

Working Rule Agreement

Working Rule Agreement is negotiated by trade unions CIJC and BATJIC and it sets the National Conditions of Employment and Wage Rates. It is simply a set of terms of employment negotiated between employer representatives and trade unions. There are a large number of collective agreements operated throughout the UK and Europe and the CIJC or BATJIC agreements are

considered to be the most commonly used in the UK construction industry.

The legal requirement for every employer is to issue the employee with the written contract. However, there is no legal requirement for an employer to incorporate the terms of the Working Rule Agreement. It is up to employer's to decide whether or not they wish to include the agreement into the

terms and conditions of employment or at least based their contracts on its rules. As the Working Rule Agreement is widely used in the UK its terms and conditions are often regarded as the norm. It is available for all employers in the construction industry to utilise. It is constantly updated to remain up to date with the fast changing building industry and its regulations.

THE CONSTRUCTION INDUSTRY JOINT COUNCIL (CIJC)

The Construction Industry Council (CIC) is the representative forum for the professional bodies, research organisations and specialist business associations in the construction industry.

CIJC Working Rule Agreement is the largest industrial agreement which sets out rules of employment for workers in the construction sector. Approximately 500,000 workers are covered by its terms and conditions, all of them with regards to pay rates and most of them with regards to travel and fare rates.

Agreement includes the pay rates, travel and fare allowance, the subsistence allowance, industry sick pay, allowance for loss or damaged to stored tools. 2015/16 Working Rule Agreement took effect on Monday 29th June 2015. There were wage rises for the standard wage rates. The Adult General Operatives' (general labourer) rate increased to £8.52 per hour. For skilled workers

(for example carpenters, bricklayers, plumbers, plasterers, roofers etc.) S/NVQ2 wage rates increased to £9.18 per hour and for S/NVQ3 increased to £11.33 per hour. To attract new apprentices hourly wages increased also. Daily fare allowance was agreed to increase by 2.5% while sick pay will be of £115 per week. Employer's maximum liability for tools is set for £750.00. It also includes the subsistence allowance of £35.32 per night. Under the revised Working Rule Agreement it has been agreed that holiday entitlement will rise to 22 days holiday plus 8 bank holidays. The extra day's bank holiday comes into effect for the Summer holiday period of 2016. Under the agreement the basic working week is 39 hours, 8 hours Monday to Thursday and 7 hours on Friday however employer can vary this depending on project requirements. Under the provisions of the Working Time Regulations workers are

entitled to a minimum rest break of 20 minutes in 6 hours but it also can be customised depending on requirements. Overtime hours are paid at double. Termination of employment can be with one week notice by the employee or one week plus additional week for every year of work by the employer. It includes provisions for accident and death benefits and much more.

The Britains General Union (GMB), Unite and Union of Construction, Allied Trades and Technicians (UCATT) states that in terms of remuneration, "the Construction Industry Joint Council (CIJC) working rule agreement is by far the worst agreement in the UK construction industry". Unions emphasis the importance of the London Living Wage payout to workers living in London. It is considered that the construction industry employers should put forward rates of pay in the national working rule agreement. (Source: CIJC)



THE BUILDING AND ALLIED TRADES JOINT INDUSTRIAL COUNCIL (BATJIC)

BATJIC is the Building and Allied Trades Joint Industrial Council, a valuable forum which helps to maintain good industrial relations in the workplace. The BATJIC Working Rule Agreement came into existence on the 29th June 2015.

Standard rates of wages for **39 hours working week for skilled S/NVQ3 worker** are currently at **£11.50 per hour**, for **skilled S/NVQ2 worker** at **£9.90 per hour** while for general operative at **£8.65 per hour**. BATJIC Working Rule Agreement also states the additional amounts, which should be paid in addition to standard rates of wage, to workers with particular skills for instance:

44 pence per hour more for workers operating air or electric percussion drill, hammer, rammer etc; cartridge gun operator; compressor driver; concrete mixer driver; barrow hoist operator; pumpman; handroller operative; mechanical barrow operator; electric operated vibrating plate operator, and paint sprayer etc.

67 pence per hour more for Drag shovel operator; dumper driver (up to 2,000kg); power roller driver (up to 4,000kg); light tyred tractor driver;

pipelayer (up to 300mm); concrete screeder/leveller; forklift/sideloader driver (up to 3,000kg).

97 pence per hour more for Batching plant driver; dumper driver (over 2,000kg); power roller driver (over 4,000kg); banksman; watchman; pipelayer (over 300mm); concrete trowel and planthand; forklift/sideloader driver (up to 3,000kg)

The BATJIC Working Rule Agreement includes also provisions for working at heights- discomfort and inconvenience for risk or to semi-skilled workers with responsibility like crane operators etc. Agreement states that employers should pay operatives for their one-way travel time at their standard hourly rate of pay. The travel time to be paid should be agreed in advance between employers and operatives. Sick Pay is payable at **£25.00 per day**, with a maximum of **£125.00 per week**, for a maximum of 12 weeks, and subject to a maximum of one waiting day at the beginning of the period of sickness. In addition to payment under this rule employer is required to pay Statutory Sick Pay due. BATJIC recommends **22 days holiday plus the 8 bank holidays**. BATJIC Agree-

ment states also about benefits scheme contributions - Death benefit scheme of **£50,000** including **£25,000** Accidental Death Double Indemnity Insurance. There are no provisions on pension arrangements in the BATJIC Agreement. However, under the Pensions Act 2011 which came into effect in October 2012 employers are required to automatically enrol certain members of their workforce (eligible jobholders, who are aged between 22 and State Pension age, working in the UK and earning more than **£833 per month**) into a workplace pension scheme, unless the worker is already in a qualifying scheme. The minimum employer contribution prior to 30th Sept 2017 under pension auto-enrolment rules is 1% of pensionable pay between **£5,824** and **£42,385**.

It is important to ensure that all employees have been issued with up-to-date written contract with terms of employment. Both CIJC and BATJIC Working Rule Agreements can be incorporated by the employer. The full version of the Working Rule Agreements can be obtained from UCATT or FMB website.

(Source: BATJIC)

