Train Operator Flexible Working Requests.

Guidance for Train Operations Managers

This note is intended to offer guidance to managers when handling requests under the Flexible working legislation. Each case will of course turn on it’s own facts and this note ins not intended to be definitive.

The following should be borne in mind when dealing with requests for Flexible Working on trains:-

Leave

Can a period of leave alleviate the problem?

PTOA Short Term Domestic Arrangements ( 90 Day Agreement )

This may be an option if there is a short term need. This should not exceed 90 days

Part Time Working during Weekends or Bank Holidays

This option should be explored if the Train Operators problem is a long term one and they are unable to be accommodated in a full time position.

Job Share

This is where two Train Operators share one “rostered” position and come to an agreement regarding the arrangements for populating the shifts. However, both must agree the arrangement and the policy on job sharing must be followed.

Syndicates

Syndicates provide an additional tool for a Train Operator to work the duty or shift pattern they want for their work life balance requirements. This option should be fully explored.

Career Break

This may be an option for some Train Operators to consider – The policy is contained on the ER Website.

The Right to Request Flexible Working

There may be a request from a Train Operator to permanently or temporarily work fixed times or days or both under the right to Request Flexible Working Regulations. Managers and local Trades Union Representatives should give consideration to looking at appropriate duties that could match the request and the subsequent impact on the roster and rostered staff this may have. The Manager must also consider the available resources when dealing with the request.

Use of Pool Operators

In certain circumstances and when coverage permits, it may be possible to allow a Flexible Working Request by the use of Pool Operators to cover the individuals rostered position.

Any such request that is granted where Pool Operators are used can only be for a limited period of time whilst resources permit.

How many can I accommodate ?

This must be down to the Local Manager to determine given their existing resources. The granting of a request for Flexible working to one Train Operator does not set a precedent for others at that depot who may also make similar requests. However, full consideration must be given to each request

How long can I grant the request for ?

Under the Flexible Working Regulations if a request is granted, this will constitute a permanent change to the employees terms and conditions of employment unless the employee and manager agree otherwise. If it is intended that the flexible arrangement is temporary rather then permanent, the manager must record in writing how long the arrangement is to last and set out the intervals at which the arrangement is to be reviewed to determine whether there is still an ongoing need for it. ( With any long term request that is granted a review must be held at least once every 6 to 12 months.)

Adjustments to the individual’s salary will need to be made if the contractual hours are reduced as part of the agreement.

Review Period - Managers must ensure that each case is regularly reviewed to ensure that there is still a requirement for the Flexible Working Request.

Hardship Moves

Train Operators who request a hardship move will be dealt with under the normal Trains Staff Hardship procedure.

Operational Resource

Operational Resource must be advised of all Flexible Working requests.

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