

7<sup>th</sup> September 2011



Our Ref: FCTU/Pay 2011

Your Ref:

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To: Director HR, Forestry Commission

Cc:

## **PAY PROGRESSION**

Resulting from our initial discussion on the pay offer tabled by the FC in response to the claim submitted by FCTU the subject of pay progression was again raised by the trade unions.

We believe that progression is a contractual entitlement but you reported that FC had obtained legal advice to the contrary. We queried whether the advice refers specifically to annual stepped progression.

Paragraph 4 of Pay Notice 2, 2009 states that a member of staff will progress through their relevant pay band within a specified period of time, relative to payband. So even if you can establish that annual stepped progression is not a contractual entitlement we believe that the staff were given a contractual commitment that they would achieve the maximum of the grade in a specified travel time.

If we are correct and FC retains its position of not paying any progression payments this year then we believe you run the risk of breaching the contracts of those who would have been due to reach the maximum in 2011. And you will be faced with greater payments to the remaining staff in future years to get back on track. We believe your offer for 2011 should honour these commitments as outlined in the timescales quoted in 2009 and so avoid these risks.

We would be grateful if you could give these points your consideration.

Yours sincerely,

A handwritten signature in black ink that reads 'a. j. MacKenzie'.

Allan MacKenzie  
*FCTU Departmental  
Trade Union Secretary*