

## Increments under Attack – The Case for Action

Following the decision of Probation Employers not to pay due increments to probation staff from 1 April 2008, Napo and Unison have recorded a dispute at the National Negotiating Council and are asking members to show support for industrial action in an indicative ballot.

The indicative ballot will be held during May. Members are asked to note that this is not a statutory industrial action ballot at this stage.

**If members support the principle of taking industrial action in this ballot and if we do not make satisfactory progress in negotiations then a move to a statutory ballot may follow.**

## Vote YES for Action!

**Members are asked to support this call for action for the following reasons:**

**Breach of Faith** – The Employers are saying that increments must be treated as part of this year's pay negotiations, and when the amounts have been agreed they will be backdated to 1 April.

- There is nothing in the 2005 Pay and Modernisation Agreement which means that the payment of increments on the current basis – three increments before the development Point, two on it and one after it – should cease on 1 April 2008.
- At no stage in the negotiations on the 2005 Pay Agreement did the Employers ever say that increments would not be paid from 1 April 2008 if the overall pay settlement had not been agreed by that date.

**Increments are a contractual right** - Probation staff are appointed to a pay scale not a pay point and since the 1920s probation staff have always received their due increment independent of the annual pay negotiations on a "cost of living" increase. At no time has the trade union side agreed to remove that contractual entitlement. If we allow the Employers to threaten this right, what will they come for next?

**A Pay Cut** – The non payment of increments will have undermined members' legitimate expectations in respect of their income for April 2008. For some staff, the increased pension contributions, and for some the tax changes, will have meant that without the increment they suffer a pay cut.

**No Pay Offer** - The Employers say they want to take increments into account in their overall pay offer. Despite the trade union side pay claim of 5% being submitted in January, that claim has been rejected as unaffordable but no alternative offer has yet been made. An offer based on the Treasury remit of 2%, when inflation is running at 4 %, would mean a further pay cut in real terms, quite apart from the issue of pay progression.

**Differential Treatment** – Other public sector workers with whom probation staff have traditionally been seen as comparable:

- local government workers,
- teachers and
- health workers,

have received their 1 April increments regardless of the stage of their pay negotiations.

**Support Your Negotiators** - Negotiations are continuing with the Employers and if we can resolve this dispute by negotiations we will do so. We are also talking to lawyers about the legal routes that may be open to us to challenge this breach of contract.

**But we need your support** - A large "YES" vote will strengthen our hand to resolve this dispute through negotiations, but we also need to know that members will support industrial action should it be necessary. The industrial action that would be needed would include strike action as well as action such as working to contracted hours.

## Vote Yes For Action

Judy McKnight, Napo - Ben Priestley, Unison



1<sup>st</sup> May 2008