



# Boots' hours reduction

## - Compensation Payment FAQ

*Last updated 14 March 2022*

*This frequently asked questions (FAQ) document provides general answers from the PDA Union, however your individual circumstances may depend on the specific details so you should always contact the union for advice on your own circumstances.*

*The FAQ may be updated as the overall situation evolves, so if reviewing a downloaded or printed copy of the FAQ, please first check the PDA website to ensure it is the most up to date version.*

## Section A – When and how am I required to decide on the compensation payment?

- 1. My manager has offered me a one off, consolidated compensation payment and told me I have 48 hours to decide if I want to accept this, alongside a proposed reduction to my total hours. Do I have to respond in this timeframe?**

Your manager may ask you to respond in 48 hours and if you are happy to do so that's fine.

If you are concerned about this, you should ask your manager to answer any questions that you have to help you make an informed decision.

The PDA believe that you need sufficient time to properly consider any offer being made. If you feel you are being unreasonably rushed, please contact the PDA service centre.

- 2. If I am being offered a compensation payment, will I get confirmation of the offer in writing?**

Yes. After your agreement in principle, your manager should provide you with the details of the payments to be made, etc. in writing to ensure everyone is clear on the facts.

You can then review the details of the offer and take any necessary advice before confirming if you accept.

## Section B – Am I eligible for the compensation payment?

- 3. I have been informed by my line manager that I am not eligible for the non-consolidated payment. How do I know if I am eligible for the non-consolidated payment?**

If your pay has reduced due to a decrease in contracted hours because of the implementation of the New Pharmacy Operating Model (NPOM), you will be in scope of the compensation payment agreed with the PDA, if you remain in your role.

You should ask your line manager to provide this decision in writing and you should seek advice from the PDA

- 4. I have been informed that I am undergoing a CDP exercise. What is CDP and why is it different to the proposed changes in hours process (New Pharmacy Operating Model)?**

Customer Driven Profiling (CDP) is a process under which the company makes changes to its staffing profile in stores when there is a business change.

CDP may alter working patterns but must not be used to reduce the total number of your contracted hours.

The company take the view that changes driven by the CDP process are within your existing contract, however there are limits to what may be reasonable and each case is decided on its own facts.

If you believe the new pattern is not a reasonable alternative to your existing role you may want to decline to accept the new pattern. Depending on how unreasonable the proposed changes are, it is possible that your role may be considered redundant, and a different process required.

If you are unable to agree to the proposed changes you should contact the PDA service centre.

- 5. My manager says my reduction in hours is due to the CDP process and not the New Pharmacy Operating Model (NPOM) and hence I am not eligible for the compensation payment. Is that right?**

The CDP process is for changing working patterns in terms of days or hours (it is not about increasing or decreasing contracted hours).

Therefore, if your hours are being reduced it cannot be part of the CDP process, and you should be in scope of the compensation.

If your line manager is following the CDP process and you believe the changes are part of the NPOM, then raise your concerns in writing and contact the PDA Service Centre.

**6. I said yes to an amended working pattern when NPOM was first announced, am I excluded from compensation payments?**

The terms of the agreement are that any pharmacist whose hours/pay have been reduced because of the New Pharmacy Operating Model should be in scope of the compensation payments.

You should contact the PDA Service Centre for advice on your options.

**7. I am a relief pharmacist. Will I have the same options provided as offered to store based pharmacists?**

The PDA has ensured that Relief Pharmacists will have the same options, and the company has stated:

*“For Relief Pharmacist roles, please be reassured that these will be brought into scope once the changes for all affected in-store team members have been finalised.”*

## **Section C - What are the terms of the compensation offer?**

**8. What is the compensation offer??**

In agreement with PDA Union, Boots will be offering a compensation package that both parties believe mitigates the impact of the changes by protecting income for those pharmacists and store managers who would see their income drop for a period of 18 months. These payments will be made in three instalments.

**9. What is a "non-consolidated" payment?**

The compensation payment is “non-consolidated” which means the payment is not added to your annual salary or hourly rate. It will not be considered when calculating your pension, sick pay, holiday pay, or other payments calculated in proportion to your salary.

**10. Will the non-consolidated payment be paid as a gross amount?**

The payment will be paid through payroll and be subject to the normal tax and other deductions.

**11. If I leave Boots and the payment is “clawed back,” would Boots claw back the gross amount or the net amount after paying taxes?**

If you leave in the first six months of accepting the compensation, there will be a proportionate clawing back of the instalment you received to cover the first nine months (i.e. the first instalment).

The PDA expect that any “clawback” would be a deduction from your final gross pay. We have asked the company to confirm, and we will update you on this point in due course.

**12. What is the impact of the non-consolidated pay element on holiday entitlement?**

Your future holiday pay will be based on your reduced salary as affected by the reduction in your hours. Holiday entitlement will remain proportionate to your contractual hours. Your line manager should make you aware of your new holiday entitlement

**13. What is the impact of the non-consolidated element on maternity pay, shared parental pay, and adoption pay?**

“Non-consolidated” means this payment is not added to your annual salary or hourly rate. That means it is not considered when calculating your pension, sick pay, holiday pay, or other payments calculated in proportion to your salary. These payments will be calculated in line with your new salary, as reduced.

However, if you are already on a period of leave covered by one of these arrangements, e.g. already on maternity leave, then your existing rates will continue because the reduction of your hours will not take effect until you return.

**14. I am currently on maternity leave, will I still receive the same level of compensation when I return?**

You must not be disadvantaged because you are on maternity leave and the company will need to set out how this process impacts on colleagues on maternity leave.

This arrangement may differ from how those not on maternity leave are compensated, e.g. with regard to timing of instalments, but must not disadvantage you compared to those not on maternity leave.

## Section D - Are there any limits on new working patterns?

### 15. Can my manager propose any sort of working pattern?

Proposed working patterns must not risk your wellbeing or undermine patient safety due to you, or any member of the team, working while tired. You should take the appropriate action in reporting this, if you have concerns about these patterns.

Working patterns must be reasonable and provide you with sufficient breaks during the working day, and rest periods between shifts.

The Working Time Regulations explain legal limits on working hours.

### 16. I've been asked to add an extra day to my working pattern to safeguard my total hours, but this will add extra commute to my week. Do I have to increase the number of days I work??

You should think carefully about the consequences on your life, health and finances of any proposed alternative working pattern.

Working an extra shift may mean extra travel, parking costs, childcare costs, as well affecting your personal life in other ways, such as reducing time available for family and non-work activity.

If you have disability, this may also have a negative impact on your health and so you should raise this with the company, but speak to the PDA first.

If a proposed working pattern is not acceptable to you for legitimate reasons, you should contact the PDA service centre for advice.

## Section E – In what circumstances can I be made redundant?

### 17. If I don't accept the consolidation payment, can I take redundancy?

If the company is not able to offer suitable alternative employment, and you decline to accept the compensation payment then you may be in a redundancy situation and should take advice from the PDA

### 18. If I accept this compensation payment, will I be eligible for redundancy?

No, if you accept the compensation payment, you will be consenting to the change in your terms and conditions of employment. As such, you will not then be eligible for redundancy because of the implementation of the NPOM.

However, if a trial period (*see next question*) demonstrates the changed role is not suitable, then you may be able to argue that your role is not a suitable alternative and that you should be considered for redundancy. You should discuss this with the PDA if you are in that position

### 19. Do I get a trial period of the new working pattern, total hours, or location?

If you accept the compensation payment then you are accepting a reduction to your hours as a change to your terms and conditions of employment with the payment compensating you for this, and there would be no trial period.

If you decline the compensation payment, and then choose to accept an alternative role, which may be fewer hours or at a different location then you may be entitled to a 4-week trial period.

If you are asked to work at another location, beyond locations that you could have previously been asked to work under your existing contract, you may also be entitled to a trial period of four weeks.

You should contact the PDA Service Centre for specific advice based on your individual circumstances if you have any concerns

## 20. What is the purpose of a trial period?

The purpose of any trial period is for you to check the changed arrangements are suitable.

If during a trial period you believe the new role is not suitable for you, then you must write to the company during the trial period to let them know and you should contact the PDA to discuss whether you may be in a potential redundancy situation.

If the alternative role is unsuitable due to factors such as caring responsibilities or a disability, you should discuss this further with the PDA, as you may be advised to raise this issue more formally.

Read More about trial periods: <https://www.the-pda.org/boots-pharmacists-reminded-of-legal-right-to-trial-period-in-redundancy-situations/>

## Section F - What if my circumstances change during the compensation period?

### 21. What happens if I get a pay increase, amend my hours or get a promotion during the 18-month compensation period?

The impact on the compensation payment from any future proposed changes to your contract need to be confirmed at that time.

It is important that you get the details of the above in writing **before** you agree to any future change to your contract.

We will answer this in more detail in a future FAQ, however, if these types of other changes are happening to you now or are proposed soon, please contact the PDA service centre.

## Section G - What other advice can you give?

### 22. My Team Member is within the CDP Process, are they eligible for the Compensation Payment?

The PDA is a trade union exclusively for pharmacists and we provide support to members as employees (or locums).

However, we strongly encourage other members of the store team to join a suitable trade union for their role, is Usdaw. [Click here for information about how non-pharmacists can join Usdaw](#) Union members should seek advice from their own union.

If you have queries as a store manager, it is your line manager or the HR Peoplepoint team that should advise you what to do.

- 23. Should pharmacists be signing an Advanced Declaration?**  
No, and the PDA have produced guidance on the risks of using the “Advanced Declaration” here:  
<https://www.the-pda.org/wp-content/uploads/Boots-rest-breaks-guide.pdf>
- 24. Should I stay signed in during my lunch hour if I am no longer being paid?**  
No. The PDA believe that pharmacists should be paid for all the hours worked and be able to take adequate rest breaks free from interruption. Read more:  
<https://www.the-pda.org/wp-content/uploads/Boots-rest-breaks-guide.pdf>
- 26. Can I claim extra hours for training and other company mandated activity outside of my contractual hours, if the reduction in my hours means I am no longer able to complete this during working hours?**  
Yes. You should be paid for the hours you work including undertaking company required training.
- If you are unable to complete training during the working day for operational reasons, you should ask your manager to approve extra hours so that you can undertake this part of your role outside of your contractual hours, remotely if necessary

## Section H - More information

- 27. Where can I get more information?**  
You may also find it helpful to review:
- our previous batch of FAQs <https://www.the-pda.org/boots-hours-cuts-faq/>
  - the PDA guidance on rest breaks <https://www.the-pda.org/pda-urges-pharmacists-to-stay-safe-and-take-adequate-rest-breaks/>
  - Health and Safety Executive information about the Working Time Regulations: <https://www.hse.gov.uk/contact/faqs/workingtimedirective.htm>
- 28. I'm not yet a member of the PDA, how do I join?**  
Pharmacists and Trainee Pharmacists can join the PDA via our website.  
[Click hereto join the PDA](#)
- 29. I have another question not covered above, who should I speak to?**  
In the first instance [speak to your local PDA Union network representative](#) or the PDA Service Centre