd May			1 st July	2 nd July	5
2004-2005	14 th Feb				11 th Feb	
	2 nd May				25 th March	
					1 st July	5
2005-2006	20 th Feb				17 th Feb	
	17 th April				30 th June	
	1 st May					5
2006-2007	19 th Feb				16 th Feb	
	7 th May			28 th June	29 th June	5

Pro-rata pay for all part time staff for School Holidays

	16th Feb; 19th Feb	7th May; 28th June; 29th June
Salary	£22,510	£23,185
Annual Hours	1262.87	1262.87
Hourly Rate	£17.82	£18.36

Session 2006/2007	16th Feb; 19th Feb	Variable Individual	Fixed Role based	Calculated
Generic Info	Number of days outside of a full week for session		2	
	Hours in standard working week			35
	Comparative full time hours per day		7	
Individual Info		32.55		0.93
	Pro-rata days per annum entitlement			1.86
	Pro-rata hours per annum entitlement			13.02
	Number of days taken as public holidays	1.65		
	Equivalent as hours			11.55
	Difference from full time (pro rata)			1.47
	Amount of pay per hour		17.82	

Salary adjustment	£ 26.20
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Session 2006/2007	7th May; 28th June; 29th June	Variable Individual	Fixed Role based	Calculated
Generic Info	Number of days outside of a full week for session		3	
	Hours in standard working week			35
	Comparative full time hours per day		7	
Individual Info	Total hours worked per week	32.55		0.93
	FTE			2.79
	Pro-rata days per annum entitlement			19.53
	Pro-rata hours per annum entitlement			
	Number of days taken as public holidays	2.65		
	Equivalent as hours			18.55
	Difference from full time (pro rata)			0.98
Amount of pay per hour		18.36		

Salary adjustment	£ 17.99
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TOTAL	£ 44.19
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Pro-rata pay for all part time staff for School Holidays

2003 - 2004

	20th Feb; 23rd Feb	3rd May; 1st July; 2nd July
Salary	£0	£0
Annual Hours	0	0
Hourly Rate	#DIV/0!	#DIV/0!

£0

Session 2003/2004	20th Feb; 23rd Feb	Variable Individual	Fixed Role based	Calculated
Generic Info	Number of days outside of a full week for session		2	
	Hours in standard working week			35
	Comparative full time hours per day		7	
Individual Info	Total hours worked per week			
	FTE			0
	Pro-rata days per annum entitlement			0
	Pro-rata hours per annum entitlement			0
	Number of days taken as public holidays			
	Equivalent as hours			0
	Difference from full time (pro rata)			0
Amount of pay per hour		#DIV/0!		

Salary adjustment	#DIV/0!
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Session 2003/2004	3rd May; 1st July; 2nd July	Variable Individual	Fixed Role based	Calculated
Generic Info	Number of days outside of a full week for session		3	
	Hours in standard working week			35
	Comparative full time hours per day		7	
Individual Info	Total hours worked per week			
	FTE			0
	Pro-rata days per annum entitlement			0
	Pro-rata hours per annum entitlement			0
	Number of days taken as public holidays			
	Equivalent as hours			0
	Difference from full time (pro rata)			0
Amount of pay per hour		#DIV/0!		

Salary adjustment	#DIV/0!
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TOTAL	#DIV/0!
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