

Collective Grievance

Please take notice that we hereby lodge a collective grievance as a result of the non-transparent and deeply concerning approach by NIW in relation to the way in which the pay offer has been presented and framed by NIW.

In the option selection section of the Personal Statement, NIW have purported to present that there are two binary options in relation to the pay framework, namely "Option A" and "Option B".

Option A has been put forward as "Move to the new pay framework".

Option B has been put forward as "Remain on the current framework".

Employees are asked to tick one box and then it is indicated:

'If you do not select an Option, or do not return, the completed form by the deadline, it will be assumed that you have selected Option B, and you will remain on the current framework".

Three key issues arise of fundamental concern and paramount importance:

1. It is not made clear by NIW in the form that if Option B is chosen, the new framework will apply on promotion. This move to the new framework upon promotion is a fundamental change in present terms and conditions which is "covert" or "hidden" by the choices as presented. This is because under the existing terms and conditions, the present framework remains in place regardless of promotion. Option B is therefore not simply an option to remain on the current framework. It is an attempt to lure and entice employees to consent to a fundamental change in their pay terms and conditions by way of sleight of hand and by way of not expressly spelling out that choosing Option B will result in the employee being placed on the new framework upon promotion.
2. It is unacceptable that the position has been adopted by NIW that if there is a failure to respond or return the form in time there is an assumption (a false assumption) on behalf of NIW made that each relevant employee has selected Option B and therefore chosen to allow a fundamental change in terms and conditions of employment. We believe this to be a shameless and egregious attempt to alter fundamental terms and conditions without express consent of employees.
3. It is not made clear, as it should be, that there is in fact a **third option**, being the only option that NIPSA are recommending to the workforce. That option is of course to not agree to either Option A or Option B as presented and to elect to remain on present terms and conditions with no move to the new framework on promotion. It is the right of each employee to stand by and seek to enforce their agreed terms and conditions of employment.

We are of the opinion that when these three points are taken in the round, it is patently clear that NIW have not acted in good faith in framing and presenting the pay

framework to the workforce. It should go without saying that an employer ought not attempt to vary fundamental terms and conditions relating to pay and reward by stealth and or by presenting misleading or unreasonably limited options to the workforce.

We are shocked, dismayed and alarmed that the pay offer has been framed and presented as it has and we point out that the way in which this entire matter has been handled by NIW has not been in the interests or spirit of good industrial relations.

We wish to make it clear beyond any doubt that we are NOT consenting to any change to terms and conditions and that we do NOT consent to either Option A or Option B. Rather, we choose to remain on our present terms and conditions under the existing pay and reward framework. We do not consent to a term or condition allowing a move to the new framework upon promotion.

We further hereby call for you to immediately revise the paperwork sent to the workforce and remedy the defects in the framing and presentation of the new pay framework.

We ask that you deal with this grievance as a matter of utmost urgency and we seek a full explanation as to why the "choice" has been presented as it has and we also seek a full and unreserved apology for the manner in which the choice has been put to the workforce.