

- the employee's work pattern (i.e. days and hours worked) must have changed,
- or
- the employee must have received a written reminder that he or she is working to a flexible contract.

If over a rolling six-month period the work pattern has remained the same and no such reminder has been received then the contract will be treated as no longer flexible. Any request from the Bank to amend

the working pattern from then on may then be declined, whether in relation to Saturday working or otherwise. In this case all of the safeguards set out above will apply.

Any member experiencing any difficulties in respect of Saturday working should ring the LTU Advice Line on 01234 262868 for independent, professional advice and assistance.

Mark V Brown  
Assistant General Secretary

4th February 2008

All Members Newsletter

# No Agreement on Saturday Working

Since the Bank announced its plans to increase the number of branches opening on Saturdays we have received a steady stream of phone calls from members called in to see their Line Managers to discuss their working hours.

What's wrong with that you may ask? Nothing if the member of staff is seeing one of those Line Managers who believe that pressurising and blackmailing your staff to work on Saturdays is unacceptable management practice. Our concern is not with those Line Managers but their colleagues who will have little or no compunction in using whatever threats it takes to get their staff, particularly those on fixed contracts and those on flexible contracts which have not been flexed, to work on Saturdays.

Details of some of the calls that have been received by the Union's Advice Team are set out overleaf. However, one call highlights our concerns with the Bank's approach to Saturday opening better than we could. The member, who happens to be on a fixed contract, was called into see her Line Manager to discuss why she didn't work on Saturdays. He then proceeded to traduce her for her lack of commitment to the Bank and then threatened to downgrade her if she didn't change her hours. He knows he can't do it, we know he can't do it but that kind of threat against a defenceless member of staff is unacceptable.

---

## INSIDE

### Your Rights Explained Saturday Charter

---

The Bank says that those kind of management practices have no place in LTSB but then rejects the most important part of LTU's Saturday Working Charter which would stop Line Managers from doing it in the first place. In our Charter, which is detailed overleaf, we said that "To reduce the risk of coercion, or perceived coercion, the mechanism used to seek staff agreement...should be an individual option form: 1 to 1 interviews are not acceptable."

Our insistence on this approach being used is so that we can stop those Line Managers who will use the 1 to 1 interview to pressurise and threaten staff to work on Saturdays. The Bank further rejected our proposal for an option form that would allow staff to say after the team meeting that they didn't want to work on Saturdays and didn't want to discuss their decision with their Line Manager.

We will be providing members with advice on how to approach their 1 to 1 interviews in the next few days. In the meantime, members experiencing difficulties should contact the Advice Team on 01234 262868.

# Pressure Begins

Since the Bank announced its intention to open more branches on Saturdays we have received calls from members concerned about the treatment they have received from their Line Managers in 1 to 1 interviews. Some of the threats that have been made so far include:

"You are on a Flexible contract. We want you to work Saturdays but you can't have TOIL on a Monday or a Friday." (Birmingham)

"If you don't work Saturdays you will be transferred up to 25 miles away from your home." (South West)

"You are a manager. I want you to work alternate Saturdays. Its your job." (Eastern)

"If you haven't got a full diary you must work on Saturdays to achieve this." (Manchester)

"You only work one Saturday per quarter. You better re-think this or be transferred out." (said in public) (Outer London)

"If you don't increase the hours you work on Saturday you might as well resign." (London)

"If you don't work Saturdays then you are not a team player." (South East)

"The job comes before your family!" (North East)

Members who feel that they are being pressurised to work on Saturdays should contact the Union's Bedford Office immediately.

## Saturdays Are Voluntary For Two Groups

### Fixed Contracts

The safeguards we have negotiated for staff on 'fixed' or 'named day' contracts include the following:

### Saturday Working Charter

- For those staff not on established contracts (i.e. those who do not include Saturday working as part of the normal working week) the decision on whether to work on Saturdays is entirely voluntary. Staff must not be pressurised, either directly or indirectly, to work on Saturdays or asked to justify or explain their reasons for not doing so. The type of behaviours we would find totally unacceptable on the part of Line Managers include calling into question the commitment of staff to the Bank, threats to terms and conditions of employment, staff being asked to speak to the Local Director to explain their decisions or their being asked to reconsider or change their minds. Once members of staff have made their positions on Saturday working clear to their Line Managers, they should not be asked to consider a further option until at least 6 months has elapsed.
- To reduce the risk of coercion, or perceived coercion, the mechanism used to seek staff agreement to changes in working hours should be an individual option form: 1-on-1 interviews or individual verbal approaches are not acceptable.
- If staff on established contracts agree to changes to their work patterns, variations to their existing contracts will be needed; - new, flexible/annual hours, contracts are not required. Amendments to contracts must state the new work pattern and specify how many hours are to be worked on a Saturday.
- Line Managers will adhere to both the spirit and letter of the Bank's mobility clause, which forms part of all contracts of employment. We will not accept any circumstances where the mobility clause is used to coerce staff to change their patterns of work and will monitor mobility transfers within our respective areas to ensure that they have been handled correctly.
- If compensation for Saturday working is to be made through time off in lieu, time off should be agreed at the time the Saturday Rostering Schedule is agreed and then taken within a period of one month from the day worked: longer deferrals are permissible only where these have been agreed in writing by the member of staff concerned. We are all committed to ensuring that staff take the time off they are owed and we will be monitoring TOIL levels to ensure that this happens. Staff entitled currently to be paid overtime for working on Saturdays will maintain this right.
- Staff on established contracts will retain the right to withdraw from Saturday working by giving the necessary 28 days notice. If they choose to withdraw staff will revert to the working patterns in place immediately prior to their original change.
- Those staff that chose to work on Saturdays will have the option of requesting a three month trial period to see whether it is appropriate to their circumstances. If at the end of the trial period members of staff decide not to continue working on Saturdays they must advise their Line Manager accordingly and will revert back to the working pattern in place prior to the change.

- staff are under no obligation to discuss amendments to their hours of work or give any reasons for not wanting to discuss such changes.

- if staff on established contracts (those which do not include Saturday working as part of the normal working week) agree changes to their hours this will require a variation to their existing contracts, or a separate contract for Saturdays - new flexible / annual hours contracts are not required.

- any amendments to contracts must specify the new work pattern that has been agreed and state how many Saturdays are to be worked. If at any stage staff wish to revert to working only Monday to Friday, the Bank will honour that wish subject to one month's notice.

- where staff work on Saturdays in exchange for Time Off in Lieu (TOIL), or where they are obliged to do so by virtue of the nature of their contracts, then the Bank must specify in advance when this TOIL can be taken rather than it being allowed to accumulate with no guarantee it will be able to be used.

- overtime pay may still be paid to established contract staff who do not change their hours during the week but who agree to work on Saturdays as well and prefer overtime to TOIL.

### Flexible Contracts

As I said above, these safeguards may apply also to staff who originally signed flexible contracts.

The Bank has always accepted and recently has reiterated its agreement with LTU that in order for a contract to remain flexible the following must have happened within the previous six-month period: