

BAJ NEWS

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www.bajunion.org.uk

BAJ GOES LIVE!

BAJ now has a website on the internet to tell the world about the activities and services available to members. Just click on www.bajunion.org.uk to view the splendid site designed for us by freelance member Andy Jackson.

Andy, a member since 1995, has toiled at considerable effort and with great skill to create a user-friendly site for the union. He has generously donated his time and technical expertise to BAJ free, BAJ has just paid Andy £500 for writing the words.

Benefits

The home page takes you easily through BAJ's ethos, aims, benefits, case histories and profiles of your NEC members. Just click as directed to move effortlessly from one section of the site to another.

Click on "email the BAJ office" to send a letter or request an application form for a picture UK Press Card. Click on "email the website team" to let us know what you think of the site.

There's also a recent issue of BAJ NEWS to be viewed to enable potential members to get the flavour of what the union is about. The current issue and back issues for 3 years are available only to members.

Would-be members can download a membership form to join us. Members can do the same to give forms to colleagues, family and friends. (Don't forget the £50 bounty is still available for each person you recruit). Members can, of course, simply direct others to



the website to download a form themselves. The membership form is a pdf file for which you need Acrobat Reader software. If you haven't got Acrobat Reader, you can download it free of charge from the website. Just follow the clicks. The forms have to be posted to BAJ because signatures are required.

Make the BAJ home page your internet home page or add it to your favourites. Follow the clicks to set it up. BAJ's home page is so much more interesting than the adverts of BT, yahoo or aol.

You'll see on the home page that we have negotiated with the BBC for immediate access to its news and sport. Ideal for the latest stories, cricker scores or football results. Simply click on a headline to read a story.



The new website's home page

Thanks to Andy

ANDY Jackson (left) began on the Reading Chronicle, later working for Reform Magazine and The Methodist Recorder before editing business titles Interviewer and Bridal Buyer for the Mirror Group. He published his first website in 1996 and now edits the sutefish.co.uk internet service provider for Christian Aid as well as freelancing. He also runs his own design and production agency, www.designersolutions.co.uk.

General Secretary Steve Turner said: "We are deeply grateful to Andy for designing the BAJ website. Without him, it would not have happened."

"We don't want to make a meal of the website. We want to keep it simple so that it is a useful source of information about BAJ without taking up a disproportionate amount of BAJ time and members' money."

£2,114 donated by members

TWO extremely generous members and an extremely generous Chapel have given BAJ a total of £2,114.59.

A member who gave £1,000 wrote to Steve Turner: "You showed immense patience and perseverance and accorded me great personal kindness in working so hard to shield me from the unpleasantness of having to deal personally with management."

"Although I still feel a certain pain and bitterness about the way they treated me, I feel only comfort at the way you advised me and brought things to a conclusion. Consequently, I am in much better shape and happy to continue my life in a more positive frame of mind."

Support

Another member who gave £400 said: "Some years ago, I had occasion to call on the support of BAJ's legal services when I suffered at the hands of an inept hairdresser who was tending my tresses for a high profile work engagement."

"The damage was extremely distressing and I had to wear a wig while the case was examined by trichologists and settled by the culprit's insurance company."

"The settlement helped ease my personal trauma and the financial strain my family was enduring at the time. Now my situation has improved, I would like to express my gratitude with a donation to BAJ funds."

The Sunday Mirror Chapel at Canary Wharf has given £514.59 to help BAJ continue its work of assisting members in times of trouble.

The BAJ NEC is grateful to the two members and the Chapel members and is also grateful to the members who make regular monthly donations to the union.

Turner is re-elected

STEVE Turner has been elected unopposed to serve another five-year term as General Secretary. Turner said: "It's an honour to continue to lead BAJ. We are steadily building a union of which journalists can be proud. These are difficult days in newspapers and journalists need BAJ's ethos of resolute and reasonable representation more than ever to protect their interests properly. I am totally committed to serving members well."

Please use the enclosed form to recruit a member

Legal Briefing

THE new law on freedom of information is a wonderful, historic landmark for democracy. Members of the public and journalists can now find out about hitherto secret activities of representatives and officials on public bodies. BAJ's employment solicitor Glyn Jones explains how to activate access:

THE Freedom of Information Act 2000 came into force on 1st January 2005 and its stated objective is to create a legally enforceable right of access to information held by public bodies. Journalists should be aware that the right of access is subject to a number of exceptions, which are discussed below.

Whilst the Act creates a duty on public authorities to publish certain information on their websites, individuals can also make a direct request for information. Public authorities for the purposes of the Act comprise specific listed bodies including Government Departments, Parliament, the Northern Ireland and Welsh Assemblies, most of the Armed Forces, local authorities, the NHS, maintained schools, the police and other such bodies, together with other bodies designated by the Secretary of State for Constitutional Affairs and publicly-owned companies. Bodies excluded from the legislation include

the security services, the Secret Intelligence Service (GCHQ), the National Crime Intelligence Service and the Courts. Also excluded is the Press Complaints Commission as it is not a public body.

Information is defined as that recorded in any form. There is no right of access to unrecorded information, nor is there a duty on a public body to put such information into a recorded form. When a public body receives a request for information, it cannot ask why the information is required, but it is not obliged to comply with a request it considers vexatious, or to comply with a series of repeat requests. A request may be made in the name of another, provided that person agrees. This may be advisable where a journalist does not wish to alert other journalists to a possible story.

Requests for information must be made in writing (including e-mail), stating the applicant's name and correspondence address and it must describe the information requested. The public body in response must state whether it holds such information and if so, communicate it to

the applicant. It must comply with the request within 20 working days and a fee may properly be charged. A charge of up to £25 per hour is permissible and central government may refuse to deal with a request if it would cost more than £600 to assemble the information (£450 in the case of a local authority). However, the Government believes that public bodies should be able to provide most information free of charge.

Requests must be refused by public bodies where information is particularly sensitive, such as security information, information protected by parliamentary privilege, or confidential or where disclosure is specifically prohibited by law, or accessible by other means, comprises Court or similar records or is personal information (absolute exemption) or may be refused where the information is thought to require special consideration or where disclosure could prejudice certain important interests (qualified exemption). In cases of qualified exemption, a public body would be entitled to

withhold information where public interest demands it. An individual denied access for reasons of an exemption can appeal to the public body and thereafter, to the Information Commissioner.

The Secretary of State for Constitutional Affairs has issued a Code of Practice which is available on line at www.dca.gov.uk/foi/codeofpractice.htm which is primarily concerned with how public bodies should handle requests, advise and assist applicants in cases where the information requested is held by another public body and where the consent of a third party might be required. There are also extensive guidance notes to assist public bodies and these can be accessed at www.dca.gov.uk/foi/guidance/index.htm

● Journalists might also be interested in a free guide, obtainable from the solicitors Reynolds Porter Chamberlain, whose website address is www.rpc.co.uk

■ New levels of compensation for unfair dismissal have been announced for cases arising after 1st February. The maximum compensatory/basic award is £65,200.



GLYN JONES

Beware so-called PLONKER WIPES CO

By BAJ member

IF you are a BAJ member who needs to phone a dedicated Technical Support department from time to time because of computer problems – and, let's face it, we all do – then take heed of my sorry tale. It is far from a fairy tale, but it does have a happy ending.

In my work as a feature writer for national newspapers and magazines I use a Dell Inspiron 2600 laptop. On 30 April 2004, at around 11.15am, I phoned Dell Technical Hardware Support for help in connection with a problem: when I typed

certain words, numbers would appear instead. For example, "fish" appeared as "15sh" and "class" appeared as "c1ass".

The technical support lady went through various "open-heart surgery" procedures which I watched, bemused and with not a little heart-in-mouth trepidation, on the screen. She finally concluded that when the keyboard was tested outside the operating system it proved to be functioning

++CHAPEL NEWS++CHAPEL NEWS++ MGN drags out talks

MGN Management is dragging its heels over pay negotiations for the second year running. It seems to misunderstand the concept of co-operation.

A claim for a 5 per cent rise was submitted on October 22, but the Company offered only 2.75 per cent at the end of January and no talks had taken place for more than a month as BAJ News went to press.

It is puzzling that the Company has offered so little when wage growth in the private sector in December was up 4.4 per cent, the RPI index was up 3.5 per cent and London prices were 9.7 per cent higher than the national average.

The Company can afford more: The 2004 operating profits on MGN national titles have just been announced as £70.4 million – up 15.8 per cent on 2003.

At the same time, less profitable groups have offered their journalists more: the Telegraph and Financial Times have settled for 3 per cent, the Independent has rejected 3 per cent and the Express and Star has rejected 3.3 per cent. The Sun settled for 3.25 per cent plus a bonus of £560.

Hopefully, a deal will soon be reached without the BAJ MGN Chapels having to go to arbitration again.

AT MGN's Sports Division, which covers the Racing Post and associated titles, Management is also delaying discussions on a 6 per cent claim.

The 2005 claim was submitted on September 29. Meetings have been few and far between and the Company has offered only a 2.5 per cent rise.

This is pretty paltry, particularly as Sports Division operating profits for 2004 have just been announced as £18 million – up 26.8 per cent on 2003. ACAS has now been asked to try to broker a settlement.

● The High Court has rejected an NUJ claim that the Central Arbitration Committee was wrong to uphold the voluntary recognition deal between BAJ and MGN in regard to Sports Division journalists. The NUJ is appealing.

At the Daily and Sunday Telegraph, BAJ is busy advising members over proposals to make between 59 and 109 journalists redundant out of a workforce of 530.

BAJ has asked Management to reduce redundancies, confine any redundancies to volunteers, improve terms, particularly for short and long-serving staff, and reduce the workload of remaining staff.

Nearly 80 journalists have already volunteered to leave, which is good news but remaining staff must not be flogged to death. They have a legal right to work a professional pace to do the job properly and should insist on doing so.

AT Express Newspapers, thanks to representations from BAJ and some individual staff, the Company has dropped plans to supply Honda 1.3s to on-the-road journalists and is ordering instead acceptable Mondeos or Vectras.

Mileage allowances continue to be a problem, however. The Company pays 40p a mile for only 1,000 miles and 25p thereafter. The Inland Revenue allows firms to pay tax-free 40p a mile for 10,000 miles and 25p thereafter. With petrol and diesel prices edging upwards all the time the Express ought to pay the going rate. BAJ is urging the company to be fair.

Hopes of new replacements for clapped-out laptops have been dashed. An order for 75 new laptops has been reduced to 3, presumably on Richard Desmond's orders. BAJ is sounding out affected members to see if they would like to initiate mass grievance hearings to register disapproval

technical support DELL BOY COMPUTER

correctly – ie typing the word “fish” appeared as “fish”. She said it was not a hardware problem, and handed me over to Dell Technical Software Support.

This new technician proceeded to do various tests. But things went from bad to worse. By 3.15pm – some four hours later – it had got to the point where Windows could not be opened in either Normal or Safe mode.

I was then told in a disarmingly cool and dispassionate manner by the technician that everything but everything on the computer was now effectively lost. Can you imagine being told that? Devastated? I wanted to jump down the nearest well.

Lost contacts

Lost were 120 valuable feature articles, all my e-mails and, tragically, all my contacts in the e-mail address book.

At the time I had three urgent deadlines to meet but I had neither the luxury of time nor the benefit of unlimited financial resources to afford the services of an IT data clinic to try and retrieve the lost files. I was told at the time that a data clinic would have cost £3000 to £4000.

The only option open to me, to get my laptop up and running so that I could meet my professional commitments, was to format the hard drive and reinstall Windows and all other software and hardware. It took 10 hours to do this.

By the way, on the evening of 30 April I had phoned my daughter, a university student, to say what had happened – I had been getting “fish” when I typed “fish”, etc. She said instantly: “But that indicates that your keyboard was on Number Lock.”

I was staggered that my daughter, a non-IT student, diagnosed at once what had been the problem all along and yet Dell’s trained specialist staff failed to spot it.

Back-up

(Okay, it could be argued that I should have had everything backed-up on a zip-drive or some sort of DVD burner. And yet, equally, Dell Software Support should have advised me that their tests were potentially risky and that before they proceeded I must have a back-up system in place. Had they done so, I would have called a halt at once and carried out the necessary back-up work.

On 5 May, aggrieved by what I naturally perceived to be Dell’s incompetence, I sent a letter of complaint to Dell’s Customer Complaints Department in Bracknell, Berkshire. I received no reply. I sent a further letter on 17 May, and this too did not attract a reply.

So on 26 May I contacted the BAJ whose solicitor, Glyn Jones, wrote to Dell pointing out that they had not accorded me the courtesy of a reply. He further told them that he was now advising me that I had a

claim for negligence against the company.

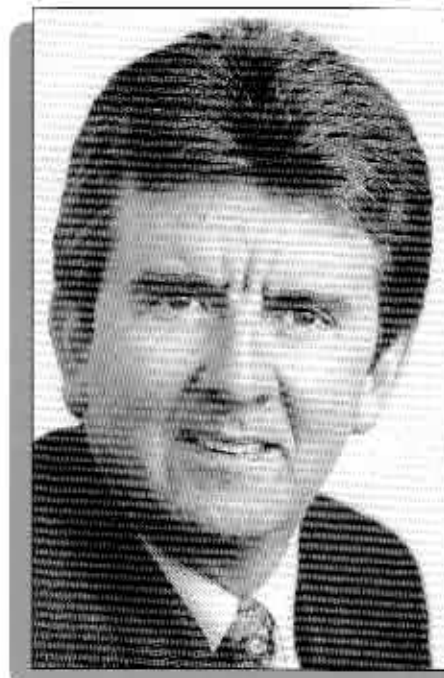
From this point on the scenario in trying to resolve matters with Dell was like one of those bad dreams where you wake up with the foggy remembrance of everything having happened in your slumbers in slow motion and you were impotent to move forward.

Dell Man One appeared only to mysteriously disappear... just as, in the course of time, did a further member of the same department, Dell Man Two.

Nothing in the world would induce Dell representatives to come out of hiding, not even the repeated information that proceedings would be issued against Dell. And so it came to pass that at the end of November proceedings were finally issued.

I then heard from Glyn on 23 January that an offer had been received from Dell’s solicitors. Wonderful! The offer was a derisory £100 plus costs/court fees applicable to that sum. I was advised to reject it, which I obviously did.

On 31 January came word that a draft consent order to settle the case had been received in the total sum of £675, amounting to a settlement to me of £500



OBE for Mike

DR Mike Maloney, a BAJ member, has become the first Press photographer to be awarded the high honour of OBE in the New Year’s Honours List.

Mike, 54, left, former Chief Photographer of Mirror Group Newspapers, received the award for services to photo journalism.

So far in his career, he has clocked up 105 major awards, probably the highest of any photographer. Three years ago, in recognition of his achievements, he received an honorary Doctorate of Arts at Lincolnshire University.

and £175 to the BAJ towards court fees. This was accepted.

I am under no illusion that had the BAJ and its solicitor not intervened and persevered so relentlessly with the case I would not have received a single penny from Dell. From the outset this company behaved in a thoroughly shabby way, not least in its habit of consistently ignoring the BAJ solicitor’s e-mails or “going to ground” for sometimes months on end whenever it seemed to suit them.

Nowhere were the advantages of belonging to a strong, decent and caring association such as the BAJ better illustrated than in my long and traumatic saga with a strong but far-from-decent and patently unscrupulous computer company.

PENSIONS VICTORY

By BAJ member

SORRY, but I’m going to tell a tale involving the P-word... Pensions. Wake up at the back! We all eventually reach 65 and, as I’ve found, you need to make sure you get what’s due to you.

I “retired” twice. Once with redundancy from the Daily Mirror and finally seven years later from the Sunday Mirror, where I had been a regular casual. The second time was in 2001 and since before I signed off until now, I’ve been trying to get a correct pension payout.

Most journalists are awful with figures and I expected the Mirror Pensions Office to come up with the correct sums. But their figures didn’t seem right and I asked for a breakdown of how my Sunday Mirror pension was calculated.

The Pensions Office was quite helpful here, but on examination I found that the pensionable salary figures on which they had based their calculations were incorrect.

From then on it was an uphill struggle. The Pensions people had been given their figures by “the Company” and treated them as sacrosanct. Fortunately I was able to produce evidence from pay-slips and notices of wage increases etc. which backed up my figures, and these were accepted (somewhat reluctantly, I felt).

It seemed that after a year I would be paid the correct pension. But the battle wasn’t over. The Pensions Office was still insisting on halving the pensionable salary total “because of two duties” and this was lowering my pension entitlement.

I had started with Saturday shifts and had then been asked to do a weekday shift as well. This was two years later. What the Pensions Office would not accept was that it was unfair to apportion half the pensionable salary to Saturday shifts and half to the weekday shift when my service in the double Saturday shift was longer and the pay was higher.

I called for help from Steve at BAJ and Andy Golden, one of the journalists’ trustees on the Mirror Pension Scheme. Now, thanks to them, the Pensions Office has at last agreed that their calculations should be based on the pensionable figure being split on a two-thirds, one-third basis.

The sums involved were not large. The original calculation of £2,098 a year is now just over £165 more. That’s an 8 per cent increase and is subject to a rise of 3 per cent each year. So worth having.

I would advise anyone nearing retirement to check how their dues are calculated. It’s not that hard. Even I can do it!

Andrew’s freedom campaign triumphs

BAJ freelance Andrew Drummond has won his campaign to help clear a British businessman framed on drug charges in Thailand.

The businessman Kevin Quill, 43, from Halifax, Yorkshire, who was sentenced to six years in jail in 2000 was acquitted at Pattaya Appeal Court.



Drummond: Brave

Quill was a director in the hotel and gay sex bar run by Gordon May and James Lumsden known as the “Gay MacMafia” when he was framed.

Quill said outside the court: “I am grateful to Andrew Drummond for his perseverance at some risk to himself.”

Andrew has also been campaigning on behalf of Ian Macdonald, 23, from Inverness, who died in a suspicious fire above the Gay MacMafia’s sex club.

At BAJ’s request, the Thai Department of Special Investigations is still looking into the cases of Quill and Macdonald and Andrew’s harassment.

May and Lumsden have sold their businesses in Pattaya and their hounding of Andrew may be over. Andrew is appealing against two convictions for criminal libel cases brought by Lumsden.

General Secretary Steve Turner said: “Andrew could have been jailed, deported or bankrupted as a result of his determination to fight for justice for Quill and Macdonald. No praise is too high for what he has done.”

Freelance forum

By Cedric Pulford

A FREELANCE who took *Future Publishing* to court last year over a delayed fee is still writing for the group (see below) - showing once again that contributors have more to gain than to lose by sticking up for their rights.

Better still, *Future Publishing* swears the payment system has been amended. Now apparently - dream on, most freelancers - the process is automated, and once you're commissioned the payment comes out the other end unless someone physically stops it.

Beware

A freelance panel member says beware of working for overseas publications: bank charges and an unfavourable exchange rate cost her 14% of the fee. The £300 from Madrid-based *Luxury Living* netted down to just £257. So make sure you ask for a higher fee to cover stoppages.

Ever more price-conscious book publishers are making writers responsible for the complicated and potentially expensive business of supplying pictures, says a BAJ member who got involved with "ghosting" an autobiography.

"Know exactly what you are responsible for and the costs you and the subject may have to lay out," he advises.

A *Sunday Mirror* contributor says the paper is "still shaving off the odd £25-£50 if they can get away with it".

LATEST FEES REPORTED BY BAJ FREELANCE PANEL:

Sunday Telegraph, news page lead, £400. *Mail on Sunday*, news item (not used), £400. *Mail on Sunday*, news, five pars, £300. Monthly interiors magazine, property feature, 800 words, £700. National daily, sports feature, 600 words, £500. *Sunday* magazine (News of the World), feature, 1,000 words, £650. Weekly women's magazine, "real life" feature, 1,000 words, £600. *Take A Break*, health case study, 600 words, £350. Weekly women's magazine, health feature, 800 words, £425. *Sunday Mirror*, property article, 350 words, £175. *Evening Standard*, property feature, 700 words, £300. *Future Publishing*, column, 800 words, £200. *Chrona* (NMI group), profile, 1,000 words, £100. Sunday tabloid TV supplement, "real life" feature (2nd rights), 1,300 words, £350. National daily, sports tipoff, £200. *BBC local radio*, Bufta preview piece, three mins, £50.

● If you would like to join the freelance panel, please contact the BAJ office.

Tragic death of popular ex-FOC

By Annette Johnson
MOC County Times

TALENTED journalist Jamie Bartle - a former FOC at the West Sussex County Times in Horsham - lost his life in a motorbike accident last November. The 31-year-old spent more than four years at the Horsham paper where he rose to the rank of news editor.

He also served as FOC at the West Sussex County Times from 2001 to 2003. As FOC of the Horsham Chapel, he represented his colleagues with distinction.

His charisma and diplomacy made him an ideal candidate for the role and during his time as FOC he secured improvements to both the trainee salary and general working conditions.

Richard Bryne who was Deputy FOC to Jamie said: "Jamie was the most popular person in the office - even the management liked him.

Respect

"His approachability meant he was the ideal person to represent his colleagues and his professional manner earned him the respect of senior management that was necessary to make real progress on the issues that actually mattered to his work-mates.

"In his time as FOC, he helped negotiate significant rises in salaries, particularly for trainees, many of whom were struggling. His contribution really made a difference.

"But Jamie always had his priorities right. A letter to the MD, pointing out the shortcomings of the company's Christmas do arrangements one year, reflected a man who knew how to enjoy himself.

"Like all good union reps, his sense of fair play and willingness to speak out for his colleagues earned him respect throughout the paper and contributed to the 'feel good' factor working there.

"Everyone who had the privilege of working with him will remember an excellent journalist, a man who always had the interests and well-being of his

Key Facts

- INFLATION: April 1987 - 100.1 January 2005 - 188.9. Rise in past year 3.2 percent.
- AVERAGE EARNINGS: 2000 - 100. December - 2004 - 118.5. Private sector rise in the past year 4.4 per cent.
- UNEMPLOYMENT: October - December 2004 averages 1,411,000. Up 32,000 on previous 3 months.
- HOUSES: Halifax national house price index: 1983 - 100. January 2005 - 530. Annual change 15.7 per cent.
- MOTORING: AA's new system for mileage rates for cars averaging 10,000 miles a year: Car cost new up to £10,000 - 32.95p a mile. Car cost new £10,000 - £13,000 - 40.98p a mile. Car cost new £13,000 - £20,000 - 52.18p a mile.



Jamie: great fun

colleagues at heart and, above all, a wonderful friend."

Jamie set the highest standards as a sub-editor, motoring editor and news editor. He was also a great team member and always supported his colleagues.

In 2003 he left the County Times to join the prestigious Performance Bikes magazine in Peterborough, first as production editor and latterly as assistant editor.

He will be sadly missed by his parents and sister and all those who knew and worked with him.

MEMBERS' NEW BOOKS

■ *The Lucan Conspiracy* by William Hall. John Blake Publishing, £7.99, solves the manhunt of the century, revealing the false identity that helped Lord Lucan evade justice.

■ *Macedonia: Warlords and Rebels in the Balkans*, by John Phillips. I.B.Tauris, London, £17.95. Based on author's experiences as *The Times* Balkans correspondent.

■ *St Josemaria Escrivá and The Origins of Opus Dei: The Day the Bells Rang Out*, by William Keenan. Gracewing, £14.99. The amazing inside story.

■ *My Olympic Ten Days* by Kelly Holmes with Richard Lewis. Virgin Books, £9.99. Dame Kelly's diary of her intimate thoughts on her way to golden glory.

Your finances

BAJ finances are under considerable pressure from a general rise in costs. December's £9,000.25 monthly subs provide an annualised income of £108,002. This is the end of our financial year. Our books will now be audited. Our accounts from January 1 until December 31, 2004 are:

INCOME

Balance from 2003 accounts	18,804.00	February	8,742.75
Advance/arrears subs	3,915.00	March	9,012.75
Donations	3,729.09	April	8,852.75
Legal fees	3,938.75	May	8,795.25
Bank interest	203.71	June	8,799.75
Share dividends	0.24	July	8,965.25
British Telecom refund	169.75	August	8,855.25
Refund of bank charges	680.25	September	8,927.75
		October	8,912.75
Monthly Subs received		November	8,900.25
January	8,880.25	December	9,000.25
		TOTAL	138,085.79

EXPENDITURE

Legal expenses/Helpline fees	17,117.92	Website	222.48
Legal advisers' retainers	20,093.83	Photocopying	516.90
Legal advisers' expenses	1,712.63	Postage	744.72
Legal advisers' insurance	1,703.11	Stationery/printing	2,197.09
Outside legal bills/court fees	4,012.86	Secretarial	710.35
Books, mainly legal	1,609.56	Book-keeping	897.31
Tax Helpline	1,175.04	Audit fees	1,733.12
BAJ Press Cards	1,611.01	Bank and BACS charges	1,116.25
UK Press Cards	483.12	Office rent	4,386.26
Trainee Press Cards	34.37	Office rates	1,801.89
Company search fees	128.68	Office service charge	848.78
BAJ NEWS	3,711.69	Office insurance	613.20
Bounty payments	1,000.00	Office building insurance	193.37
MPA/LRD affiliation fees	384.00	Office cleaning	25.85
Pay/NIC (S.Turner)	24,240.92	Office furniture/fittings	523.73
Pay/NIC (D.Thomas)	17,810.17	Gen Sec travel	20.22
Keyman insurance	439.32	Sundry expenses	1,033.29
Telephones (4)	5,184.72	MGN arbitration	3,671.29
Fax lines (2)	611.00	TOTAL	126,590.78
Mobile phone	796.05	TOTAL INC	138,085.79
Computer and support	821.45	TOTAL EXP	126,590.78
Equipment fund	653.23	IN HAND	11,495.01