



Freedom of Information Request FOI 20 78

Bear (Scotland) -v- Fulton ruling

Query & Response:

In 2017, the employment courts decided – in the case of Bear (Scotland) v Fulton – that employers were required to take into account all remuneration earned (including non-guaranteed overtime) when calculating holiday pay.

I wish to know the following:

1. *Has your fire authority implemented this ruling?*

No

2. *If the answer to (1) is yes, what date was the ruling implemented?*

N/A

3. *If the answer to (1) is yes, was a collective agreement signed with the Fire Brigades Union or any other representative body prior to implementation?*

N/A

If a collective agreement was signed, I wish to view a copy.

N/A

In addition to the specific information I have requested, I wonder if you might be able to tell me whether, in the event the Bear (Scotland) -v- Fulton ruling was implemented inside your organisation, any backdated payments were made to staff, or whether all payments took effect only from the date of implementation.

The Bear (Scotland) -v- Fulton ruling was never implemented inside our organisation; therefore, there were no backdated payments to staff.

Information/Detail accurate on the date provided: 11, November 2020