



FIRE BRIGADES UNION

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Dear Gill,

Re: - Unlawful deductions from salary

It has come to my attention that the service has been underpaying all four weekly paid staff. For example, the annual pay for a competent firefighter (see NJC Circular 07/07) is £27,185 but the service pays an annual salary of £27098.24 thus making an unlawful deduction of wages in the sum of £86.76.

The service uses the following method to calculate four weekly pay:

Annual salary divided by working days in a year, multiplied by working days in a week, multiplied by weeks in a pay period, multiplied by the number of pay periods per year.

In applying this method the service works on the following:

- Working days in a year: 313
- Working days in a week: 6
- Weeks in a pay period :4
- Pay periods in a year:13

Eg- The calculation of a firefighter's annual salary from 1st July 2007, using your method, results in the following amount:

Annual salary for 2007 (£27185)

$(£27185/313) \times 6 \times 4 \times 13 = £27098.24$

As you will see this gives an annual salary shortfall for a firefighter of £86.76(£27185 -£27098.24)

Having spoken and queried the accuracy of this method with our pay provider, Mouchel Business Services Ltd, they have confirmed that the method stated is the one Cheshire Fire Service have instructed them to use and, in the service's view, that it is correct. Accordingly, it appears therefore that unless they are instructed otherwise by the service the unlawful deductions will be on- going. This means that for each of the 13 pay periods staff are suffering unlawful deductions of 1/13 of the correct amount due to be paid.

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It occurs to me that in order to pay the correct salary over 13 pay periods it would simply be necessary to divide the annual salary by 13 i.e. £27, 185 ÷ 13 = £2091.15. Or, if you wish to continue to employ the service's method, that you substitute 312 for the number of working days in a year which will produce the correct amount.

I would be grateful if you could investigate my findings and respond with the service's view within the next 14days.

Regards

Andrew Price
Cheshire Brigade Chair

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