



MERSEYSIDE FIRE BRIGADES UNION

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Dear Nick,

24 Hour Working Collective Agreement

I write further to our recent discussions within the Joint Secretaries forum, in relation to the 24 hour working Collective Agreement signed by both parties after the NJC conciliation meeting, 29th November 2012.

Through the Joint Secretaries discussions it is apparent that Merseyside Fire and Rescue Service's stated position is that 24 hour working will not be authorised without an 'operational rational'.

The FBU believe this to be a reinterpretation of the Collective Agreement, an agreement that the FBU signed in good faith. It simply cannot be the case that either of the parties within a Collective Agreement can arbitrarily redefine the intent of that agreement.

It is our belief that the 24 hour collective agreement is clear in its definition and intent, this is captured within the agreement which we believe to be explicit and allows for no area of confusion:

8. ***The voluntary arrangement***

- 8.1 *Employees may volunteer to work periods which include continuous working for up to 24 hours. This should be on the basis of a day shift followed by a night shift and within the core hours of average 42 hours per week over an 8-week reference period. Individuals may be requested to work more than their contractual hours.*
- 8.2 *Employees may withdraw completely from this arrangement by providing a minimum period of 28 days notice in writing, or for those on the self-rostering system a minimum period of 28 days notice or until the end of the current 8-week reference period whichever is the greater.*

As you are aware Collective Agreements are contractual by virtue of paragraph 1 of our members' contract of employment.

There has previously been no 'operational rationale' applied to 24 hour working when this system was utilised at:

- Kensington community fire station (Watch Managers and Firefighters)
- Southport community fire station (Watch Managers)
- Kirkdale community fire station (Watch Managers and Firefighters)
- Firefighters working an agreed flexible working pattern
- Croxteth community fire station (Watch Managers and Firefighters)
- Incident Management Unit

As you can see this system of work has been widely utilised by MF&RS and is, I believe, now only available at one service location.

The FBU have been approached by our members from a number of fire stations and also individuals who wish to utilise the 24 hour Collective Agreement without having to undertake a secondary contract as an 'operational rationale'. As the Collective Agreement allows for this I would be grateful if you could inform me as to whether this will be authorised or not and if not I request an explanation as to why not.

For clarity, I believe a refusal of this request to be a breach of the 24 hour working Collective Agreement.

If you require any further information then please do not hesitate to contact me.

Yours sincerely

Mark Rowe
Brigade Secretary