

Our Ref: AF/LS/101


Date: 7th December 2017

Mrs Paula Vennells
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 @CWUnews

From the office of **Andy Furey** Assistant Secretary

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Dear Paula

IMPOSITION OF WEEKLY TO MONTHLY PAY – NEGOTIATING A WAY FORWARD

As you are aware there is an unresolved dispute between us from earlier this year regarding the compulsory transfer of various Post Office employees from weekly to monthly pay. Despite our members' objections the Post Office implemented monthly pay by Executive Action.

An Employment Tribunal has now declared that the action of the Post Office in this regard was unlawful and has awarded the two individuals in the test case the equivalent of 2 week's pay as compensation. Clearly legal proceedings could have been avoided had the Post Office entered into meaningful negotiations with the aim of concluding a Collective Bargaining Agreement. Furthermore, in a genuine attempt to find a mutually agreeable way forward, in January the Union proposed the involvement of ACAS. Unfortunately, Martin Kirke replied that there was no basis for doing so and rebuffed our proposal, with the Post Office proceeding to unilaterally impose monthly pay despite the opposition from our members.



In view of the above, it was extremely revealing to read the following statement from the judge's determination:

"it appears that the respondent (Post Office Limited) was fully committed to the reasonableness of its own case and would only accept that the consultation or negotiations would be "meaningful" if they got what they wanted."

The conclusion above from the judge (an independent party) perfectly sums up the Post Office's attitude towards Industrial Relations which is to steamroller its policies through by imposition rather than reaching Collective Agreements via meaningful negotiations with this Union. This year's pay "negotiations" epitomises this approach to Industrial Relations, this Union and our members. Consequently I sincerely hope we can build upon the recent discussions at ACAS by making progress towards a new Industrial Relations Framework Agreement, which by definition should present both parties with an opportunity to significantly improve the IR environment for the foreseeable future.

The Union has never closed the door on negotiating an Agreement in respect of the conversion from weekly to monthly pay. However the actions of the Post Office left us with no option than to pursue a legal claim. Since the judge handed down his decision on 9th November, I am surprised the Post Office has made no approach or effort towards us with a view to resolving this matter.

General Secretary: Dave Ward

 Facebook: Dave Ward CWU  @DaveWardGS

The irrefutable fact is the Post Office continues to be in breach of contract each Friday when its employees who remain entitled to weekly pay are not paid and that clearly cannot continue. To reiterate, we remain willing to negotiate a settlement to this dispute, and I would request an early meeting with somebody who is empowered to negotiate an Agreement.

To assist in this process I would be willing to recommend to our members an Agreement that includes the equivalent of 4 week's pay as compensation for the imposed move from weekly to monthly pay for all affected members employed at the time or £1,000 per affected employee, whichever is the greater. An option that I would propose exploring is for the compensation where applicable to be met in part by waiving repayment of the interest free loan that our members essentially see as a debt. There is also an appetite from many members to revert to weekly pay, which we would also seek to address as an integral part of an Agreement.

I look forward to a positive response and sincerely hope we can find a way through this even at this late stage without recourse to further legal proceedings.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Andy Furey', with a stylized flourish at the end.

Andy Furey
Assistant Secretary

c.c. Martin Kirke, Group HR Director
John Whitefoot, Employee Relations & Policy Director