

deal with staff having the book thrown at them for minor issues such as £10 cash differences.

And of course this issue will be compounded when the HR Call Centre which advises managers moves to India next year. Then, people in a entirely different culture will exercise judgement on matters in a UK environment. The most likely result will be a shambles.

## Genuinely Sick Will Suffer

“Only malingerers will be affected.” That is what the Bank would like staff to think but sick pay will be withheld according to the number of absences and the Persistent Short Term Absence Policy ignores whether the absence is certificated or not.

**Over the years we have dealt with many situations where staff have been criticised for their repeated and apparently unrelated**

**absence only for the absences subsequently to be seen to be the early stages of a serious illness. Under this policy, with a person having been labelled a malingerer with no sick pay, an apology will be too little, too late.**

## LTU Policy

LTU completely opposes this policy. We have no time for staff who abuse sick pay entitlements but this proposal is not the answer **and all the evidence shows that the Bank cannot be trusted to exercise the sort of careful discretion this policy demands.** It is potentially a legal minefield, puts managers in an invidious position and reinforces a culture of staff being treated as guilty unless they can prove otherwise. It won't work.

The system would further enhance the pressure many staff with genuine sickness already feel of having to attend work when they are not fit do so. This is in no-one's interest and will mean that staff with genuine illnesses will have their sick pay entitlement withheld.

## What a great place to work!

**NICK HOLT**  
Assistant General Secretary

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All Members

# Not A Great Place To Work

## LTU Opposes Sick Pay Changes

**F**rom January the Bank plans to make new staff in Telephony subject to a two-tier level of sick pay entitlement. There will be a basic provision that will provide for roughly a third of the current staff entitlement and this will only be topped up (on an annual basis) to the normal full entitlement at the discretion of the line manager.

The Bank has sought to justify this change as a way of tackling what it sees as unacceptably high levels of sickness absence caused by the high incidence of persistent short term absence – which in Bank speak means being off work too often whether for genuine reasons or not. In other words the Bank's approach is predicated on the belief that much of its sickness absence rates can be accounted for by staff who abuse the system.

It has chosen to introduce this change first in Telephony under the guise of a six-month pilot because that business unit has the highest absence rates across the Bank. The Bank says that it believes these absence rates are higher than those of its competitors.

**We do not support this change. We believe it is short-sighted and misguided in that it will not address the underlying reasons for**

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**“The Bank has made a profession of introducing politically correct rules that are then flouted with impunity”**

**higher sickness absence rates or achieve material reductions in sickness rates without hitting staff who are genuinely ill.**

**Members must be in no doubt that this pilot has implications for the rest of the Bank and will not be confined to new entrants. The Bank has made it clear that this approach could be extended and specifically has refused to rule it out for existing staff.**

**Whatever abuses may exist, and LTU has long encouraged the Bank to deal fully and properly with those who abuse sick pay entitlements, this initiative is not the answer and it is simply wrong and unjust to assume that most sickness absence is not genuine.**

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## Finger Pointing

The Bank has told LTU that staff in Telephony will welcome this new approach as they know the malingerers and have demanded that the Bank take action. **This excuse should fool no-one.**

**First, we have to be careful of allowing finger pointing and subjective assumptions on the state of health of others to drive Bank policy but, if there is any truth in what the Bank says, it begs the question why it hasn't taken action already under the existing panoply of policies? We should also ask, crucially, how a policy for new entrants would help remedy this situation?**

## Treating the symptoms and not the cause

In introducing this two-tier system the Bank points to its sickness absence rates being worse than those of its competitors (we've seen little evidence of this) but has done nothing to ascertain what the underlying reasons are or why it is that its rates are worse than those of other Banks or Building Societies? **It surely cannot just be that the Bank has a better record of attracting and retaining malingerers?**

**It is typical of the Bank to treat the symptoms of a problem and not its cause. Job design, working conditions and hours, targets, pressures, management style and staffing levels must all be material factors but as far as the Bank is concerned these have nothing to do with having higher absence rates than its competitors.**

We said only recently that for many the measure of a good employer is the way it treats its staff when they are ill or have a problem. Too often we have seen staff treated as malingerers, who are deliberately taking advantage of the system, and having to prove that they are genuinely ill.

This two-tier approach to sick pay will reinforce that culture and place managers in the invidious position of having to act as Doctors, Counsellors, Private Investigators, Judges and Juries - all at the same time.

**It is not a situation many managers will welcome and to be blunt some will not be up to the task. And as sure as night follows day it will not be long before managers exercising their discretion to extend sick pay find themselves subject to undue pressure from above asking why they are being more 'lenient' than other managers. This degree of insidious pressure is something we see already in ratings, pay awards and sickness cases. It is a recipe for disaster and will undoubtedly lead to cases going to Employment Tribunals.**

## All Staff Need To Be Concerned

This is a Trojan Horse Pilot that has implications for all staff and the Bank has refused to rule out extending it.

It is also right that we should look to protect the terms and conditions of all staff and allowing a deterioration of terms for new staff has implications for existing staff who will be affected sooner or later. It would be an abdication of responsibility for any trade union to accept this proposal.

**And the simple fact is that this approach won't have the effect the Bank wants. In order to negotiate meaningfully over this issue we sought detailed information from the Bank so we could establish the differences between Telephony and other parts of the Bank that have much better sickness absence rates so we can see how and why other areas have achieved better absence rates. So far the Bank has refused to provide the information we are looking for. The only conclusion possible is that it doesn't want to address this issue properly but instead wants to introduce a quick fix of the sort that simply won't work in the UK.**

However, even the limited data the Bank has produced shows that across the Bank sickness rates are higher among more established and probably older staff than amongst new entrants. So this approach will have a limited impact and obviously will do nothing to improve absence rates among existing staff - unless the Bank extends it to them.

## Pilot Is Thin End Of Wedge

Few will seriously believe that we won't see attempts by the Bank to introduce this approach more widely after the usual carefully controlled and sensitively managed pilot. The Bank will argue that the pilot has shown that other staff have nothing to worry about, that of course discretion will be used properly and that it will only be those who malingers that will suffer.

## Time for a reality check?

In the last few weeks we have dealt with yet more cases of staff with obviously genuine and even serious illness being telephoned at home by managers asking about work practices and procedures, being sent work to complete at home and having managers turn up on their doorsteps uninvited and with no notice.

**There are many good managers who treat their staff well but their good work is undone by the pervasive attitude of the Bank towards staff who are sick and the pressure being placed on managers to reduce absence rates.**

## Ignore Reassuring Noises

The Bank says it will provide guidance to ensure staff are treated fairly. **The reality is that the Bank has made a profession out of introducing flawlessly politically correct rules that are then flouted with impunity.** The Bank knows that these policies are not applied fairly, consistently or honestly and has a poor track record in taking proper, concerted action to rectify breaches of its own policies and ensure future compliance.

**Too often, when issues are brought to the Bank's attention and resolved, we get a metaphorical shrug of the shoulder as if to say "Well you caught us out on that one."**

**Despite flagrant breaches of its own rules and practices we have not seen one manager disciplined. Yet elsewhere we regularly**