



July 2016

Newsletter

Branch Secretary's update

Once again the month has flown by with a lot of activity occurring in all areas of the Trust. PTS issues are at the forefront at present, with the roll out of auto-planning appearing to be impacting upon meal breaks and end of shift overtime. Discussions are ongoing but please continue to raise issues with the Branch, developments will be communicated to members .

A&E rota keys are now released throughout Yorkshire, based on ORH figures. UNISON request that members do not engage with these rota keys which

reduce unsocial hours, slash cover in certain areas and forces 12 hours back onto members, many of which have recently fought to remove 12 hour shifts. We believe we can improve upon these rota's and will be arranging meetings throughout Yorkshire imminently. In terms of band 6 progression nationally the AFC Joint evaluation group has produced a new Paramedic profile; this profile is now out for consultation and hopefully will be agreed mid-September.

The NHS pay survey for 2016 is now ongoing, please take the time to complete the survey, the link is on page 7.

Once again, if there is an item that you feel should be included or something that would benefit our members in other areas then please contact us so we can involve you in the next newsletter

Kevin Fairfax

EOC

Unison have recently held a drop in session for EOC members to air their views and concerns on their role and working environment.

As a result of these concerns the Branch have prepared a short survey in order to capture the views of members. The results then will be collated and used to raise relevant issues with management.

The link for the survey monkey is <https://www.surveymonkey.co.uk/r/P8XDNPR>

The survey closes on 15th August 2016

THIS SURVEY IS FOR EOC EMD MEMBERS ONLY

For any queries please contact Sharon Clothier 07736 682027

PTS

Vehicles

Over the last few weeks the new short wheelbase L2 vehicles have caused a number of concerns to be raised particularly regarding the designated area for wheelchairs blocking the fire exit and rear facing seats still in situ despite assurances that they would be removed.

Now it seems the Trust want staff to use the tail lift without having been trained on the correct use of the equipment and signed off to that effect. UNISON have been assured by management that it is their intention that everyone should be signed off prior to using the lift so you are well within your rights to insist this happens.

End of shift overtime

We are still being informed that staff are being forced to complete the last run of the day forcing them to work overtime. Feedback from members suggests that they are informing the Trust if they cannot work late on that shift, rather than volunteering themselves for end of shift overtime, this is unacceptable, members should be returned to base 10 minutes before the end of the shift in order to fuel up, mop out and finish on time.

Overtime is voluntary, anyone who feels forced or threatened into working over needs to put in an Issue Resolution and contact a Unison rep ASAP after the incident. For assistance please contact any rep or committee member.

Meal Breaks

A number of members have raised concerns about where the Trust expect staff to take their meal breaks. UNISON have found HSE guidance and the H&S Workplace Health, Safety and Welfare Regulations guidance states that all rest break areas should have a minimum of somewhere to reheat food as well as all the other amenities. We are informed by members that they are being asked to take breaks where these facilities are not available, surely YAS will not want to go against this guidance which is the minimum that should be provided. Further discussions will take place on the issue of meal breaks and we will keep you informed of the progress.

We have asked the Trust to form a PTS Operational Board similar to that which operates in A&E as a way of improving Unison involvement and engagement in changes being made. We have also decided to form a PTS committee within the branch. This will be made up of PTS representatives from across the areas and will meet monthly specifically to discuss PTS issues. PTS reps meetings are planned for this week, please would members continue to inform their reps of any issues

Following the Trust bulletin stating Hull PTS contracts due to go to tender UNISON will shortly be organising meetings in the area to discuss issues and keep members updated of any developments. These will be displayed on our website, email and Facebook pages.

European working time directive

The European Working Time Directive (EWTN) is a Directive of the European Union. It gives EU workers the right to a minimum number of holidays each year, rest breaks, and rest of at least 11 hours in any 24 hours; a day off after a week's work; and provides for a right to work no more than 48 hours per week unless the individual chooses to opt out of the 48 hour rule. (legislation.gov.uk),

There are further regulations relating to break periods and holiday allowance, such as:

- 11 hours rest a day and a right to a day off each week
- A right to a rest break if the working day is longer than six hours
- 5.6 weeks of annual leave.

This means that the directive governs several aspects of the rights and working lives of staff. This affects employers in different ways in the NHS, particularly within the Ambulance service sector. This is currently not affected by the recent Brexit vote.

Rest breaks

Workers have the right to one uninterrupted rest break during their working day, if they work more than 6 hours a day- this doesn't mean after six hours- this states if the shift is longer than six hours

- the break must be taken in one go somewhere in the middle of the day (**not at the beginning or end of the shift**)
- The break must be taken away from their desk or workstation (ie away from where they actually work- **i.e. the break should not be taken on the ambulance.**)

Daily rest

Workers must 11 hours rest between working days, eg if they finish work at 8pm, they shouldn't start work again until 7am the next day. This is particularly applicable for members working 12 hour shifts who must adhere to the 11 hour turnaround time.

Workers must also have an uninterrupted break of 35 consecutive hours in one week or 70 hours in two weeks, meaning one day of rest a week or two days in a two week period to comply with the directive.

48 hour working week

NHS terms and conditions, Agenda for Change and EWTN regulations state that employees should not work more than 48 hours per week on average, unless they choose to. Agenda for change (sect 27.9) also suggests the employee should not work more than 48 hours in each seven day period, calculated as an average over 17 weeks. This reference period may be extended in exceptional circumstances by agreement with recognised Trade Unions.

Under section 27.12 of Agenda for Change (2015) v 34, an individual may choose to opt out of the 48 hour average weekly limit, if they agree with their employer in writing. This option is voluntary and may be applied indefinitely or for a specified time. The employee should give written notice to end the agreement to the employer.

Disability discrimination

The **Equality Act 2010** says you mustn't be discriminated against because of your disability. Discrimination which is against the Equality Act is unlawful. If you've experienced unlawful discrimination, you can take action. If you want to take action for unlawful discrimination, you will have to show you have a disability which meets the definition given in the Act.

What's meant by disability?

A disability is a physical or mental condition which has a long-term and substantial effect on your daily life.

Some conditions are automatically treated as a disability under the Equality Act. If you have one of these conditions and suffer discrimination because of it, you can make a claim for unlawful discrimination.

If you don't have one of these conditions, and you want to make a claim for disability discrimination, you will have to show you have a disability which meets the definition given in the Act.

How does the Equality Act 2010 define a disability?

The Equality Act says a disability is a **physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day- to- day activities.**

What 'substantial' and 'long-term' mean

'substantial' is more than minor or trivial, eg it takes much longer than it usually would to complete a daily task like getting dressed

'long-term' means 12 months or more, eg a breathing condition that develops as a result of a lung infection.

Employment

It's against the law for employers to discriminate against you because of a disability. The Equality Act 2010 protects you and covers areas including:

- application forms
 - interview arrangements
 - aptitude or proficiency tests
 - job offers
 - terms of employment, including pay
 - promotion, transfer and training opportunities
 - dismissal or redundancy
- discipline and grievances

Disability discrimination

- An employer has to make 'reasonable adjustments' to avoid you being put at a disadvantage compared to non-disabled people in the workplace. For example, adjusting your working hours or providing you with a special piece of equipment to help you do the job.

Recruitment

An employer who's recruiting staff may make limited enquiries about your health or disability. You can only be asked about your health or disability:

- to help decide if you can carry out a task that is an essential part of the work
- to help find out if you can take part in an interview
- to help decide if the interviewers need to make reasonable adjustments for you in a selection process
- to help monitoring
- if they want to increase the number of disabled people they employ
- if they need to know for the purposes of national security checks

You may be asked whether you have a health condition or disability on an application form or in an interview. You need to think about whether the question is one that is allowed to be asked at that stage of recruitment.

Redundancy and retirement

You can't be chosen for redundancy just because you're disabled. The selection process for redundancy must be fair and balanced for all employees.

HOW DO YOU GET YOUR CONDITION/ILLNESS ACCEPTED AS DISABILITY RELATED IN THE TRUST?

A disability can be either temporary or permanent.

You may already have a condition or illness and be registered as disabled; you need to make your manager aware of this

In many situations the Occupational Health Service provider will instruct your manager if they deem that your condition is likely to fall within the EQ 2010 as a disability.

At present, your line manager has to request to get this information on referral to Occupational Health.

If you think your condition or reason for absence is disability related, and your manager is referring you to Occupational Health, it is advisable to request them to ask the question.

There have been occasions in the past, whereby members have been on sick absence over a period of years with the same condition predominantly the cause. Their manager has not asked the question around disability to Occupational Health and therefore nothing is recorded and no trigger points or discretion have been used. Obviously this is an unacceptable situation, to ensure you are on an equal footing to someone without disability, tolerance, discretion or adjustment to trigger points needs to be considered and applied.

GRS is not the best tool for recording disability related absence separately, however, at present this is the only system used.

The Trust policy is very clear that a GRS code needs to be agreed, find the one which is best suited to the condition you have.

Once this is agreed with your line manager ensure the outcome letter states this and the code which will be used to identify your condition, this will then go on your file. This ensures that even if there is any change in your line manager or to support you in for future reference the agreed code is in writing and avoids confusion.

We advise our members to have a representative with you when attending Absence Attendance meetings. In this way we can ensure all aspects are covered and discussed and avoid difficult situations arising at the time or at a later date.

A&E Rota change

Rota keys have now started going out around the county, with managers explaining to members that with these figures they now have two weeks to produce a rota or one will be enforced.

UNISON has also been given these figures and as we have said before that to impose such rotas from the keys would cause far too much disruption, staff movement and loss in pay due to fall in unsocial hours payments. This is before we even consider the issues around staff movement, seniority and reduction in cover to certain areas.

UNISON has been looking at the figures and believes that working with the Trust we are able to produce rotas that are;

- workable
- adhere to the weekly hours/shift runs
- maintains 25% unsocial for everyone
- safeguards area cover
- prevents excessive relief in main rotas
- keeps to a minimum any staff movement
- spreads fairly any reduction in RRVs
- doesn't force 12 hour shifts on members that don't want them
- adheres to working time directive
- doesn't change current annual leave procedures for your station
- part time/flexible working honoured
- five or ten week blocks or multiples of, guaranteeing 4 weekends off in 10 on main rotas

As a branch UNISON acknowledges that the Trust is working hard to implement positive changes to the A&E workforce, with investment in new staff and improved career progression, however members should not feel pushed into putting forward unsatisfactory rotas because of unrealistic timeframes.

We know the rotas that the Trust are threatening to put in if no staff proposals come forward will not work, so please allow UNISON to work in your best interests. In discussion with the Trust we believe we can reach a satisfactory conclusion with minimal upset to ensure the best fit across the board whilst working within the strict guidelines.

UNISON is currently arranging dates of area meetings in order to get a mandate for an agreed way forward from members.

NHS Pay survey

UNISON is campaigning for better pay in the NHS. With your help we can make our case stronger. It's time to fill in the annual UNISON NHS pay survey for 2016.

Filling in the survey will take just 10 minutes and responses will be confidential. UNISON will use responses as evidence as we make the case for better pay for NHS staff and health workers to the Pay Review Body.

The NHS Pay Review Body (PRB) included UNISON's evidence in support of a £10 an hour minimum wage and a £1 an hour uplift for all staff in its report for 2016/17. But it did not recommend any more than 1% because of the government's unfair public sector pay policy.

This year we will build our case further. We will ask the PRB to set out a roadmap for reaching our pay goals. And we will push the governments in the four UK countries to recognise that continuing pay restraint is not feasible when the recruitment and retention situation is worsening all the time.

So please take a few moments to fill it in - you can find the survey here:

<https://www.surveymonkey.co.uk/r/NHSpay2016>

UNISON reps
taking part in a
mock
'disciplinary'
hearing during
a casework
training
course.'

UNISON stewards across Yorkshire recently participated in a trade union course covering many aspects of trade union activity including casework and representation. These courses were held in Rotherham and Hull and provided a good opportunity for discussion and learning. Positive feedback was gained from the courses which will be discussed by the Branch Committee and communicated back to stewards.

We would like to thank tutor Dave Prodham for agreeing to run the course and Shaun Hobson for organising the venue and content of the programme.

Further courses may be viewed by accessing the link below ,

<https://www.eastridingcollege.ac.uk/about-us/trade-union-studies>

UNISON courses may be accessed via the unison website

<https://www.unison.org.uk/>

If anyone would like to become a UNISON steward or workplace contact please contact unison@yas.nhs.uk or contact any committee member or steward for an informal chat. Full training is provided and ongoing support and mentoring is available.



Doncaster Race Day

Here's the exclusive special ticket offer for UNISON members:-

Saturday 30 July 2016

'2 for 1' Grandstand Tickets

Total price £13 (2 tickets)

Offer closes 5.00pm on 29th

July 2016

Children under 18 go free when accompanied by an adult, and are not required to have a ticket. ID may be required.

Please note: There will be a £2.50 transaction charge per order except for purchases of four or less tickets

To book tickets call 01302 304200 and quote

'the UNISON raceday offer', your UNISON membership number or UNISON branch code, YAS code (20118)

PLEASE NOTE EXTENDED DATE



Leeds Pride™
your city your pride

Sunday, August 7th 2016

10:00	<i>Ambulance vehicle to arrive at Millennium Square</i>
11:30	<i>Entertainment begins at Millennium Square</i>
12:00-12:30	YAS staff to gather at parade ambulance/City Museum Steps opposite Millennium Square for briefing and vehicle dressing
14:00	<i>Parade 'moves off' from Millennium Square</i>
14:00	<i>Entertainment to begin at Lower Briggte</i>
14:35	<i>First float to drive pass Lower Briggate onto</i>



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For your FREE consultation with no commitment call John Duffy on

07535 991722

john.duffy@lighthousefa.co.uk

There for you (UNISON Welfare) is UNISON's own registered charity offering a unique confidential service supplying advice and support just for UNISON members and their families offering,

Financial advice

Wellbeing breaks

General advice

UNISON debt line

For more information - <https://www.unison.org.uk/>

<https://www.unison.org.uk/>

there
for you

supporting UNISON members
when life gets tough



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