

CONFIDENTIAL TO MEMBERS



Association of Higher Civil and Public Servants
Comhlachas na Sheirbhíseach Uachtarach Stáit agus Poiblí

ANNUAL REPORT
2008/2009



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OFFICERS OF THE ASSOCIATION FROM 1943 - 2009

Year	Chairman	Vice-Chairman	Hon. Secretary	Hon. Treasurer
1943/5	M.J.Kenny		E.O'Connor	E.O'Connor
1945/6	J.Mahony		E.O'Connor	E.O'Connor
1946/7	J.J.Waldron		E.O'Connor	E.O'Connor
1947/9	J.J.Waldron		M.A.O'Connallain	T.O'Brien
1949/51	J.J.Waldron		C.P.O Ceallaigh	J.O'Dwyer
1951/2	J.J.Waldron		B.Carty	C.P.O Ceallaigh
1952/3	J.J.Waldron		T.J.Collins	C.P.O Ceallaigh
1953/5	J.J.Waldron		T.Tobin	S.M.O Miodchain
1955/7	C.P.O'Ceallaigh		T.Tobin	S.M.O Miodchain
1957/8	C.H.Murray	C.P.O'Ceallaigh	T.Tobin	S.M.O Miodchain
1958/9	C.H.Murray *	C.P.O'Ceallaigh	P.A.Terry	S.M.O Miodchain
	T.J.Cahill			
1959/60	T.J.Cahill*	M.B.Lawless	N.MacLiam	N.MacLiam
	M.B.Lawless	W.Drain		
1960/1	P.A.Terry	W.Drain	J.G.Buckmaster	T.O'Sullivan
1961/2	P.A.Terry	P.J.Mulvany	J.G.Buckmaster	T.O'Sullivan
1962/3	R.C.O'Connor	P.J.Mulvany	J.G.Buckmaster	T.O'Sullivan
1963/4	R.C.O'Connor		J.G.Buckmaster	L.O'Laidhin
1964/5	R.C.O'Connor	J.M.McNicholl	L.O'Laidhin	T.J.Mooney
1965/6	R.C.O'Connor	J.M.McNicholl	N.Tobin	T.J.Mooney
1966/8	P.A.Terry	J.M.McNicholl	D.O'Mahony	T.J.Mooney
1968/9	P.A.Terry	J.C.Horgan	D.O'Mahony	T.J.Mooney
1969/73	J.C.Horgan	M.Kilcullen	D.O'Mahony	T.J.Mooney
1973/74	J.C.Horgan	M.Kilcullen	J.O'Dwyer	T.J.Mooney
1974/75	M.Kilcullen	M.Corcoran	M.F.Fahy	T.J.Mooney
1975/76	M.Kilcullen	D.O'Mahony	General Secretary	T.J.Mooney
1976/77	T.J.Mooney	D.O'Mahony	Ralph B. Pares	J.C.Tucker
1977/78	T.J.Mooney	D.O'Mahony*	1975-1980	J.C.Tucker
		M.Corcoran**		
		J.C.Horgan		
1978/79	T.J.Mooney	T.H.Hally		J.C.Tucker
1979/81	J.C.Tucker	M.F.Fahy		T.Tuite
1981/83	M.F.Fahy	T.Tuite	John Dowling	P.J.O'Grady
1983/84	M.F.Fahy	J.P.O'Brien	1980-1987	P.J.O'Grady
1984/86	J.P.O'Brien	Sean Healy ***		P.J.O'Grady
		John Melia		
1986/87	J.P.O'Brien	John Melia		P.Greene
1987/88	J.P.O'Brien	Michael O'Donoghue	Seán Ó Ríordáin	P.Greene
1987/88	Michael O'Donoghue	Padraig Cullinane	1987-2007	P.Greene
1988/91	Mchael O'Donoghue	Padraig Cullinane		P.Greene
1991/92	Padraig Cullinane	Richard Ryan		P.Greene
1992/93	Richard Ryan	Des Coppins		Benny Kevitt
1993/94	Richard Ryan	Des Coppins		Benny Kevitt
1994/95	Richard Ryan	Des Coppins		Benny Kevitt
1995/96	Richard Ryan	Benny Kevitt		Brian Murnane
1996/97	Benny Kevitt	Brian Murnane		Tom Power
1997/98	Brian Murnane	Patrick Dowling		Tom Power
1998/99	Brian Murnane	Patrick Dowling		Kieran Coyle
1999/2000	Brian Murnane	Patrick Dowling		Kieran Coyle
2000/2001	Brian Murnane	Patrick Dowling		Kieran Coyle
2001/2002	Patrick Dowling	Seamus Molloy		Liam Kelly
2002/2003	Patrick Dowling	Seamus Molloy [deceased]		Liam Kelly
		Sean McDonald		
2003/2004	Sean McDonald	Brigitta O'Doherty		Liam Kelly
2004/2005	Brigitta O'Doherty	Philip Crosby		Mary McLoughlin
2005/2006	Philip Crosby	Ciaran Rohan		Mary McLoughlin
2006/2007	Philip Crosby	Ciaran Rohan		Mary McLoughlin
2007/2008	Ciaran Rohan	Peadar Carpenter	Dave Thomas	Mary McLoughlin
2008/2009	Peadar Carpenter	Tom Allen	General Secretary	

* Resigned on promotion to Assistant Secretary ** Resigned on posting to Personnel Officer

*** Resigned on posting to London as Labour Attache

Trustees

Mr Peter Greene,* Ms Margaret Kelly, Mr Brian Murnane.

*Mr Sean McDonald has been appointed in place of Mr Peter Greene who resigned as a Trustee during the year.

Head Office

The Association's Head Office is:
Fleming's Hall, 12 Fleming's Place, Dublin 4.

HONORARY OFFICERS OF THE ASSOCIATION 2008/2009

President Donal O'Mahony

Vice-Presidents P. A. Terry
 J. C. Horgan
 J.C. Tucker
 Mary McGuire
 Padraig Cullinane
 Benny Kevitt
 Richard Ryan
 J. P. O'Brien
 Tom Quigley
 Con Ryan
 Pat Dowling
 Brendan Sheeran
 Seán Ó Riordáin

The following Officers were elected at the Annual Delegate Conference held on 9 May 2008:

Chairperson	Peadar Carpenter	(Foreign Affairs))
Vice-Chairperson	Tom Allen	(Revenue)
Treasurer	Mary McLoughlin	(Health & Children)

EXECUTIVE COMMITTEE 2008/2009

Agnew Terry	Courts Service
Allen Joe	Environment, Heritage & Local Government
Carney Tom	Education & Science
Crosby Philip **	Revenue
Dunne Larry	Finance
Holleran Noel	Agriculture, Fisheries & Food
Hughes Eamon	An Post National Lottery
Hughes John	Enterprise Trade & Employment
Lehane Ray	Social & Family Affairs
McKevitt Brian	Office of the Ombudsman
Noonan Angie	Health & Children
O'Gorman Anne	Justice, Equality & Law Reform
Walsh Ann**	Revenue
Faherty Eoin *	Houses of the Oireachtas
O'Shea Bernard *	Arts, Sport & Tourism

* Eoin Faherty and Bernard O'Shea were co-opted by the Executive Committee under Rule 11 (a)(iii).

** Ann Walsh (Revenue) was co-opted following the resignation of Philip Crosby on promotion during the year.

EXECUTIVE SUB-COMMITTEE 2008/2009

AHCPS Officers are ex-officio members of all Sub Committees

PAY & STRATEGY

Carpenter Peadar (**Chair**)

Allen Tom

McLoughlin Mary

Hughes John

Noonan Angie

McKevitt Brian

O'Shea Bernard

Holleran Noel

Agnew Terry

Carney Tom

ORGANISATION & GENERAL PURPOSES

Allen Tom (**Chair**)

McLoughlin Mary

Peadar Carpenter

Lehane Ray

Hughes Eamon

Dunne Larry

McKevitt Brian

Holleran Noel

O'Shea Bernard

Faherty Eoin

FINANCE & SERVICES SUB COMMITTEE

McLoughlin Mary (**Chair**)

Carpenter Peadar

Allen Tom

Faherty Eoin

Hughes John

Carney Tom

Hughes Eamon

Dunne Larry

EQUALITY & DIVERSITY SUB COMMITTEE

Tom Allen (**Chair**)

Carpenter Peadar

McLoughlin Mary

Lehane Ray

Noonan Angie

Hughes John

Faherty Eoin

Agnew Terry

Consultative Council

The Consultative Council comprises members of the Executive Committee, Branch Chairpersons and Secretaries or their deputies.

BRANCH SECRETARIES 2008/2009

Agriculture, Fisheries & Food	Brid Farrell
An Post	Willie Prendegast
Arts, Sport and Tourism	Michael Moore
Central Statistics Office	Joe Kelleher
Communications, Energy & Natural Resources	Michael Goodwin
Community, Rural & Gaeltacht Affairs	Sean McLaughlin
Comptroller & Auditor General	Peter Kinsley
Commission for Energy Regulator	Tim O'Brien
Courts Service	Angela Denning
County Enterprise Boards	Michael Tunney
Defence	Brian O'Sullivan
Education and Science	Peter Kelly
Eircom	
Enterprise, Trade & Employment	Sabha Green
Environment, Heritage & Local Government	Carmel Sherry
FÁS	Mark Crowther
Finance	Gary Tobin/Larry Dunne
Food Safety Authority of Ireland	Pat Farrell
Foreign Affairs	Susan Conlon
Garda HQ	Kieran Downey
Health and Children	Kieran Smyth
Health and Safety Authority	Andrew Allen
Houses of the Oireachtas	Charles Hearne
Irish Aviation Authority	Liam O'Neill
Justice, Equality & Law Reform	Maeve Hogan
Property Registration Authority [Land Registry]	Henry Sullivan
National Centre for Partnership & Performance	Edna Jordan
Office of Public Works	Joe Pat O'Donnell
Office of the Ombudsman	Derek Charles
Ordnance Survey Ireland	Cormac Clancy
Pensions Board	Tom Dunphy
Personal Injuries Assessment Board	Patrick Kinsella
Prison Governors	Liam Dowling
Public Appointments Commission/Service	Liam Hurley/Richard Crowley
Revenue	Mary Farrell
Social & Family Affairs	Brian Chadwick
Taoiseach's	Ray Henry/Sean McGarry
Transport	Derek Rafferty
Chief State Solicitors Office	Michael Fallon
Attorney General	Brian Scannell
Legal Aid Board	Clare Kelly
National Council Special Education	Carol Doyle



INTRODUCTION

The year started with successor pay talks to the first module of T2016 which were long and protracted and which looked like breaking down on a number of occasions over the summer months. However, agreement was finally reached in September 2008 which saw a pay pause of 11 months in the public sector and a 6% pay increase in two phases over the remaining ten months of the agreement. The Association ballot was carried by 93% to 7% and the agreement was subsequently endorsed at a special ICTU conference in November with all unions except two, voting in favour of the Agreement. The Agreement was subsequently agreed in the Civil Service at the General Council meeting in late November.

No sooner was the ink dry on the agreement than the public finances began to go “belly up” and we witnessed a media frenzy, particularly in the Independent group assisted by IBEC denigrating public sector workers, demanding public sector reform without indicating what that meant, criticising public sector pension arrangements and calling for pay cuts and amendments to pension arrangements. After months of speculation new talks between the Social Partners commenced in January 2009 in an attempt to address the deficit in the public finances. A Draft Framework Pact for Stabilisation, Social Solidarity and Economic Renewal was agreed on 28th January. However, it was not until the early hours of the morning of 3rd February when firm details of the Government’s proposals in relation to the public sector were put on the table with a deadline of later that day for agreement. The talks collapsed and the Taoiseach announced the introduction of the so called “pension levy” and in effect the withdrawal from the National Pay Agreement.

The Executive Council of ICTU decided to mount a campaign to protect pay and conditions. In furtherance of this ICTU invited affiliated unions to conduct ballots for industrial action up to and including strike action. The Executive of the Association decided to ballot members on a one day strike on 30th March. The result of the ballot was 60% against and 40% in favour.

Decentralisation continued to be a major issue facing the Association. The Government announced after the summer recess that certain aspects of the project would continue in 2009 and 2010, while other aspects would be put on hold pending a review in 2011. However, given that exchequer funds are low there may be further announcements in the April budget. Churning of staff in some departments is a major problem, most noticeably Environment, Heritage & Local Government which is moving to Wexford shortly. It remains to be seen if other parts of that department will move to New Ross, Waterford and Kilkenny. It is also noticeable that no department has moved to date in its entirety to a decentralised location. Then again did we ever believe that a Government Minister, the Secretary General and his MAC would ever move away from the centre of power!

The OECD reported during the early part of 2008 and stated that the Irish Public Service stood up well in comparison with other public services in the OECD. The Government did announce in November as part of a package to curtail public sector numbers and expenditure programmes a new board headed by economist Mr Colm McCarthy. The new Board has been “christened” An Bord Snip Nua and is busily engaged in its task and is expected to report shortly.

A claim supported by CPSU and Impact to amend the C & A Scheme to allow access to the Labour Relations Commission and Labour Court was, despite opposition from the other four civil service unions, agreed at General Council. Discussions have been taking place at a Sub Committee of General Council to further this claim.

The Association and the trade union movement are entering a very difficult time for its members. A time which because of the global economic climate will see a drop in living standards in the short term for our members. There is a lot of anger, fear and uncertainty. There is only one certainty in all of this and it is that we are stronger together as part of the trade union family than we can ever be as individuals. Now more than ever before we must stick together and seek to ensure that any measures introduced are fair and equitable.

ORGANISATION

1.1 ANNUAL DELEGATE CONFERENCE

The twenty seventh Annual Delegate Conference of the Association took place in Croke Park, Dublin on Friday 9 May, 2008. 176 Branch Delegates and 16 Executive Committee members attended.

The Association’s guests at the Conference were Jonathan Baume, Peter Stephens, Association of First Division Civil Servants (FDA) London and Ms Laura McPolin and Sam Caul, Northern Ireland FDA.

1.2 EXECUTIVE COMMITTEE

Peadar Carpenter, Department of Foreign Affairs was elected to the office of Chairperson. Tom Allen, Revenue Commissioners was elected Vice-Chairperson and Mary McLoughlin, Department of Health and Children was re-elected as Treasurer.

The following candidates were elected to the twelve ordinary positions on the Executive Committee at the Annual Delegate Conference:

Candidates	Branch
Agnew Terry	Courts Service
Allen Joe	Environment Heritage & Local Government
Carney Tom	Education & Science
Crosby Philip	Revenue
Dunne Larry	Finance
Holleran Noel	Agriculture, Fisheries & Food
Hughes Eamon	An Post
Hughes John	Enterprise Trade & Employment
Lehane Ray	Social & Family Affairs
McKevitt Brian	Office of the Ombudsman
Noonan Angie	Health & Children
O’Gorman Anne	Justice, Equality & Law Reform

Eoin Faherty, Houses of the Oireachtas and Bernard O’Shea, Arts Sport & Tourism were co-opted to the Executive Committee under Rule 11 (a)(iii) of the Rules and Constitution of the Association.

Ann Walsh (Revenue) replaced Philip Crosby who resigned from the Executive Committee during the year on promotion to Department of Education & Science.

Details of attendances at Executive Committee meetings during the year are set out in **Appendix D**.

1.3 STANDING ORDERS COMMITTEE

The Standing Orders Committee elected at the Annual Delegate Conference was:

- Denny David** Finance
- Finnegan Peter** Houses of the Oireachtas
- Ingoldsby Brian** Justice, Equality & Law Reform
- Hanley Sheila** Revenue

Mr. Brian Ingoldsby was subsequently re-elected Chairperson of the Committee.

1.4 CONFERENCE RESOLUTIONS

A brief indication of action taken in relation to these resolutions is set out hereunder. Part II of the Annual Report contains more detailed information in appropriate cases.

RULE CHANGE

Resolution 1

That Conference amend Rule 9 (b)(1) as follows: The delegate conference shall consist of the Executive Committee, the Standing Orders Committee and accredited delegates elected by and from Branches in the numbers indicated below and notified to the General Secretary:

- (a) Branches with 30 members or less – Two delegates
- (b) Branches with more than 30 members - two delegates for the first 30 members and, thereafter, one delegate per 30 members or part thereof.

Action Taken:

The rules were amended and the amended Rules and Constitution of the Association were registered with and approved by the Registrar of Friendly Societies.

PAY/BENCHMARKING

COMPOSITE A

That this conference

- (1) notes with dismay the discrepancy between the findings of the Review Body on Higher Remuneration and the Benchmarking Body.

(2) Instructs the Executive to ensure that in any future Benchmarking/third party pay review the methodology is agreed with the unions in advance and forms part of the agreed terms of reference.

Action Taken:

The disparity between the awards by the Review Body on Higher Remuneration and the Benchmarking Body is an issue that the Executive Committee and the membership generally are unhappy about. The whole issue of pay is kept under review by the Executive Committee

Resolution 8

Given that the pay expectations of AHCPS grades have been seriously diminished by the outcome of the recent benchmarking process and in view of the fact that the impact of decentralisation has all but ended the promotional opportunities for many APs and POs, this Conference calls on the Executive Committee to lodge with the official side a claim for two further long service increments for both grades to be awarded Furthermore the period of eligible service for both the existing and new increments be reduced from three to two years. Service at AP/AP1 level to count as one for long service increments and similar for PO/PO1

Action Taken:

A claim was lodged at General Council. It was adjudged to be a major cost increasing claim under T2016 and rejected by the Official side.

Resolution 9

That Conference instructs the incoming Executive Committee to renegotiate the pay terms of Towards 2016 with a view to seeking a substantial pay increase for the grades represented by the Association in light of the very unsatisfactory outcome of the Benchmarking process and the numerous and continuing increases in the rate of inflation.

Action Taken:

A pay increase of 6% over 21 months was negotiated as part of module 2 of T2016. This has now been reneged on by Government. ICTU have proposed a 3 year agreement with Government based on the ICTU 10 point plan for a Social Solidarity pact.

Resolution 10

That Conference instructs the Executive to ensure that in the forthcoming pay negotiations, the approach should be that, in the light of the benchmarking outturn, AHCPS members should fare no less well than the private sector, including in particular the phasing of the pay elements of any proposed deal.

Action Taken:

A pay increase of 6% over 21 months was negotiated as part of module 2 of T2016. This has now been

reneged on by Government. ICTU have proposed a 3 year agreement with Government based on the ICTU 10 point plan for a Social Solidarity pact.

FÁS

Resolution 11

That Conference instructs the Executive to communicate to FÁS the concern that members feel about their lack of consultation under Towards 2016 and the possible threat to future pay awards, even though we have been flexible and cooperative with FÁS.

Action Taken:

This issue was raised with senior FÁS management and assurances were received that there would be consultation with all the unions as provided for under Social Partnership. The Association continues to keep the issue under review.

SUPERANNUATION

Resolution 13

That Conference instructs the incoming Executive Committee to negotiate an optional scheme of retirement with immediate payment of full superannuation benefits for those members who are under 60 years of age and who have 40 years service or more.

Action Taken:

A claim was lodged at General Council but rejected by the Official side.

Resolution 14

That Conference instructs the Executive Committee to pursue a claim, having regard for the anticipated surpluses at Principal and Assistant Principal levels arising from decentralisation, for the introduction of a voluntary early retirement scheme for members along the lines of the late 1980's scheme.

Action Taken:

A claim was lodged at the Staff Panel but was deferred to allow other unions consider it. It was an item for discussion in the failed National talks.

DECENTRALISATION

Resolution 15

That Conference calls on the Government to urgently review the decentralisation programme given its adverse impact on the country's public administration system.

Action Taken:

The ADC call for a review was well publicised in the media. The recent DIG report has recommended that certain elements of the programme be postponed pending a review in 2011.

Resolution 16

That this Conference instructs the incoming Executive to request the Government to establish urgently a rigorous independent expert review of the implementation of the decentralisation programme, to identify, in particular: (a) the implications, in terms of efficiency and economy, of decentralising headquarters and related policy functions of Departments and of locating Divisions of Departments across separate locations;

(b) possible alternative approaches, as appropriate, to the proposed arrangements referred to at (a) within the overall parameters of the programme.

Action Taken:

The recent DIG report has recommended that certain elements of the programme be postponed pending a review in 2011.

Resolution 18

That this Conference instructs the incoming Executive to request the Decentralisation Implementation Group to provide as a matter of urgency:-

- (a) a report outlining: (i) measures to ensure that adverse impacts on work life balance do not arise as a consequence of decentralisation; and (ii) all likely practical consequences that arise for staff who have applied to the Central Applications Facility and for staff who have not applied for decentralisation;
- (b) a 'Frequently Asked Question' information facility that staff can consult to obtain detailed information as to how the Group's decentralisation proposal will apply in practice in the context of the questioner's individual circumstances and a mechanism for staff to raise specific questions.

Action Taken:

The Association wrote to the Secretary of the DIG outlining the contents of the motion and seeking that they provide the information and report as requested.

Resolution 19

That this Conference notes that the operation of the procedures for reassignment of staff from the "Dublin Surplus" is often leading to considerable delays in the filling of vacancies and calls on the Department of Finance to streamline the procedures in a manner that will ensure that vacancies are filled promptly.

Action Taken:

This has been the subject of discussions at the General Council sub committee on Decentralisation. An amendment was made to the LIFO agreement to speed up the process and the issue is still under discussion with the Official Side

Resolution 20

That this Conference calls on the Executive Committee to seek payment of standard mileage allowances and time

off in lieu for the extra time spent travelling each day for staff who are required to undertake additional travel in own transport to and from home to work in a temporary decentralisation location as a result of the failure of a Department or Agency to secure permanent accommodation in the official decentralised location by the date set out in official decentralisation plans.

Action Taken:

A claim was lodged at General Council and was rejected by the Official Side.

EQUALITY
Resolution 21

Conference notes, with concern that in a recently determined case The Revenue Commissioners have been found by the Equality Tribunal to be in breach of Section 6 of the Equality Act on two separate occasions both relating to discrimination on grounds of age. This finding related to a case taken on the "Consistory" method of selection for promotion. Commenting on the case, Niall Crowley, Chief Executive of the Equality Authority, noted that most cases of discrimination on his records now related to age and said- "All promotion processes within the civil service should now be reviewed to ensure they are open and transparent. A civil service wide strategy should be developed to promote equality for older employees and to support the effective management of age diversity" Conference endorses this call by Mr Crowley and directs the incoming Committee to seek practical methods of achieving effective management of age diversity.

Action Taken:

The issue is kept under review at the Equality sub committee of General Council.

Resolution 22

This ADC notes and welcomes strategies intended to ensure an effective representation of women at senior management levels in the Civil Service. In so doing Conference calls on the Executive Committee to monitor the impact of those strategies, and where necessary, to engage with the Official Side to ensure that they do not have the unintended effect of causing discrimination on the basis of family status or gender.

Action Taken:

The Association together with the other civil service unions, engages actively with the Official side at the Equality sub committee of General Council where all issues impacting on any aspect of the equality agenda are discussed.

Resolution 23

This Conference directs the incoming Executive Committee to open negotiations so that the terms and conditions of the current Term Time arrangement may

be extended to periods other than school holidays and for purposes other than child or parental minding duties.

Action Taken:

The extension of Term Time arrangements has been raised by the Staff Side at the Equality sub committee of General Council. The staff side continue, particularly in the current climate to persuade the Official side of the benefits of such a change in the policy.

SOCIAL & FAMILY AFFAIRS

Resolution 24

That this ADC instructs the Executive to ensure that in the event of the transfer of Community Welfare staff from the HSE to the Department of Social and Family Affairs, the interests of our members are safeguarded and that the current ratio of posts - PO to AP and AP to HEO – will also apply to posts transferred from the HSE.

Action Taken:

A third party facilitator (Conal Devine) was appointed to identify issues and discuss them with HSE staff and the Department of Social & Family Affairs. The facilitator reported before Christmas and discussions are still taking place.

TAX CREDITS

Resolution 26

That this Conference instructs the Executive Committee of the AHCPS to demand that the Official Side submit the PPSN's of all members to Revenue so that the Tax Credit for Trade Union Subscriptions can be allocated to all our members by Revenue without claims having to be made to Revenue by members.

Action Taken:

The Official Side have agreed to provide unions with the PPS Numbers of all members and the Association will forward them to Revenue.

Resolution 29

In view of the considerable extra travelling time between offices at separate locations imposed on members due to decentralisation, that this Conference instructs the incoming Executive to lodge a claim for "time in lieu" in respect of time spent travelling outside of official office hours.

Action Taken:

A claim was lodged at General Council and was rejected by the Official Side.

ANNUAL LEAVE

Resolution 30

That Conference instructs the incoming Executive

Committee to vigorously pursue a claim with the Official Side for an improved Annual Leave entitlement for AHCPS members in the light of increases in recent years of the annual leave entitlements for other grades in the Civil and Public Service, and asks that the Executive report to members on progress made.

Action Taken:

The Association in conjunction with IMPACT lodged a claim for an increase in annual leave for people who had 31 days. This was rejected by the Official Side. The Association is seeking information in other sectors which would help progress the claim. To date, the Association has not received any examples from other sectors that are of use.

ASSOCIATION ORGANISATION

Resolution 31

That Conference calls on the incoming Executive Committee that, following the ongoing rollout of decentralisation in many areas, the Association examine its administrative, policy setting and structural arrangements to meet the requirements of members in the new arrangements.

Action Taken:

The Executive Committee established a sub committee to examine all aspects of the way the Association conducts its business including branch structure, communication with the members and the organisation of the ADC. The Executive Committee continues to keep this under review.

Resolution 32

That Conference instructs the incoming Executive Committee to examine and to report back to the next ADC in relation to fully employing Information and Communication Technology to enhance communication between head office and branches and to dispense with the need for paper based transactions for the purpose of proposing motions for conference or nominations for membership of the Executive

Action Taken:

Electronic communication is the main vehicle for information sharing with and communications between Association Head Office and branch secretaries. The Association web site was redesigned during the year and information is posted on the site on a regular basis. The annual report is also available on the site. Motions for ADC can be sent to Head Office electronically. Nominations for Officerships, Executive Committee and Standing Orders must be paper based as the Rules and Constitution of the Association require that the candidates signature accepting the nomination is attached to the nomination paper.

REMITTED MOTIONS

Motion 12

Conference notes the most recent Benchmarking awards to our grades factored in a 12% reduction to take account of pension contributions. This Conference takes the very strong view that the pension issue for our grades is now dealt with and no attempt to further penalise our grades in terms of pay or pension adjustments will be accepted.

Revenue Branch

Action Taken:

This will be factored into the next submission to a third party whenever there is one as well as the recently imposed "pension levy".

Motion 17

That this Conference instructs the incoming Executive to commission a detailed and comprehensive survey of all AHCPS members to:

- (a) ascertain members' views on the costs and benefits for the administration of central government, in the short-term and long-term, of the overall decentralisation programme, as envisaged in its entirety, involving the complete relocation of 8 Government Departments;
- (b) ascertain the positive and negative impacts on morale and general engagement with their career and work that the decentralisation programme is currently having on members; and
- (c) publish extensively or promote publicity in relation to the overall detailed analysis of the survey results referred to at (a) and (b) and also of the findings of the Executive Committee's report of May 2007, Public Service Decentralisation – The Need for an Immediate Review, with particular emphasis on implications for taxpayers and customer service.

Environment, Heritage & Local Government Branch

Action Taken:

The Association has published two reports to date on Decentralisation and is aware that the last DIG report has recommended that certain aspects of the programme be deferred to 2011 pending a review.

HEALTH & SAFETY

Motion 25

This Conference notes that a number of findings on cases taken under the equality legislation, have had the effect of widening the definition of work place to include certain work related social events. As this could carry a potential exposure to litigation and liability under negligence and/or Health and Safety legislation, Conference directs the incoming committee to secure a Direction centrally on how Managerial Staff is to deal with this development.

Social & Family Affairs Branch

Action Taken:

The Executive have kept this under review.

Motion 27

That this Conference instructs the AHCPS to lodge a Motion to the ICTU Conference instructing all Unions affiliated to the ICTU to submit the PPSN's of all their members to Revenue so that the Tax Credit for Trade Union Subscriptions can be allocated to all members of the Trade Union movement without having to lodge individual claims.

Revenue Branch

Amendment

In the second line delete the word "instructing" and replace with "recommending that"; In the 3rd line after "all Unions affiliated to the ICTU" delete the word "to" and replace with "should request that their employers"

Enterprise Trade & Employment Branch

Action Taken:

The Executive Committee has decided not to submit a motion along these lines to ICTU at this stage.

THIRD WORLD/CHARITY FUND

Motion 34

That Conference authorises the Executive, subject to receiving appropriate reassurance that the funds are being well directed, to negotiate an increase in the voluntary contributions from pay in respect of the Civil Service Third World Fund and the Civil Service Charities Fund from 0.001% (existing rate) to 0.002%, in view of the fact that those rates were agreed in 1980 and 1991 respectively.

Community, Rural & Gaeltacht Affairs Branch

Action Taken:

The rates quoted above are incorrect, it is 0.1%. Because it is a percentage of salary the amount contributed automatically increases in line with pay increases. The Association is represented on both management committees. The view of both management committees is that they need more staff members contributing rather than an increase in the subscription rate. Therefore, the Executive Committee has decided not to seek an increase in the rate.

1.5. TRUSTEES AND AUDITOR

The Association's Trustees are Ms Margaret Kelly, Mr Brian Murnane and Mr Peter Greene. Peter Greene resigned as Trustee with effect from February 2009. The Executive Committee appointed Mr Sean McDonald, Foreign Affairs branch to the vacant position. The trustees are appointed until May 2011.

Power & Associates Accountants were appointed as the Association's Auditors.

1.6. HONORARY PRESIDENT AND HONORARY VICE PRESIDENTS

Donal O'Mahony continues as Honorary President of the Association.

The other Honorary Vice Presidents continue to be as set out in the list of Honorary Officers of the Association.

1.7 CONSULTATIVE COUNCIL

The Consultative Council met in Head Office in Dublin on three occasions 23 October 2008, 29 January 2009 and 11 February 2009. The principal issues discussed at these meetings were the T2016 pay agreement at the October meeting. At the January meeting the current economic difficulties and the Government's discussions with ICTU were discussed. At the February meeting the "Pension Levy" and the Association's response were the topics of discussion.

1.8 MEMBERSHIP

The Association, at 31 December 2008, represented 3,464 members at Principal, Assistant Principal in the Civil Service and equivalent levels in a number of state enterprises. 257 new applications were received during the year. The gender breakdown of membership is 1,025 female (30%) and 2,439 male (70%)

1.9 MEMBERSHIP SERVICES LEGAL DISCLAIMER

The Executive Committee and the Association accept no legal responsibility for the services provided to members under the various schemes and arrangements in operation.

1.9.1 Income Continuance Plan – Covering Long-Term Disability

The Plan, which is operated on behalf of the Association by Eagle Star Assurance Company, provides a guaranteed source of income in the event of : (a) total disability or (b) partial disability following total disability as defined in the Plan and explanatory Booklet available to members. There are currently 2,070 members in the Plan.

The contribution rate is currently 0.9% of salary and is due for review during 2009.

With effect from the 5th April 2001, full Tax/PRSI relief applies on the premiums paid under the "net pay procedure" which means members will not have to claim tax relief back from the Revenue Commissioners.

1.9.2 Group Life Assurance Scheme

The Group Life Assurance Scheme, which provides supplementary Death in Service cover of twice salary, is underwritten by Irish Life Assurance plc. at a contribution rate of 0.65% of salary. The rate was increased during the year to allow members continue cover when they retire up to age 80.

The Scheme is under the umbrella of the existing AHCPS Additional Voluntary Contribution Plan and the deduction qualifies for full Income Tax/PRSI Relief. The tax relief under this Scheme is allowed under the Net Pay Procedure as a supplementary Superannuation Deduction, which means that members do not have to submit Tax Certificates or claim tax relief from the Revenue Commissioners. There are 942 members currently in the scheme.

1.9.3 Additional Voluntary Contributions

Under the Finance Acts it is possible for a person in an occupational pension scheme to make additional voluntary contributions. The AVC Scheme is fully allowable for Income Tax and PRSI relief.

Please note there is a charge on every contribution and a ongoing management fee on the fund. If you are availing of an AVC please check with the Broker regarding the cost of the AVC before you agree.

1.9.4 Association Brokers

The brokers for the three above named schemes are Gregan McGuinness (Life & Pensions) Ltd., Cornmarket, Christchurch Square, Dublin 8 Telephone 01 4084000.

1.9.5 AHCPS Gold VISA Card

The Association has an agreement with MBNA Europe Bank Ltd for the issue by them of an AHCPS Visa Gold Card. The card carries the AHCPS Logo and promotes the Association whenever and wherever members use it. The Association has agreed that the normal contribution, which MBNA would make to the Association for attracting members, would instead be taken into account for the benefit of members in determining the rates and services provided.

1.9.6 Car /House Insurance

Car and House Insurance schemes are available to members from the following brokers:

- AA Ireland
Tel: 01 6179253 or Email: AHCPS@aairland.ie
- Glennons Insurance:
Tel: 01 7075959 or Email: ahcps@glenncns.ie

- Prestige Underwriters Group Motor/Home Insurance through Santam Europe Ltd.
Tel: 1890 808666 (049 4371505)

1.9.7 Travel Insurance

Annual Family Multi Trip Travel Insurance including European Motor Breakdown Assistance and Winter Sports Cover is available to members from Prestige Underwriters Services (Ireland) Ltd. 8 Ashe Street, Cavan. Tel 1890 808666. The cost is as follows:

	Annual Premium 1st April Renewal	Annual Premium On any otherdate
Family Rate	€ 72	€79
Single Rate	€53	€58
Couple Rate	€63	€ 68

The policy is designed to cover the immediate family of the Main Insured Person including children up to the age of 22 in full time education and residing with the main insured person.

1.9.8 Group Mortgage Insurance Scheme

Group Mortgage Protection Scheme is provided by: Lyons Financial Services, Office 1, Dunboyne Business Park, Dunboyne, Co Meath.
Tel: 01 8015808
Website: www.lyonsfinancial.ie

1.9.9 Mortgage Scheme

Exclusive mortgage packages are available to AHCPS members from Omega Financial Management, 110 Rock Road, Booterstown, Blackrock, Co Dublin.
Tel: 01 2884272.

1.9.10 Investment Advice and Portfolio Management Service

Independent financial advice is provided to members from the following brokers:

- Gregan McGuinness (Life & Pensions) Ltd., member of the Cornmarket Group, Christchurch Square, Dublin 8.
Tel: 01 408 4000
- Omega Financial Management, 110 Rock Road, Booterstown, Blackrock, Co Dublin.
Tel: 01 288 4272

1.9.11 Legal Advice Service

The Association's solicitor, Mr Edward McGarr, continues to provide a general legal service to members. Mr McGarr may be contacted at McGarr Solicitors, 12 City Gate, Lower Bridge Street, Dublin 8. Tel: 01 6351580.

1.10 RULES AND CONSTITUTION

A copy of the Rules and Constitution is attached as **Appendix B**. The Rules and Constitution of the Association are available on the AHCPS Website www.ahcps.ie.

1.11 STAFF

The staff of the Association are:

General Secretary	Dave Thomas
Deputy General Secretary	John Kelleher
Assistant General Secretary	Ciaran Rohan
Executive Assistant	Jacqueline Lacey
Receptionist	Dorothy Aughey
Revenue Branch Administrator	Pat Feeney

The Association appointed Ciaran Rohan, as Assistant General Secretary. Ciaran is on secondment from the Department of Education & Science, he took up duty in May 2008.

Tom Quigley Honorary Vice-President, Joe Brennan together with Laura Noonan assisted at the ADC with recording and writing the minutes of the 2008 ADC. Their contribution is greatly appreciated.

The Executive Committee also wish to express their appreciation for the work and commitment of the staff.

CIVIL SERVICE

2.1 PAY

The talks on the new pay element of the T2016 took place over a six month period and were close to breaking down at the end of the summer. However, a new agreement was concluded in September. The AHCPs voted by 93% to accept the Agreement and on the 17th November 2008 the Agreement was ratified by the ICTU. It was agreed that the Review and Transitional Agreement 2008-2009 would come into force on the expiry of the pay agreement under Part 1 of Towards 2016 and would last for 21 months from the 1st October 2008 to 1st July 2010.

The Agreement was as follows:

- A pay pause of 11 months from the expiry of the last phase of the first module under 2016 (1 October 2008);
- 3.5% from 1 September 2009; and
- 2.5% from 1 June 2010; except for those earning up to and including €430.49 per week [€22,463 per annum] on commencement of the second phase when a 3% increase will apply.

In addition an increase of 1.1% for Principal Officers (recommended by the Benchmarking Body) from 1 September 2008.

The Agreement in relation to the civil service was agreed at General Council at its meeting on 28 November 2008.

Discussions between the Government and Social Partners on the economic crisis commenced on Friday 23rd January 2009. A major complication occurred at the beginning of the talks when a letter from IBEC to Congress indicating that it was instructing its members in the private sector not to pay the agreement. Notwithstanding this the Government and Social Partners reached an agreement on a Draft Framework for a Pact on Stabilisation Social Solidarity and Economic Renewal on 28th January. The central feature of this pact was the need to make a creditable start to restoring the public finances by reducing the Exchequer deficit by 2b in 2009.

The Association's Consultative Council met on two occasions during this period. The general consensus was that:

- (1) a pension levy was preferable to a pay reduction,
- (2) the Association should seek to ensure that increments continue to be paid.
- (3) the benchmarking award should be part of any agreement

- (4) there should be no reduction in pension entitlements
- (5) an increase in unpaid leave should be sought.

In the course of these discussions the Official Side made it plain that the Government had to save €2bn from its expenditure in 2009 and they intended focusing mainly on public sector pay. On the morning of Tuesday 3rd February the Official Side presented its position to the unions and it was as follows:

- (1) the non payment of pay increases scheduled under T2016, module II in September 2009 and June 2010;
- (2) an increased pension contribution on all pay of 3% on the first €15,000 of earnings, 6% on the next €5,000 and 10% on the balance.
- (3) 25% cut in Rates for domestic travel and subsistence
- (4) increments to continue to be paid
- (5) in the context of reaching agreement it was stated that the benchmarking award would be paid,
- (6) it was also stated that all non pay leave schemes would be relaxed to encourage as many staff as possible to avail of them. Incentives to encourage people to take career breaks of a minimum of three year duration would be introduced,
- (7) voluntary retirement scheme to be introduced initially in the Health Sector and over a period of time would be extended to other areas.

The talks broke down and later that day in the Dail the Taoiseach made announcements in relation to expenditure adjustments including the pension levy, non-payment of the pay agreement, cuts in relation to domestic travel and subsistence rates as outlined above and other cost saving measures.

The Public Service Committee of Congress met and considered the position and it was decided that the Public Services Committee would ask the ICTU Central Council to support a campaign against all the issues and not just the public service issues. The Executive Council of Congress met on Wednesday 11th February and agreed on a 10 point plan associated with a social solidarity pact. The Congress position was to engage the Government on the 10 key initiatives and if engagement was not possible then it was agreed to embark on a major campaign aimed

at achieving a change in Government policy. This commenced with a major demonstration on Saturday 21 February in Dublin which over 120,000 people attended. The Association participated in this march with many members marching behind the Association's banner.

The Executive Council of Congress met to review the campaign in support of the congress 10 point plan and decided to up the stakes by offering to negotiate a three year agreement with the Government based on the plan. In default of the Government accepting the Congress initiative, the Executive Council of ICTU decided that the campaign would have to be sustained and measures taken to protect pay and conditions. ICTU accordingly invited affiliated unions to conduct ballots for industrial action up to and including strike action. The objective of the strike action was to achieve compliance with the terms of T2016 Transitional Agreement or to achieve an acceptable alternative.

The Executive Committee met on the 2nd March to consider the ICTU request to hold a ballot of industrial action. They decided to ballot members on a one day stoppage on 30th March which was the date set by ICTU for a national strike. The closing date for this ballot was set for 24th March. **Result of ballot is as follows:**

Ballot Papers issued	3250
Ballot Papers returned:	2583
Spoilt Votes	1
Valid Poll	2582
In Favour:	1017 (40%)
Against:	1565 (60%)

2.2 OECD REVIEW

A major review of the Irish public service was carried out by the OECD and it reported in April 2008. The Review had two main objectives:

- (a) to benchmark the public service in Ireland against other comparable countries, and
- (b) to make recommendations as to the future direction of public service reform.

The Association made two submissions to the Review Body.

Four key themes were examined by the OECD.

- (1) the capacity of the public service
- (2) the performance and budgeting
- (3) governance and
- (4) service delivery.

The Report found that public expenditure has risen sharply in Ireland but from a low base and at a slower rate

than the overall economic growth. It points out that Government policy has actually decreased the total number of public sector employees as a percentage of the labour force and decreased the overall public sector wage bill as a percentage of the GDP between 1995 and 2000. It also pointed out that Ireland's public service represents around 14.6% of the total labour force which is relatively low amongst OECD countries and is significantly less than the level of public employment in countries such as Norway, Sweden, France, Finland, and Belgium.

The Report also found that the Irish Public Service stood up well when compared with other public services in other OECD countries.

The Report also recognises that "Irish Public Services played a centre role in ensuring that the right economic/regulatory education and social conditions are in place to facilitate growth development." It also recognises the value of the extensive reform efforts undertaken to date in Customer Service, e-Government, HR, Financial Management and better regulation.

The main recommendations of the OECD Report is the concept of the public services as a more integrated system. It recommends that there would be a more co-ordinated network approach across the sectoral and organisational boundaries between the civil and public service. It also recommended the setting up of a Senior Public Service Executive. The OECD considered that there is:

- (1) a need for a planned, structured approach to developing future leaders of public service,
- (2) there is an opportunity for the cross fertilisation of skills and competencies in the wider public service and for building regional talent pools and a "whole government" ethos,
- (3) there should be better performance dialogues between the centre and line departments and agencies.

2.3 TASK FORCE

Following on from the Report, the Government appointed a Task Force to develop an action plan for the public service to report to the Government. The Task Force consisted of

- Dermot McCarthy, Secretary to the Government, Chair
- Mark Ryan, Country Managing Director, Accenture
- John Moloney, Group Managing Director, Glanbia PLC
- Breege O'Donoghue, Director, Penneys Primark
- Paul Haran, Principal, College of Business and Law, UCD

- Ciarán Connolly, Secretary General (PSMD), Department of Finance
- Michael Scanlan, Secretary General, Department of Health & Children
- Geraldine Tallon, Secretary General, Department of Environment, Heritage & Local Government; and
- Brigid McManus, Secretary General, Department of Education & Science;

The Terms of Reference of the Task Force were to prepare for consideration by the Government a comprehensive framework for renewal of the Public Service, which takes into account the analysis and conclusions of the OECD Report, as well as the lessons to be drawn from the Strategic Management Initiative, the Organisational Review Programme and the Efficiency Review Process.

The report of the task force on the public service was launched on the 24th November 2008 by the Taoiseach Mr Brian Cowen TD. The main thrust of the report is on reform of the public service to deal with the challenges of the 21st Century. The objective of the Government is for greater efficiency in the delivery of public services by securing a greater rate of flexibility, not only in staff mobility but through technology. The Minister for Finance also announced the establishment of a Special Group of Public Service Numbers and Expenditure Programmes. The Group will be chaired by the economist Mr Colm McCarthy. The Special Group will review the scope for reducing or refocusing the existing range of expenditure programmes and will look critically on public servants employed in all areas across the public service. It will aim to assess the scope of transferring staff to priority areas, identifying surplus staff and reducing numbers. This Group has become known as “An Bord Snip Nua”.

The Task Force recommended moving to a unified public service and breaking down the barriers to moving from one part of the public service to another. This would allow civil servants to be redeployed across organisations into other public service sectors and *vice versa*.

In order to encourage an environment that attracts the brightest and best talents and enables the best people to be in positions of leadership starting with the civil service there will be a new Senior Public Service which will ensure that those at the top have the skills and experience to equip them to take on their responsibilities. This will be at Assistant Secretary level in the civil service initially and be extended to other equivalent groups across the wider public service over time.

The changes announced in the Task Force will be overseen by a new Cabinet Sub Committee chaired by the Taoiseach and comprising of the Ministers for Finance, Health & Children, Education & Science and Environment, Heritage & Local Government.

2.4 ORGANISATIONAL REVIEW PROGRAMME

The report of the Organisational Review Programme (ORP) was published in November. Three Departments were reviewed in the pilot phase – Department of Agriculture, Fisheries & Food, Department of Enterprise Trade & Employment and the Department of Transport. Each Department produced an action plan in response to the findings of the Review and the action plans were published with the Report.

The next phase of the ORP has commenced and the three organisations currently under review are the Department of Health & Children, the Property Registration Authority and the Department of the Taoiseach.

The reviews are being carried out by a team of 3 PO’s seconded from their parent departments to the Department of Taoiseach supported by three staff from that department. The ORP is being carried out under the guidance of a Steering Committee which includes external expertise.

2.5 DECENTRALISATION

The Government’s Public Service Decentralisation Programme announced in December 2003 was to involve the transfer of complete departments, including their Ministers and senior management, to 53 provincial locations. On 14th October 2008 the Government announced that it had reviewed the decentralisation programme and identified priority elements which are to proceed at this time.

To date approximately 2,500 posts have been filled. The prioritising by the Government of the programme will see an additional 3,500 posts located to 40 locations around the country. A capital envelope for decentralisation projects of €72 million in 2009 and €90 million in 2010 has been provided.

Decisions on the balance of the programme are being deferred pending a review in 2011 in light of budgetary developments. In coming to this decision the Government has had regard to the report of the Decentralisation Implementation Group (DIG) on the State Agency aspect of the programme together with the views of the Decentralisation Sub Group of the SMI Implementation Group of Secretaries General.

2.6 SCHEME OF INTERDEPARTMENTAL PROMOTION TO PRINCIPAL LEVEL POSTS

Open Recruitment

Section 29.3 of *Towards 2016* provides for **Open Recruitment at grades above Executive Officer level** [where there is already 50% open recruitment]. It is acknowledged that recruitment at a higher level will have a cascading impact on promotions at a lower level and, in order to achieve uniformity of effect in open recruitment as between different levels, it is agreed that the civil service may recruit by open competition in any year:

- **2 in 9 of all vacancies at Principal Officer** [standard and higher scales] and equivalent grades, including professional and technical grades;
- **1 in 5 of all vacancies at Assistant Principal Officer** [standard and higher scales] and equivalent grades, including professional and technical grades, and
- **1 in 6 of all vacancies at Higher Executive Officer** and equivalent grades including equivalent professional and technical grades.

The arrangements to give effect to this are in place i.e. mainly through **generic competition** (to be run by the Public Appointments Service) for appointment to the general service posts. It is also envisaged that some recruitment may be used **to meet specialised requirements** in general service posts and these will be part of the quotas previously referred to. Where there is specialised skill recruitment, there will be discussions between the parties to give effect to this arrangement.

Where vacancies are filled by open competition under the agreement, **an offset arrangement will operate**, i.e. Departments and offices will reduce their liabilities to interdepartmental panels for the relevant grades by the same number.

Two Panels were set up in 2007 following a competition run by PAS.

The internal Panel and numbers appointed to date are as follows:

Principal Officer (conf)	81 on panel
	15 assigned
	57 remain on panel

The open panel number appointed to are as follows:

Principal Officer (Open)	37 on panel
	13 assigned
	22 remain on panel

A number of people on both panels have either been promoted internally or refused appointments. This explains the discrepancy in the figures.

2.7 TLAC

The following TLAC competitions were held in 2008:

1 at Secretary General level.

1 at Deputy Secretary level (Chief Medical Officer)

1 at Chief Inspector, D/Agriculture (between Asst. Sec and Deputy Sec)

14 at Assistant Secretary level.

16 of the above were held as open competitions.

There was one external appointment which was from the wider public service.

2.8 GENERAL COUNCIL

The General Council Staff Panel is comprised of representatives of the six civil service unions and constitutes the staff side operation of the Civil Service General Council at which matters relating to pay and terms of conditions of employment are discussed with the Official Side in accordance with the terms of the Conciliation and Arbitration machinery for the civil service.

During the past year there were 11 monthly meetings of the General Staff Panel together with numerous meetings of sub committees of General Council. There were 23 agreed reports of the General Council in 2008.

AHCPs Deputy General Secretary John Kelleher was elected Chairperson for 2008. The officers for 2009, elected at the AGM in January are Chairperson John Rossiter PSEU, Vice Chairperson John O’Flanagan IMPACT. Joan Byrne CPSU continues as Secretary to the panel.

The annual report of the Secretary of the General Council Staff Panel for 2008 is available on the full version of the AHCPs Annual Report at www.ahcps.ie. The report includes details on the principal industrial relations issues impacting across the civil service during the past year.

2.9 WORK LIFE BALANCE

A Positive Working Environment

The Association is represented at the Equality Sub Committee of General Council by Assistant General Secretary, Ciaran Rohan.

A Positive Working Environment is the title of the revised Anti Harassment, Sexual Harassment and Bullying Policy for the Civil Service. This document, which will be available shortly, looks at:

What are harassment, sexual harassment and bullying?

Policy statement on harassment, sexual harassment and bullying

Understanding harassment, sexual harassment and bullying

The Employment Equality Acts 1998 - 2007

Employee Assistance Service

Creating a harassment, sexual harassment and bullying free environment

Handling Complaints Of Harassment, Sexual Harassment And Bullying

- Formal Procedures
- Investigation
- Review
- Aftermath

Term Time

It was agreed at the Work Life Balance Network that all departments/offices would have the same closing date for applications for Term Time. The date agreed is the 2nd November each year.

The extension of Term Time arrangements has been raised by the Staff Side at the Equality sub committee of General Council. The staff side continue, particularly in the current climate, to persuade the Official side of the benefits of such a change in the policy.

Crèches:

There are six crèches in operation under the civil service child care initiative. Mount Street and Marlboro Street in Dublin, Backweston, Athlone, Sligo and Ennis. Nurture Childcare has been given the contract to operate four crèches in Cork, Ennis and the two Dublin crèches. All four crèches have now been handed over.

Work Life Balance Statistics:

Statistics have been compiled by the Department of Finance in relation to the take up of WLB initiatives in the Civil Service. The statistics have been broken down by grade and gender. The statistics show that, unsurprisingly, grades represented by the Association are underrepresented.

Parental Leave Circular:

A revised parental leave circular (Circular 20/2008) was issued by the Department of Finance on 6/12/08.

Force Majeure Circular:

A revised Force Majeure circular will be issued shortly.

Career Breaks:

The Staff Side submitted a claim to have the maximum duration of a career break lengthened from 3 years to 5 years for those who are setting up a business. This claim has been disagreed as the Official Side considered that it should not take an individual longer than 3 years to set up a business.

Ageism in Promotions:

The Association is still awaiting a date from the Equality Tribunal in respect of three cases submitted relating to the 2nd last interdepartmental competition.

Disability Research:

Rahaleen, on behalf of the National Disability Authority, are conducting research in relation to issues concerning employees with disabilities. The research has a particular focus around the current procedures for disclosing disabilities. The Association hosted a meeting between a number of members with disabilities and Rahaleen.

Equality and Diversity Champions

This is an ICTU initiative, in partnership with the Equality Authority, to enable its member trade unions to take action to promote workplace equality generally and to develop specific actions regarding the promotion of integrated workplaces.

Disability

The Association is represented at the Disability Sub Committee of General Council by the Deputy General Secretary John Kelleher. There were a number of meetings of the Committee during the year.

The Civil Service Code of Practice for people with a disability was presented to the Disability Liaison Officers and it was proposed that partnership steering committees should have the Code as a regular item on their agenda.

The Work Placement Project (WPP) continued in 2008 but was funded by FAS and not the EU as in previous years. The project is aimed at providing work experience for graduates with disabilities. There were 16 successful graduate candidates offered placements in various government departments for periods of six months.

The monitoring of the number of employees with a disability continued during the year. Some departments are still not meeting their 3% target.

A new website www.disabilities.gov.ie went live during the year.

2.10 Health & Safety

Mobile Masts

There have been a number of discussions at the sub committee of General Council on the installation of mobile masts on certain state owned buildings. The staff side have made it known that their preference is that there should be no installations of mobile masts at work locations. That the employer has a clear obligation under health and safety legislation to provide a safe place of work for employees and that information on emissions is made available to staff in these locations. The Official side have reiterated that the installations are safe and that they are installed under strict regulations. The staff side have requested that a report recording disagreement be drawn up.



STATE ENTERPRISES

3.1 AN POST AND NATIONAL LOTTERY COMPANY

Performance Related Pay

The 2008 AGM instructed the negotiations team to go back to the company and to outline that the preferred option in relation to the PRP proposals was a pay scale and access to a bonus similar to the Direct Report Model rather than a HAY Model. The Deputy General Secretary and Branch Secretary Willie Prendergast also met with the Direct Reports in Galway and Cork during March/April to obtain as wide a view as possible. The views from the meetings with the Direct Reports mirrored the view at the AGM.

The Association outlined its position to the company at a meeting in May 2008. This was circulated in detail in a newsletter last June.

On 21st August the Company wrote to the Labour Relation Commission seeking their assistance through a conciliation conference. As the LRC was slow in responding to that request the Association followed up with a letter on 29th October urging an early meeting. This was followed up by the Association with phone calls. Eventually a date of 22nd January was obtained for the LRC meeting. No progress was made at the LRC and it was agreed that the Company's proposals would be brought back to the AGM which was scheduled for 26th February last.

There was a full and frank discussion at the AGM on the PRP proposals. The unanimous decision of the meeting was, to postpone any decision for a few months. This was because of the current uncertainty in both the wider economy and in An Post in relation to the payment of Towards 2016 in May, HAY market movement for all Level 2 managers and Level 3 managers in IT, Sales and National Lottery and whether bonus payments for 2008 in relation to the above grades, would be paid. It was further decided that:

- a) The Association would await the outcome of the 2% increase in the Change and Productivity Improvement Allowance.
- b) Seek an improvement in the zone 3 rate as it applies to IOS II/IO grades, as the max of the grade is way above the zone 3 HAY medium.

Change and Productivity Improvement Agreement

The initial Change and Productivity Improvement Agreement agreed in November 2004 awarded a 10.5% payment. Since then other CWU grades and CPSU grades have negotiated an increase in the payment up to 12.5%.

The PSEU have recently received a favourable Labour Court Recommendation awarding an increase of 2%, to bring them up to 12.5%.

The Association has following failure in local negotiations referred the matter of an additional payment of 2% to the Labour Relations Commission and are awaiting a date for a meeting.

Employee Director Electors

The Branch put forward Joe Gleeson a member of the Branch Committee as its candidate for the Employee Director Elections. Joe put in a very creditable performance and secured 540 first preference votes. This was a particularly strong performance given that the Association has only 200 members in the Company. However, it was not enough to secure a seat for the Association, and the five seats were filled by the CWU (four seats) and the PSEU candidate with support from the CPSU took the fifth seat.

Postal Liberalisation

The Association represented by Deputy General Secretary John Kelleher and Branch Secretary Willie Prendergast attended the UNI Global Union Meeting in Luxembourg last November. The main issue under discussion was the EU proposals on postal liberalisation, which is due to come into effect from 1st January 2011. To date the Government have not outlined how they propose to fund the Universal Service Obligation (USO). The financing of the Universal Service Obligation will have implication for the viability of the company in a fully competitive market.

The Association along with the other An Post unions made a comprehensive submission to the Department of Communications, Energy & Natural Resources public consultative process on the third EU Directive during the summer of 2008. The Consultation paper included issues such as how the cost of USO would be met, the role of the regulator, downstream access and barriers to competition. All parties are awaiting the review by the Department of the various submissions.

The decisions made over the next year or two will determine the future viability of the Company.

Partnership

The Assistant General Secretary Ciaran Rohan and Branch Secretary Willie Prendergast attend the monthly Partnership meetings on behalf of the Association with the Chief Executive and his management team. The most recent presentation from the company indicated a worrying drop in mail volumes which is impacting

negatively on the Company's finances. The Chief Executive will communicate with all staff members shortly regarding the matter.

3.2 FÁS

One by-product of the current economic crisis has been the government review of the decentralisation programme. This had been the cause of industrial unrest in the FÁS head office in Dublin previously, and had caused great unease amongst members. FÁS established a small Head Office in Birr, staffed by less than 40 people. However the changed circumstances means in reality that the decentralisation process, in a situation where there are literally no volunteers to decentralise is dead.

The branch officers continue to meet on a quarterly basis with FÁS HR/Staff Relations management representatives, and issues are discussed that are of concern to members. These meetings also involve the other Civil Services unions, to cover common concerns, and are usually followed by a separate meeting on AHCPs issues. Any urgent issues are raised through direct contact during the intervening periods. FÁS have also drafted a Memorandum of Understanding, to facilitate an environment of harmonious industrial relations, which the branch are happy to sign up to. The branch also participates in the National Partnership Group, with representatives of all the other unions in FÁS.

Current issues include concerns re the Pension Levy, the voluntary nature of the rotation policy for managers, particularly with regard to career development, and the implementation of the Performance Development System. Branch members also take part in the Partnership process, working with the FÁS official side and representatives from the other unions, covering areas such as the establishment of competencies for future management promotion and recruitment, and the introduction of Quality ISO standard procedures.

3.3 OFFICE OF TOBACCO CONTROL (OTC)

The Government announcement on the Rationalisation of State Agencies will see the Office of Tobacco Control (OTC) which is based in Naas amalgamate with the two bigger Dublin based organizations the Food Safety Authority of Ireland, where we also have members and the Irish Medicines Board into a Public Health and Medicines Safety Authority. The new body is planned to be operational from January 2011.

The amalgamation creates particular difficulties for the OTC in that six of the twelve staff are on fixed term contracts that expire in December 2009 and are unlikely to be extended. Three other staff members are on secondment from other civil service departments or the Health Services Executive. The net result is that the Office could end up with a staff of three at a time when there is a heavy legislative workload. The geographic location of

the new body is another issue that is of concern to the staff of the OTC. The Association is in discussions with the Department of Health and Children in relation to both these and other issues.

3.4 IRISH AVIATION AUTHORITY (IAA):

The Authority became the first state company to formally enter a partial 'inability to pay' plea under the terms of the national deal agreed in the Transitional Agreement. The IAA comes under the ambit of private sector arrangements in the context of national wage agreements. Staff were formally due to be paid the first phase (3.5%) on July 1, 2008 and phase two (2.5%) from January 1, 2009. The IAA wants to defer the 3.5% to January 1, 2009 and the 2.5% payment to January 12, 2010. This translates into a call for two pay pauses, of six months and twelve months respectively.

The Group of Unions in the IAA (including the AHCPs) referred the matter to the Labour Relations Commission. As provided for under the terms of Towards 2016 an agreed assessor, Mr Eugene McMahon, has been appointed under the LRC pay assessment system. He is currently examining the case.

In addition, there are ongoing problems with the funding of the IAA's pension scheme which is in deficit.

3.5 OTHER AGENCIES

The Association continues to provide a negotiating and representational service in respect of pay, terms and conditions of employment and related matters in a number of state agencies including :

- ◆ Food Safety Authority
- ◆ Food Safety Promotion Board (Safefood)
- ◆ Ordnance Survey Ireland
- ◆ Health & Safety Authority
- ◆ Pensions Board
- ◆ Commission for Communications Regulation (ComReg)
- ◆ Commission for Energy Regulation (CER)
- ◆ Eircom
- ◆ National Roads Authority
- ◆ Marine Institute
- ◆ An Bord Pleanála
- ◆ Environmental Protection Agency
- ◆ National Centre for Partnership & Productivity
- ◆ Irish Water Safety
- ◆ Personal Injuries Assessment Board
- ◆ Road Safety Authority

AFFILIATIONS AND RELATIONS WITH OTHER ORGANISATIONS

4.1 IRISH CONGRESS OF TRADE UNIONS

The Association continued its membership of ICTU during the year.

4.1.1 PUBLIC SERVICES COMMITTEE

The Association participated in the work of the Public Services Committee of Congress. The Committee is representative of public service unions in the civil service, local authorities, health boards, teaching and those general and craft unions which have members in the public service. The Annual General Meeting of the Public Services Committee took place in May 2008.

4.1.2 ICTU WOMEN'S COMMITTEE

John Kelleher, Deputy General Secretary represents the Association on the ICTU Women's Committee.

4.1.3 ICTU RETIRED WORKERS' COMMITTEE

The Association is represented on the Retired Workers' Committee of Congress by Vice-Presidents Tom Quigley and Con Ryan.

4.2 CIVIL SERVICE UNIONS

The Association maintains close contact with the CPSU, PSEU, IMPACT, and the POA.

4.3 VETERINARY OFFICERS' ASSOCIATION (VOA)

The AHCPs continues to provide negotiating and representational facilities to the Veterinary Officers' Association.

The VOA represents 320 veterinary staff in the State Veterinary Service. The members of the VOA are also associate members of the Association.

4.4 RETIRED CIVIL AND PUBLIC SERVANTS' ASSOCIATION

The Association provides accommodation facilities to the Retired Civil and Public Servants' Association and facilitates them in every way possible.

4.5 EUROPEAN FEDERATION OF PUBLIC SERVICE UNIONS (EPSU)

The Association has affiliated to EPSU from 1st January 2006. The Federation, which was founded in 1978, represents 8 million workers in 216 public service unions

in all EU countries. The General Secretary Dave Thomas and Executive Committee member Angie Noonan are due to attend the 8th EPSU Congress in Brussels in June.

4.6 UNION OF FINANCE PERSONNEL IN EUROPE (UFE)

The Association is affiliated to the UFE in respect of its Revenue membership.

The 31st UFE Customs Committee Meeting was held in Budapest in September 2008. The Association was represented by Dave Thomas, General Secretary, Mary Farrell and Frank O'Dwyer, Revenue Branch.

4.7 UNION NETWORK INTERNATIONAL [UNI]

The Association is affiliated to UNI in respect of its An Post membership. The Deputy General Secretary John Kelleher and An Post Branch Secretary Willie Prendergast attended a meeting of the group in Luxembourg in November 2008.

4.8 ASSOCIATION OF FIRST DIVISION CIVIL SERVANTS (FDA)

The Association was represented at the 2008 FDA Annual Delegate Conference by John Kelleher Deputy General Secretary and Jackie Lacey, Executive Assistant. The Association also maintained close contact with the FDA (Northern Ireland) and the Deputy General Secretary John Kelleher attended their 2009 Annual General Meeting in March.

4.9 FDA PARLIAMENTARY GROUP

The FDA Parliamentary Group which comprises of FDA members in The Westminster Parliament, The Scottish Parliament, The Welsh Assembly, the Northern Ireland Assembly and AHCPs members from the Oireachtas Branch. This group met in London in October 2008.

4.10 INSTITUTE OF PUBLIC ADMINISTRATION

The Association continued in membership of the IPA. The General Secretary, Dave Thomas is a member on the Board.

4.11 IRISH LABOUR HISTORY SOCIETY

The Association is also affiliated to the Irish Labour History Society.

4.12 HOSPITAL SATURDAY FUND

The Association is represented on the Board of the HSF Health Plan by the General Secretary, Dave Thomas, who is the Vice-Chairman of the Board.

**4.13 COMBINED SERVICES
THIRD WORLD FUND**

The Association is represented on the Third World Fund by Niall MacSuibhne, Revenue.

4.14 CIVIL SERVICE CHARITIES FUND

The Association is represented on the Civil Service Charities Fund by Larry Dunne, Executive Committee.



MINUTES OF THE ANNUAL DELEGATE CONFERENCE HELD ON 9th MAY 2008

1 Opening of Conference.

- 1.1 The Chairperson, Ciaran Rohan called Conference to order at 9.55am.
He welcomed the delegates, press, and guests from FDA London and Northern Ireland.

2. Adoption of the minutes of the Annual Conference 2007

- 2.1 On being formally proposed and seconded the minutes of the Annual Delegate Conference 2007 were adopted.

3. Appointment of Tellers

- 3.1. The following were appointed as tellers:

Willie Prendergast
An Post Branch

Grainne Bolger
Department of Justice, Equality & Law Reform

Robert Butler
Department of Agriculture & Food

4 Adoption of Standing Orders Committee Report

- 4.1 Brian Ingoldsby, Chairperson of the Standing orders Committee was called upon to move the Report. He made particular reference to Paragraph 8 of the Standing Orders Report, which related to the procedure that was being proposed for the debate as a group, composite motion A, and motions 8, 9, & 10, all dealing with Pay/Benchmarking. The same applied to motions 15 to 20 that relate to various aspects of decentralisation. All of these motions lent themselves to being debated as a group.

He made further reference to another proposal in paragraph 7 of the Standing Orders Report which proposed that Conference depart from having a formal coffee break, and instead to have tea/coffee available permanently to all as desired.

Standing Orders Report Nos.1 & 2 were then put to Conference and adopted.

The full Reports of the Standing Orders Committee are reproduced at Appendix I to these minutes.

5 Chairperson's Address

The Chairpersons Address is reproduced at Appendix II to these minutes.

6. Annual Report 2007/2008

- 6.1 Dave Thomas presented his first Annual Report as General Secretary, to Conference. The full text of

the Report is reproduced at Appendix III of these minutes.

- 6.2 There were no questions raised on the Annual Report and it was adopted unanimously by Conference.

7. The Financial Statement – Treasurer's Report

- 7.1 The Treasurer, Mary McLoughlin in her report to Conference presented an overview of the Association's accounts for 2007, and gave a report on the payment of the mortgage on the Head Office building. She also detailed the changes in the membership subscription rate and the impact on income going forward.

The main points from her Report were:

- Income was down marginally on 2006 to 1727m. There was one extra pay day in 2006 which accounted for the drop in income in 2007.
- Expenditure decreased in 2007 by 5.6% to €1149m.
- There was a surplus of expenditure over income of €478k
- Investment and savings at the end of December 2007 were €579k
- The mortgage on the head office building, Fleming's Hall was cleared during the year.
- Membership numbers at the end of December 2007 were 3372.
- Membership subscription rate was reduced from 0.6% to 0.5% of salary from January 2008 which represents an average saving of €75 per member per annum.
- Projected income for 2008 will be down by €300k as a result of the reduction in the membership fee.

The Treasurer also gave an update on the work that was in progress on updating and modernising the Association's web site.

Frank O'Dwyer (Revenue) in speaking to the report, referred to the healthy state that the accounts were in, but expressed concern in relation to the delay that delegates experienced before receiving payment for their expenses to Branch Conferences.

- 7.2. There were no other speakers and the Financial Report was unanimously adopted by Conference.

8. The Election of Officers, Executive Committee, and Standing Orders Committee

8.1 Officers.

The Officers elected for 2008/09 were:

Chairperson

Peadar Carpenter. Foreign Affairs

Vice-Chairperson

Tom Allen Revenue

Treasurer

Mary McLoughlin Health & Children.

8.2 Executive Committee.

Terry Agnew	Courts Service
Joe Allen	Environment, Heritage & Local Government
Tom Carney	Education & Science
Philip Crosby	Revenue
Larry Dunne	Finance
Noel Holleran	Agriculture Fisheries & Food
Eamon Hughes	An Post National Lottery
John Hughes	Enterprise Trade & Employment
Ray Lehane	Social & Family Affairs
Brian McKeivitt	Ombudsman's Branch
Angie Noonan	Health & Children
Ann O'Gorman	Justice, Equality & Law Reform

Standing Orders Committee.

There were four nominations received for the Standing Orders Committee.

The following were deemed to be elected:

David Denny	Finance.
Peter Finnegan	Office of the houses of the Oireachtas
Sheila Hanley	Revenue
Brian Ingoldsby	Justice, Equality & Law Reform

9. Motions

Rule Change.

Motion 1

Paul Doyle (Education & Science) proposed the following motion that was formally seconded by Margaret Kelly.(Education & Science)

That Conference amend Rule 9 (b) (1) as follows: - The delegate conference shall consist of the Executive Committee, the Standing Orders Committee and accredited delegates elected by and

from Branches in the numbers indicated below and notified to the General Secretary:

- (a) Branches with 30 members or less – two delegates
- (b) Branches with more than 30 members – one delegate for each additional 30 members or part thereof.

Amendment No.1

The following amendment was proposed by Conor O'Mahony (Enterprise Trade & Employment). It was formally seconded.

Delete section (b) and insert new section (b) as follows:

Branches with more than 30 members – two delegates for the first 30 members and, thereafter, one delegate per 30 members or part thereof.

The amendment was put to Conference and was carried.

The amended motion was then put to conference and was carried.

Pay/Benchmarking

Composite A.

(Stands for itself & motions 4, 5, 6, & 7, & was debated as a group with motions 8, 9, & 10)

Composite A, as detailed hereunder, was proposed by Peadar Carpenter and seconded by Mary McLoughlin.(Health & Children)

That this conference,

- (1) Notes with dismay the discrepancy between the findings of the Review Body on Higher Remuneration, and the Benchmarking Body.
- 2) Instructs the Executive to ensure that in any future Benchmarking/third party pay review, the methodology is agreed with the unions in advance, and forms part of the agreed terms of reference.

The following spoke on the motion: Mary Farrell (Revenue) Noel Holleran,(Agriculture, Fisheries & Food) Paul Doyle (Education.& Science) Kieran Smyth (Health & Children) & Jim O'Farrell.(Finance)

Composite Motion A on being put to Conference was carried.

Motion 8

Orla Corrigan (Transport) proposed the following motion that was formally seconded.

Given that the pay expectations of AHCPs grades have been seriously diminished by the outcome of the recent benchmarking process, and in view of the

fact that the impact of decentralisation has all but ended the promotional opportunities for many APs And POs, this Conference calls on the Executive Committee to lodge with the official side a claim for two further long service increments for both grades to be awarded on the same basis as the current long service increments.

Amendment.

The following amendment to this motion was proposed by Peter Dockery (Revenue), and it was seconded by Frank O'Dwyer.(Revenue)

Delete, "on the same basis as the current long service increments" and insert "Furthermore the period of eligible service for both the existing and new increments be reduced from three to two years. Service at AP/AP1 level to count as one for long service increments and similar for PO/PO1"

This amendment was carried.
The motion as amended was put to Conference and was carried.

Motion 9

Kieran Smyth (Health & Children) proposed the following motion that was seconded by John Traynor.

That Conference instructs the incoming Executive Committee to renegotiate the pay terms of Towards 2016 with a view to seeking a substantial pay increase for the grades represented by the Association in light of the very unsatisfactory outcome of the Benchmarking process and the numerous and continuing increases in the rate of inflation.

The motion was carried.

Motion 10

The following motion was proposed by Paul Doyle (Education & Science) and was seconded by Enda Hughes (Education.& Science)

That Conference instructs the Executive to ensure that in the forthcoming pay negotiations, the approach should be that, in the light of the benchmarking outturn, AHCPS members should fare no less well than the private sector, including in particular the phasing of the pay elements of any proposed deal.

The motion was carried.

FÁS

Motion 11

Mark Crowther (FÁS Branch) proposed the following motion. It was seconded by Tom Rowan (FÁS).

That Conference instructs the Executive to communicate to FÁS the concern that members feel about their lack of consultation under Towards 2016 and the possible threat to future pay awards, even though we have been flexible and cooperative with FÁS

The motion was carried.

SUPERANNUATION

Motion 12

Mary Farrell (Revenue) proposed the following motion. It was formally seconded by Frank O'Dwyer (Revenue)

Conference notes the most recent Benchmarking awards to our grades factored in a 12% reduction to take account of pension contributions. This Conference takes the very strong view that the pension issue for our grades is now dealt with and no attempt to further penalise our grades in terms of pay or pension adjustments will be accepted.

A number of branches expressed a preference to have this motion remitted. A proposal to remit was then proposed by Jim O'Farrell (Finance). It was formally seconded by Paul Molloy (OPW).

The motion to remit was then put to Conference, and was carried.

Motion 13

Ciaran Smyth (Health & Children) proposed the following motion that was formally seconded by Brendan Phelan (Health & Children).

That Conference instructs the incoming Executive Committee to negotiate an optional scheme of retirement with immediate payment of full superannuation benefits for those members who are under 60 years of age and who have 40 years service or more.

Dave Thomas, General Secretary spoke to the motion.

The motion was carried.

Motion 14

Kevin Dowling (Defence) proposed the following motion that was seconded by Brian O'Sullivan. (Defence).

That Conference instructs the Executive Committee to pursue a claim, having regard for the anticipated surpluses at Principal and Assistant Principal levels arising from decentralisation, for the introduction of a voluntary early retirement scheme for members along the lines of the late 1980's scheme.

The motion was carried.

Decentralisation.
(Motions 15 – 20 were debated as a group)
Motion 15

Kieran Smyth (Health & Children) proposed the following motion that was formally seconded by Sean Traynor.

That Conference calls on the Government to urgently review the decentralisation programme given its adverse impact on the country's public administration system.

The motion was carried.

Motion 16

Carmel Sherry (Environment, Heritage & Local Government) proposed the following motion. It was seconded by Oonagh Buckley (Environment, Heritage & Local Government)

That this Conference instructs the incoming Executive to request the Government to establish urgently a rigorous independent expert review of the implementation of the decentralisation programme, to identify, in particular;

- a) the implications, in terms of efficiency and economy, of decentralising headquarters and related policy functions of Departments and of locating Divisions of Departments across the separate locations;
- b) possible alternative approaches, as appropriate to the proposed arrangements referred to at (a) within the overall parameters of the programme.

The motion was carried.

Motion 17

Carmel Sherry (Environment, Heritage & Local Government) proposed the following motion that was formally seconded.

That this Conference instructs the incoming Executive to commission a detailed and comprehensive survey of all AHCPs members to:

- a) ascertain members views on the costs and benefits for the administration of central government, in the short-term and long-term, of the overall decentralisation programme, as envisaged in its entirety, involving the complete relocation of 8 Government Departments;
- b) ascertain the positive and negative impacts on morale and general engagement with their career and work that the decentralisation programme is currently having on members; and
- c) publish extensively or promote publicity in relation to the overall detailed analysis of the

survey results referred to at (a) and (b) and also of the findings of the Executive Committee's report of May 2007, Public Service Decentralisation – The Need for an Immediate Review, with particular emphasis on implications for taxpayers and customer service.

Richard Philpot (Executive Committee) sought support for motions 15 – 20 but proposed that this motion (17) be remitted. This was seconded by Mary McLoughlin (Executive Committee)

The proposal to remit motion 17 was put to Conference, and was agreed.

Motion 18

Sheila McMahon (Environment, Heritage & Local Government) proposed the following motion that was seconded by Oonagh Buckley (Environment, Heritage & Local Government)

That this Conference instructs the incoming Executive to request the Decentralisation Implement Group to provide as a matter of urgency:-

- a) a report outlining: (1) measures to ensure that adverse impacts on work life balance do not arise as a consequence of decentralisation; and (ii) all likely practical consequences that arise for staff who have applied to the Central Applications Facility and for staff who have not applied for decentralisation;
- b) a 'Frequently Asked Question' information facility that staff can consult to obtain detailed information as to how the Group's decentralisation proposal will apply in practice in the context of the questioner's individual circumstances and a mechanism for staff to raise specific questions.

The motion was carried.

Motion 19

The following motion was proposed by Conor O'Mahony ((Enterprise Trade & Employment) and it was seconded Noel Holleran (Agriculture, Fisheries & Food).

That this Conference notes that the operation of the procedures for reassignment of staff from the "Dublin Surplus" is often leading to considerable delays in the filling of vacancies and calls on the Department of Finance to streamline the procedures in a manner that will ensure that vacancies are filled promptly.

The motion was carried.

Motion 20

Breandáin O'Suilleabháin, (Community, Rural & Gaeltacht Affairs) proposed the following motion. Which was formally seconded:

That this Conference calls on the Executive Committee to seek payment of standard mileage allowances and time off in lieu for the extra time spent travelling each day for staff who are required to undertake additional travel in own transport to and from home to work in a temporary decentralisation location as a result of the failure of a Department or Agency to secure permanent accommodation in the official decentralised location by the date set out in official decentralisation plans. The Motion was carried.

Equality

Motion 21

Mary Farrell (Revenue) proposed the following motion which was formally seconded by Frank O'Dwyer (Revenue).

Conference notes, with concern that in a recently determined case the Revenue Commissioners have been found by the Equality Tribunal to be in breach of section 6 of the Equality Act on two separate occasions both relating to discrimination on grounds of age. This finding related to a case taken on the "Consistory" method of selection for Promotion. Commenting on the case, Niall Crowley, Chief Executive of the Equality Authority, noted that most cases of discrimination on his records now related to age and said – "All promotion processes within the civil service should now be reviewed to ensure they are open and transparent. A civil service wide strategy should be developed to promote equality for older employees and to support the effective management of age diversity" Conference endorses this call by Mr Crowley and directs the incoming Committee to seek practical methods of achieving management of age diversity.

Terry Agnew (Courts Branch) also spoke to this motion.

The Motion was carried.

Motion 22

Philip Crosby (Revenue) proposed the following motion which was formally seconded by Frank O'Dwyer (Revenue)

This ADC notes and welcomes strategies intended to ensure an effective representation of women at senior management levels in the Civil Service. In so doing Conference calls on the Executive Committee to monitor the impact of those strategies, and where necessary, to engage with the Official Side to ensure that they do not have the unintended effect of causing discrimination against some women on the basis of family status.

There were two amendments proposed to this motion by Conor O'Mahony (Enterprise Trade &

Employment) and were formally seconded. These amendments read as follows;

Amendment 1

In line 7 delete the words "against some women"

Amendment 2

Add the words "or gender" to end of motion.

Both amendments were carried by Conference.

The motion as amended was carried.

Motion 23

The following motion was proposed by Kieran Coyle (Revenue). It was seconded by Frank O'Dwyer.(Revenue)

This Conference directs the incoming Executive Committee to open negotiations so that the terms and conditions of the current Term Time arrangement may be extended to periods other than school holidays and for the purposes other than child or parental minding duties.

John Kelleher, the deputy General Secretary, spoke to this motion.

The motion was carried.

Social & Family Affairs

Motion 23

Brian Chadwick (Social & Family Affairs) proposed the following motion. It was seconded by John Patton (Social & Family Affairs)

That this ADC instructs the Executive to ensure that in the event of the transfer of Community Welfare staff from the HSE to the Department of Social and Family Affairs, the interests of our members are safeguarded and that the current ratio of posts – PO to AP and AP to HEO – will also apply to posts transferred from the HSE.

The motion was carried

HEALTH & SAFETY

Motion 25

Billy Thompson (Revenue) proposed the following motion. It was seconded by Frank O'Dwyer (Revenue).

This Conference notes that a number of findings on cases taken under the equality legislation, have had the effect of widening the definition of work place to include certain work related social events. As this could carry a potential exposure to litigation and liability under negligence and/or Health & Safety legislation, Conference directs the incoming committee to secure a Direction centrally on how Managerial Staff is to deal with this development.

Conor O'Mahony (Enterprise Trade & Employment) proposed that this motion be remitted. It was formally seconded.

Conference agreed that the motion be remitted.

TAX CREDITS

Motion 26

Garvan O'Keeffe (Revenue) proposed the following motion. It was seconded by Frank O'Dwyer (Revenue).

That this Conference instructs the Executive Committee of the AHCPS to submit the PPSN's of all members to Revenue so that the Tax Credit for Trade Union Subscriptions can be allocated to all our members by Revenue without claims having to be made to Revenue by members.

The following amendment was proposed by Conor O'Mahony (Enterprise Trade & Employment) and it was formally seconded.

"After the words "Executive Committee of the AHCPS" in the first line, add the words "to demand that the Official Side"

The General Secretary spoke to this motion.

The amendment was carried.

The motion as amended was carried.

Motion 27

The following motion was proposed by Garvan O'Keeffe (Revenue) and which was seconded by Frank O'Dwyer (Revenue).

That this Conference instructs the AHCPS to lodge a Motion to the ICTU Conference instructing all Unions affiliated to the ICTU to submit the PPSN's of all their members to Revenue so that the Tax Credit for Trade Union Subscriptions can be allocated to all member of the Trade Union movement without having to lodge individual claims.

Conor O'Mahony (Enterprise Trade & Employment) proposed the following amendment .It was formally seconded.

In the second line delete the word "instructing" and replace with "recommending that";

In the 3rd line after "all Unions affiliated to the ICTU" delete the word "to" and replace with "should request that their employers.

However following discussion on the matter, Garvan O'Keeffe (Revenue) proposed and Paul Doyle seconded that the motion be remitted.

The motion to remit was put to Conference and was carried.

TRAVEL

Motion 29

Ann Marie Caulfield (Environment Heritage & Local Government) proposed the following motion. It was seconded by Carmel Sherry (Environment Heritage & Local Government).

In view of the considerable extra travelling time between offices at separate locations imposed on members due to decentralisation, that this Conference instructs the incoming Executive to lodge a claim for "time in lieu" in respect of time spent travelling outside of official office hours.

The motion was carried.

ANNUAL LEAVE

Motion 30

Liam Kelly (Finance) proposed the following motion. It was seconded by Gary Tobin (Finance).

That Conference instructs the incoming Executive Committee to vigorously pursue a claim with the Official Side for an improved Annual Leave entitlement for AHCPS members in the light of increases in recent years of the annual leave entitlements for other grades in the Civil and Public Service, and asks that the Executive report to members on progress made.

The General Secretary spoke to this motion.

The motion was carried.

ASSOCIATION ORGANISATION

Motion 31

Bernard O'Shea (Arts, Sports & Tourism) proposed the following motion. It was formally seconded.

That Conference calls on the incoming Executive Committee that, following the ongoing rollout of decentralisation in many areas, the Association examine its administrative policy setting and structural arrangements to meet the requirements of members in the new arrangements.

The motion was carried.

Motion 32

Kieran Smyth (Health & Children) proposed the following motion which was formally seconded.

That Conference instructs the incoming Executive Committee to examine and to report back to the next ADC in relation to fully employing Information and Communication Technology to enhance communication between head office and branches and to dispense with the need for paper based transactions for the purpose of proposing motions

for conference or nominations for membership of the Executive.

The motion was carried.

Motion 33

Kieran Smyth (Health & Children) proposed the following motion. It was seconded by Brendan Phelan.

That Conference instructs the incoming Executive Committee to examine and to report within three months on the need for express conflict of interest procedure to be set out in the Rules of the Association.

A number of speakers, including John Kelleher, the Deputy General Secretary pointed to difficulties that they perceived this motion presented.

The motion was put to Conference and was lost.

THIRD WORLD/CHARITY FUND

Motion 34

Breannán O'Suilleabháin (Community, Rural & Gaeltacht Affairs) proposed the following motion which was formally seconded.

That Conference authorises the Executive, subject to receiving appropriate reassurance that the funds are being well directed, to negotiate an increase in the voluntary contributions from pay in respect of the Civil Service Third World Fund and the Civil Service Charities Fund from 0.001% (existing rate) to 0.002%, in view of the fact that those rates were agreed in 1980 and 1991 respectively.

Ruairi Gogan (Justice) and a number of other speakers felt that this motion might best be considered if remitted. He proposed its remittal. It was formally seconded.

It was the decision of Conference to remit the motion.

STANDING ORDERS REPORTS NOS, 1, 2 & 3

Standing Orders Report No. 1

The Standing Orders Committee has received nominations for Officerships, Executive Committee and Standing Orders Committee as set out in the Draft Agenda.

There is one nomination for the post of Chairperson; it will therefore not be necessary to have an election for this post.

There are two nominations for the post of Vice Chairperson; it will therefore be necessary to have an election for this post.

There is one nomination for the post of Treasurer; it will therefore not be necessary to have an election for this post.

There are 16 nominations for the 12 elective places on the Executive Committee; it will therefore be necessary to have an election for these places. The nominees for Vice Chairperson are also nominees for the Executive Committee. When the election for this position is completed one nomination for the Executive Committee will lapse leaving 15 nominations for election.

Four nominations were received for the six positions on the Standing Orders Committee. Branches are accordingly invited to submit further nominations in accordance with Rule 9 (d)(iii).

In all 34 motions have been received.

The Committee recommends as follows in relation to the motions which have been submitted.

Rule Change

Delegates are reminded that changes to rules require a two-thirds majority of delegates present and voting in order to be passed.

Pay/Benchmarking

Composite A [stands for motions 4,5, 6, and 7]

Brian Ingoldsby (Chair)
David Denny
John Gordon
Denis Moynihan
18 March 2008

Standing Orders Report No. 2

1. The Standing Orders Committee recommends that the motions be taken in the order as set out in the timetable at 9 below.

Motions

2. The Committee reminds delegates of the contents of Report No. 1 as they relate to motions standing for others.

Annual Report

3. It is recommended that, following the presentation of the Annual Report by the General Secretary, it will be open for debate during which the reference back of individual items on the basis of factual accuracy only may be moved and voted upon. Following such general debate, the Report shall be put forward for adoption.

Amendments to Motions

4. Amendments have been submitted to motions Nos. 1, 2, 3, 8, 22, 26 and 27 as indicated in the list of motions. The amendments are in order.

The Standing Orders Committee recommends that if amendment no.1 to Motion No.1 is carried, amendment no 2 to that motion may be put. If no.1 (which stands for itself and motion no. 2) is carried whether in amended or unamended form, the amendments to motions nos. 2 and 3 will not be put.

Delegates are reminded that a simple majority is required for amendments to motions, including rule change motions; a two thirds majority is required for rule change motions themselves.

Election of Officers and Executive Committee

5. Mr Larry Dunne (Finance Branch) has withdrawn his nomination for the position of Vice-Chairperson. There is accordingly one nominee for that post (Mr Tom Allen. Revenue Branch). In turn, then, as Mr Tom Allen will be deemed elected to that officership, his name will not appear on the list of candidates for the Executive Committee.

The name of Michael O’Gorman (Justice, Equality & Law Reform Branch) appeared in error on the preliminary list of candidates for the Executive Committee. There will be a total of 14 candidates for that election.

Election of Standing Orders Committee

6. No further nominations were received for the Standing Orders Committee. No election will therefore be necessary.

Coffee Break

7. There will not be a formal coffee break during the morning session. Instead, coffee will be available on a continuous basis immediately outside the conference room.

Debate on groups of motions

8. Composite Motion A and motions 8, 9 and 10, all dealing with Pay/Benchmarking, lend themselves to being debated as a group. The same applies to motions 15 to 20, dealing with various aspects of decentralisation. The Standing Orders Committee recommends the following procedure for the better conduct of this Delegate Conference.

- (a) At the commencement of each group of motions, the first motion of that group shall be moved and seconded in the normal way.
- (b) At that point the content of all motions in the group will be open for debate; any amendments to motions in the group will also be open for debate.
- (c) At the conclusion of the debates, the mover of the first motion in the group may exercise a right of reply.
- (d) Following the putting of the question or questions on the first motion, each remaining motion will be proposed and seconded without debate and the question or questions put, in the order in which they appear on the timetable. If there are amendments to any such motions, they will also be moved and seconded without debate in the appropriate order.

9 The following timetable is recommended for the more expeditious conduct of the Conference:

AGENDA	TIME	
No. 1	Opening of Conference and Introduction of Guests	
No. 2	Adoption of the Minutes	
No. 3	Appointment of Tellers	
No. 4	Adoption of Standing Orders Reports Nos.1 & 2	
No. 5	Chairperson's Address	
No. 6	Annual Report	9.30 - 13.30
No. 7	Financial Statement	
No. 8	Election of Officers, Executive Committee and Standing Orders Committee (collection of ballot papers)	
No. 9	MOTIONS: 1- 34	
LUNCH		13.30 - 14.30
No. 9	Motions (Resumed)	14.30 - 16.30

Brian Ingoldsby (Chair)

Dave Denny

John Gordon

Denis Moynihan

Standing Orders Committee

21 April 2008

ADDRESS OF THE CHAIRPERSONS

CIARAN ROHAN

Cuireann sé mór-áthas orm fáilte a chuir roimh gach éinne inniu. Colleagues, I am privileged to welcome you the members, our guests and our fraternal delegates from Northern Ireland and England to the 2008 Annual Delegate Conference of the Association of Higher Civil and Public Servants. I consider it a great honour to have been Chairperson of the Association for the past year and I thank you for giving me that chance.

I don't know if some of you ended up in the Burlington Hotel this morning but it's a great opportunity for *me* to address *you* from this our first visit to Croke Park. As a Corkman I am accustomed to being in the hallowed surroundings of this magnificent stadium but for those of you, who haven't been here before, enjoy your day.

I must begin my address to you today on a somewhat downbeat note, as I pay tribute to the memory of two former leading activists in the Association who passed away during the year.

Mick O'Donoghue, a former member of the Revenue branch, died in March this year. Mick was Chairman of the Association and served in that role between 1989 and 1991. We were also saddened by the death of Charlie Murray. Charlie was a member of the Finance branch and also a Chairman of the Association, serving between 1957 and 1959.

I want to briefly review what has been a very busy year for the Association. Some of the issues that I will touch on are the subject of motions on the agenda today, and will be covered by the General Secretary, Dave Thomas, in his address to Conference on the Annual Report, so I don't intend to discuss them in detail in my address.

It was a year in which certain issues such as decentralisation continued to dominate the agenda. I would like to re-iterate that the Association is not opposed to decentralisation. Decentralisation, when properly planned and introduced is fully supported by the Association. But, unfortunately, a significant element of the current programme is not properly thought out. For example, one of the major challenges that arise is that, as the programme gathers more pace and more



**Ciaran Rohan,
Chairperson
AHCPS**

members are being transferred between Departments, the "churn" factor becomes very high. This is causing significant service delivery problems for our members and must be addressed by Government. The recently-published OECD review of the Irish Public Service considered that there are many challenges inherent in the decentralisation programme. Among the issues it noted were that a significant number of applicants for new decentralised locations were already based in provincial locations and that many of the Dublin-based applicants had applied to areas that were over-subscribed.

Staying with the theme of the OECD review, they also note that, even though there are less people employed in the Irish Public Service and that our expenditure is coming from an historically low base, the quality of the Irish Public Service compares very favourably with other OECD countries.

The new national pay talks have started. However, they have commenced against a backdrop of rising disquiet because of the erosion, by inflation, of the increases agreed under Towards 2016. In addition, early in the New Year, saw the publication of the report of the Public Sector Benchmarking Body. I don't need to remind you how disappointed we all were with the outcome of this report. There must be confidence in any independent pay determination system and, while we would undoubtedly wish to see an independent system in operation, we need to examine whether we can have trust in the current system or whether changes need to be made.

So, while the national social partnership model has been good for AHCPS members, we will not enter talks for talk's sake. Along with our colleague Unions from the Irish Congress of Trade Unions, we will not enter into a pay agreement that effectively reduces our members pay in real terms.

It was a year in which there remain a number of outstanding issues in the Semi-State Sector. Our members at Level 3 in An Post are currently considering new proposals in relation to performance related pay. Decentralisation continues to be a major concern for our members in FÁS and in the other semi-state agencies. In

the Irish Aviation Authority, along with the other Unions, we are in discussions with management regarding their proposals to amend the pension scheme.

What could be one of the biggest changes to the State's industrial relations machinery in over fifty years could be upon us in the forthcoming year. The two largest civil service unions, who have the majority of seats on the Staff Panel, have decided to pull out of the Conciliation and Arbitration scheme and lodge a claim to allow the Labour Relations Commission and Labour Court to deal with claims from the civil service unions in the context of industrial relations matters. This is potentially a significant challenge for the Association but one which we are ready to meet.

In conclusion, I would like to record my appreciation of the hard work put in all through the year by my colleagues on the Executive Committee. I would particularly like to thank my fellow officers, Peadar Carpenter and Mary McLoughlin for their effort and their wisdom. I also want to wish the very best of luck to Peadar as incoming Chairperson and Tom Allen as incoming Vice-Chairperson.

I would like to pay tribute to the Association's many Branch activists and Committee members. Branch activists, who are in regular communication with members, are vital to the success of any Association or

Union, and the AHCPS is no exception. Can I also thank Tom Quigley, Joe Brennan and Laura Noonan for helping out with the conference today and indeed throughout the year.

I would like to thank my own colleagues on the Education and Science branch for giving me the opportunity to represent them on Executive and as Vice-Chairperson and Chairperson of the Association.

I cannot emphasise enough how grateful I am for the professionalism, expertise, invaluable advice and hard work of the Association's officials and staff – Dorothy Aughey, Pat Feeney, Jackie Lacey, John Kelleher and Dave Thomas. Of course I have to say nice things about the Head Office staff as I was delighted to be recently appointed to the position of Assistant General Secretary of the Association. I look forward to working with Head Office staff and working for the Executive and you the members in my new capacity.

As I said at the outset, it is my privilege to welcome you all to Croke Park. I wish you all the best for a productive and enjoyable Conference today.

Bail ó Dhia ar an obhair atá le déanamh againn inniu.

Thank you.

ADDRESS TO CONFERENCE BY AHCPS GENERAL SECRETARY, DAVE THOMAS

Introduction

Chairperson, delegates, guests

During the past year we have had the publication of the Review Body on Higher Remuneration in the Public Sector in September and the Report of the Public Service Benchmarking Body in January and The OECD Report Ireland Towards an Integrated Public Service in April. These together with the commencement of new talks on a national pay agreement will be the focus of activity for the incoming Executive.

The Association during the year appointed John Kelleher as Deputy General Secretary. John who served as Assistant General Secretary with the Association for a number of years took up his appointment last December. Ciaran Rohan who is currently Chairperson of the Association was appointed as Assistant General Secretary following a competitive selection process. Ciaran is due to take up appointment shortly.

Pay & Benchmarking

The first three instalment of the present national pay agreement have been paid in the civil service and in most of the non-commercial semi-state organisation with the final payment due on 1st September 2008. While talks have started on a new agreement there are difficulties particularly on the union side. Different unions have put down different requirements and markers. ICTU have said that they want union recognition sorted out legally and they want the agency workers to be covered by the relevant labour legislation. Some unions feel that the national pay talks in recent years have been too restrictive and have come to a view that "one size does not fit all". Some of the unions representing lower paid workers want a minimum fixed amount increase instead of a percentage increase. The last agreement did not keep pace with inflation and the union side want this shortfall to be addressed.

However, talks have started and the Association will be involved in the talks at a later stage when they get down to discussing the civil service elements. This will be a difficult phase for the civil service unions because of the results of the benchmarking body report published in January this year. The benchmarking body gave a 1.1% award to the Principal Officer grades and those linked to



Dave Thomas,
General Secretary
AHCPS

the PO grades and 0% to all other grades in the civil service. This Benchmarking Body changed the methodology which it used to compare civil service grades and other public service grades with the private sector. There were three main elements which were changed in the methodology. They were

1. The use of a weighted average,
2. A larger number of smaller firms were used for comparison purposes
3. A deduction of 12% for the value of civil service pensions was made.

In the first Benchmarking Body Report and previous arbitrations the mid point of the civil service pay scale was the point that was compared to the pay in the private sector comparator. This time around the weighted average was used. The effect of this was that the PO and AP salaries were pitched at a higher level than they would have been if they had used the mid point of the scale. In our own case we know that it would have brought the PO and AP salaries very close to the max point. So the Body in using the weighted average used a higher civil service point than had been used on previous occasions and no reason was given for this change. This doesn't make sense because you could have two grades a professional and a general service grade with the same salary scale but could have weighted averages which would differ widely.

In relation to the comparison of the private sector the body compared the civil service to 172 employments employing less than 100 staff and with only 35 employing more than 250 staff. This had a major impact on the level of pay of the grades we were compared with. Anybody who knows the civil service knows that most people are working in Departments with 1,000 or more staff. Revenue alone have approximately 6,500 employees and Social & Family Affairs have about 3,000 employees. The effect of this was that pay comparators in the private sector were considerable lower than they would have been if the comparisons was with companies with 500 employees or more. The level of responsibilities in bigger companies is higher and the pay of management grades is reflected in this higher level of responsibility.

Finally, the body deducted 12% for the value of public

service pensions. Let us now say once and for all. We have paid for our pensions so let that be the end of the issue about public service pensions “hands off our pensions”. We did make the point in our submission to the benchmarking body that if you compare the senior management grades of PO and AP in the civil service with senior management grades in the private sector then the reduction for pensions would not have been as high because the majority of people at our level in the private sector have pensions and good pension schemes at that. When you apply one size fits all across the public sector it transpires that people at the lower end in the private sector don’t have as good a pension or don’t have pensions at all. We need to compare like with like.

The Executive will now have to consider the Association’s position going forward. One of the issues it is considering is whether there is a need for two review bodies on pay such as the Review Body on Higher Remuneration and The Benchmarking Body or whether the one body should do the whole exercise. Most of the grades examined by the Review Body on Higher Remuneration received increases.

It is inexplicable that the Secretary Generals and Assistant Secretaries received between the interim award in 2005 and the award in 2007 awards of 19.1% and 13% respectively and the grades that their work and responsibilities has been devolved to only receive 1.1% and 0%.

The Executive accepts that there is a need for some form of independent review of civil and public service pay. However, we are not sure if the present system is the correct system. Whatever system is agreed the Association will insist that as part of the terms of reference the methodology to be used will have to be agreed in advance.

The new pay talks will have to take into account that there was no award made to the vast majority of public servants. Modernisation and change will have to be paid for by increases above the projected rate of inflation. Additionally, our members are not going to continually accept the delegation of work from a higher level and receive no pay increase for this increased responsibility while the grades directly above us pull further and further ahead in pay.

Conciliation & Arbitration Scheme

On the Conciliation and Arbitration front there have been discussions at General Council Staff Panel over recent years in relation to abandoning the C&A scheme and using the Labour Relations Commission and Labour Court. IMPACT & CPSU have had motions passed at their conferences for the C&A scheme to be abandoned and to take the conciliation process into the LRC and Labour Court. It has now come to a head and it is likely that the Association along with PSEU, VOA and POA will be out voted. This will be the biggest change to the industrial relations machinery in the civil service in over 60 years.

While this will have some major consequences for us mainly in the area of pay. Under the C&A machinery the government of the day could only overturn a pay award by a vote of the Dail. This has only happened twice in the last 50 years or so. All is not doom and gloom however, as the Labour Relations Commission and Labour Court, offer some flexibility in the industrial relations field which the C & A doesn’t and there are other advantages in going to the Labour Relation Commission and Labour Court. If the proposed changes happen individual civil servants will have access to Rights Commissioners in relation to all types of grievances which they don’t have now.

Decentralisation

The principle issue that has dominated industrial relations in the civil service for the past four years is decentralisation. The Association along with the other civil service unions meet on a monthly basis in the Department of Finance to discuss issues that are of concern and to agree on structures to accommodate our members.

The reality of the decentralisation programme is that everybody from the Taoiseach (past and present) down knows that there are aspects of it that don’t make sense.

In addition the OECD in its recent report made some comments on the decentralisation programme. They note that from the official reports of the Decentralisation Implementation Group that many of those opting to avail of the programme are staff who have already moved out of Dublin and who are working in other locations. This is not what was envisaged at the inception of the decentralisation programme. They also note that while there are 6,000 currently based in Dublin who wish to avail of decentralisation many of them have applied to over subscribed locations and it is unlikely that all of these applicants will be accommodated.

The OECD said and I quote “*that while it had not reviewed the administrative relocation programme per se, it should be noted that the impacts of this programme as currently envisaged poses a number of challenges for the Irish Public Service. Staff will be dispersed widely and many will be new to departments’ and that in some areas, turnover of staff who were opting not to relocate with their department or offices could be as high as 90%. In addition to the loss of expertise and knowledge, this presents challenges for management level staff (who in many cases are also experiencing staff turnover) to ensure appropriate training is provided so that business and services continue without loss of quality or effectiveness. This will impose additional specific pressures on the Irish Public Service, as compared to the public services in other countries, which in other respects, share the same challenges as their Irish counterparts*”.

These were similar to the points the Association made when we published our two reports on Decentralisation. Last year we published a report which called for a review and now given what was said by the OECD and given

what our experience to date has been there is now even a greater need to review the whole process.

We have stated previously that we are not opposed to decentralisation. We recognise and welcome the benefits to the public and to our members of a well thought out and rational model of decentralisation. But the current programme has major flaws.

Decentralisation tags are being put on promotion within the civil service and members are taking promotions in these cases with a view to returning at some future date. The problems we see is that in the future there will not be enough vacancies in Dublin for these people to return.

It is more difficult for our members in semi state agencies because when the organisation moves, they have nowhere else to transfer and also the agencies have not enough volunteers to decentralise. If the review is put off any longer the Government will have created a mess where a sizeable minority of people have taken up jobs with an agreement to decentralise and have made arrangements to buy houses in decentralised locations and also a sizeable majority of people who have no intention of moving and will have to be fixed up with jobs in Dublin. The sooner a review takes place the sooner there will be agreement with Government on decentralisation.

OECD

The OECD were asked to examine the Irish Public Service and to

- 1) benchmark it against other comparable countries
- 2) to make recommendations as to future direction for public service reform.

Firstly, let me say that we welcome the report. It states that the Irish Public Service stands up well when compared with Public Services in other countries. It notes that the numbers employed in the Irish Public Service are significantly less in relative terms than the level of public employment in Norway, Sweden, France, Finland or Belgium.

Although expenditure on the Public Service has also increased substantially in the same period, the OECD Report points out that much of these increases have reflected a need to play catch-up from historically low levels. Even when factoring in infrastructural investment, Ireland has the third smallest total public expenditure as a percentage of GDP, (third to Korea and Mexico). In comparison with other OECD countries therefore, Ireland has been able to deliver services with a Public Service that is relatively small given the size of the economy and labour force.

The Association will engage with the Official Side on the recommendations in the report.

The former Taoiseach Bertie Ahern has put on record as recently as last week and I quote *"Throughout my political career, I have seen at first hand the quality and professionalism of our system. Of course, no system is perfect, but I have been struck, time and again, by the quality of the advice and service delivered by Irish public servants. They regularly outshine much bigger and better-resourced public service organisations in other jurisdictions"*.

Conclusion

This is my first Conference as General Secretary. I would like to thank the officers, Ciaran, Peadar and Mary and the Executive Committee for their help and support over the last year.

I want to thank Brian Ingoldsby and Standing Orders Committee for their customary care and attention to organising Conference business and I especially would like to wish John Gordon who is retiring well. John has been a long standing member of Standing Orders. I want to thank Tom Quigley for his help over the year and a special thanks to Laura Noonan who has agreed to help us this year with the minutes with the assistance of Joe Brennan. I also want to thank the people with whom I work with in the Association, John, Jackie, Dorothy and Pat. Finally, I wish to thank Branch Officers and you the delegates for your help this year and hopefully for the years ahead.

I propose the Annual Report to the Conference.

RULES AND CONSTITUTION

1. NAME

The Association shall be known as The Association of Higher Civil and Public Servants (Comhlachas na Sheirbhíseach Uachtarach Stáit agus Poiblí), hereinafter referred to as the Association.

2. OFFICE

The Association's office shall be at Fleming's Hall, 12 Fleming's Place, Dublin 4 or such other place as may from time to time be determined by the Executive Committee. Any change shall be notified to the Registrar of Friendly Societies.

3. OBJECTS

The Objects of the Association are:

- (a) to protect and promote the interests of its members,
- (b) to maintain and improve the remuneration and other terms and conditions of employment of members,
- (c) to regulate the relations between members and their employers and between members and fellow members and other workers,
- (d) to provide and maintain services, including legal assistance, for the benefit of members,
- (e) to provide relief to members involved in, or affected by, disputes,
- (f) to promote excellence and effectiveness in the public sector having regard to the interests of members,
- (g) to promote equality of opportunity and the development of work-life balance in the workplace,
- (h) to promote the development of partnership in the workplace.

4. POWERS

- (a) The Association, in furtherance of its objects, may:
 - (i) acquire, hold and dispose of property;
 - (ii) affiliate, amalgamate, assist, cooperate or enter agreement with any association, union, or other organisation; and
 - (iii) do all things necessary or incidental or conducive to the attainment of the objects of the Association.

- (b) The funds of the Association shall be applied in carrying out the objects of the Association and in defraying the expenses of management and administration.

5. MEMBERSHIP

- (a) (i) Membership of the Association comprises those accepted into membership by the Executive Committee and entered on the Register of Members.
 - (ii) Membership shall be open to employees in managerial and professional positions in the civil service, public sector and such other employment as deemed appropriate by the Executive Committee. Membership shall be subject to acceptance by the intending member of the Rules and Constitution and approval by the Executive Committee and shall commence on the date of this approval whereupon the member's name shall be entered on the Register of Members.
- (b) An application for membership shall be made to the intending member's local branch in writing in a form approved by the Executive Committee and shall be transmitted by the local branch to the General Secretary. The application shall be accompanied by a completed form of authorisation for deduction from salary of the appropriate subscription.
- (c) Every new member shall be issued with a copy of the Rules and Constitution on acceptance into membership.

6. CESSATION OF MEMBERSHIP

- (a) A person shall cease to be a member of the Association (and the member's name shall accordingly be removed from the Register of Members) in the following instances:
 - (i) written resignation to the Executive Committee;
 - (ii) retirement or resignation from the Civil Service or other employment where the Association represents members;
 - (iii) expulsion under paragraph (b) below;
 - (iv) cancellation of authorisation for deduction of subscription from salary;
 - (v) on leaving the grades catered for by the Association.

- (b) Notwithstanding anything elsewhere in these Rules and Constitution the Executive Committee shall have power to expel from membership of the Association (and to remove from the register of members) or suspend from membership for a specified period or fine or censure any member whose actions or conduct the Executive Committee, after consultation with the Branch Committee of the member concerned, believes to be prejudicial to the interests of the Association or its members. The member concerned shall be informed in writing of the intention of the Executive Committee to consider his or her position and the reasons therefor, and the member concerned shall have the right to appear before the Executive Committee and give an oral or written statement or call others to give evidence on his or her behalf.
- (c) A member expelled, suspended, fined or censured under the provisions of this rule shall have the right of appeal to the next Annual Delegate Conference of the Association following the decision of the Executive Committee. Notice of intention to appeal shall be given to the General Secretary not later than one month after notification of the decision of the Executive Committee.
- (d) A person who has ceased to be a member may be re-admitted to membership on such terms and conditions as the Executive Committee, following consultation with the relevant Branch Committee, may determine.
- (e) Notwithstanding any other provisions of these Rules, the Executive Committee may exclude from membership of the Association any person whose continued membership conflicts with a finding of the Irish Congress of Trade Unions concerning disputes between Unions on the organisation of members.

7. ASSOCIATE MEMBERSHIP

- (a) (i) A person who ceased to be a member in accordance with rule 6(a)(ii) or 6(a)(v) and such other as the Executive Committee may decide from time to time, may apply to become an associate member, such application to be dealt with in a form and a manner approved by the Executive Committee.
- (ii) An associate member shall be entitled to participate in membership services, as appropriate, organised for members of the Association and shall be entitled to receive Newsletters and the Annual Report.
- (iii) Associate members shall not be entitled to attend branch meetings or Delegate Conferences of the Association other than by invitation and shall not be entitled to participate in ballots of members held in accordance with

these Rules.

- (b) Members of the Veterinary Officers Association may be admitted en bloc to associate membership on such financial terms as may be determined by the Executive Committee following consultation with the Executive Committee of the Veterinary Officers Association. The Association may in this context provide a negotiation service to the Veterinary Officers Association.

8. MANAGEMENT

The management of the Association is vested in

- (i) Delegate Conferences and
- (ii) The Executive Committee

in accordance with the provisions of the Rules and Constitution.

9. DELEGATE CONFERENCE

- (a) (i) The delegate conference shall be the supreme policy making instrument of the Association. The policy of the Association shall be determined by the delegate conference, which shall have the power to rescind or vary any decision taken previously by the Association.
- (ii) For the purpose of these Rules the term "delegate conference" includes both annual and special delegate conferences.
- (b) (i) The delegate conference shall consist of the Executive Committee, the Standing Orders Committee and accredited delegates elected by and from Branches in the numbers indicated below, and notified to the General Secretary:
- (A) Branches with 30 members or less – two delegates;
 - (B) Branches with more than 30 members – two delegates for the first 30 members, and thereafter, one delegate per 30 members or part thereof.
- (ii) For the purpose of this rule, branch membership shall be the number of members at the end of the last complete financial year. In exceptional circumstances the Executive Committee may specify some other date for the purpose of assessing branch membership.
- (iii) Delegates to a delegate conference shall be elected at a branch meeting to be held in accordance with Rule 22(f) or (h). In the case of an Annual Delegate Conference the names and addresses of delegates shall be notified in writing by branch secretaries to the General Secretary not less than 21 days before the date of the Conference. The General Secretary shall then issue each delegate with a credentials card, stating the name and branch. It shall

however, be in order for a Branch to nominate a replacement for any delegate originally nominated by that Branch, in the event of such delegate being unable to attend conference for any reason.

- (iv) Any member of the Association not being a delegate shall be entitled to attend a delegate conference but shall not speak or vote thereat.
- (v) Such other persons as the Executive Committee invite may attend conference but may not vote thereat.
- (c) The Annual Delegate Conference shall be held not later than 31 May in each calendar year on a date and at a venue to be determined by the Executive Committee.
- (d) (i) The General Secretary, not later than fifteen weeks prior to the date of the Annual Delegate Conference, shall advise Branch secretaries of the date, time and venue of the Annual Delegate Conference and invite Branches to submit nominations and motions to form part of the agenda for the delegate conference. A Branch may make nominations for the offices of Chairperson, Vice-Chairperson and Treasurer and for membership of the Executive Committee and Standing Orders Committee to be filled at the conference and every nomination shall be accompanied by the written agreement of the person nominated. Subject to (iii) below, nominations and motions shall be submitted to and received by the General Secretary not later than nine weeks prior to conference. Motions sent to the Association Headquarters by electronic mail will be deemed to be received by the General Secretary on the same day as the mail was sent provided that evidence of sending is provided by the sender.
- (ii) The Executive Committee shall not have power to make nominations but shall have power to put down motions.
- (iii) The General Secretary shall issue, not later than six weeks prior to the Annual Delegate Conference, a draft agenda of business including motions to be discussed at conference and shall invite Branches and the Executive Committee to submit amendments to the motions. At the same time the General Secretary shall set out the nominations received for the offices and places on the Executive Committee and Standing Orders committee to be filled. If on the due date there are insufficient nominations for any or all of the offices or places, then notwithstanding anything contained in subparagraph (i) it shall be open to a Branch to submit a nomination for such offices or places in respect of which no nomination has

been made. Such nominations and amendments to motions must be submitted to and received by the General Secretary not later than four weeks prior to the conference.

- (iv) A final agenda, together with the recommendations of the Standing Orders Committee and a copy of the annual report, shall be issued by the General Secretary to all Branch secretaries and to all delegates not later than two weeks prior to conference.
- (e) Additions to the final agenda may be accepted by the Standing Orders Committee only when it receives a motion deemed by it to be of such extreme urgency and importance to the interest of the members that the matter warrants inclusion on the agenda for conference. Any such motion of urgency shall be submitted to the Standing Orders Committee who shall decide on its acceptability and its place on the agenda.
- (f) The business of the annual delegate conference shall include:
 - (i) Adoption of Standing Orders and Standing Orders Committee Report;
 - (ii) Consideration of the annual report and accounts of the Association;
 - (iii) Election of officers, namely Chairperson, Vice-Chairperson and Treasurer;
 - (iv) Election of twelve ordinary members of the Executive Committee;
 - (v) Election of Standing Orders Committee;
 - (vi) Consideration of motions and amendments thereto;
 - (vii) The appointment on the nomination of the Executive Committee of an Honorary President and Honorary Vice Presidents on such terms as may be recommended by the Executive Committee;
 - (viii) Consideration of any other business as may be submitted by the Executive Committee and allowed by the Standing Orders Committee.
- (g) (i) Ballot papers for elections shall be issued to each delegate on presentation of his or her credentials card, and to each of the members of the Executive Committee.
- (ii) A candidate for any elective office at a delegate conference may not be appointed a teller at that conference.
- (h) (i) Accredited delegates and members of the Executive Committee shall have the right to vote.
- (ii) Save as may otherwise be provided for in these rules voting at conference shall be decided by a

simple majority of accredited delegates showing credentials cards and the members of the Executive Committee.

- (iii) The quorum for a delegate conference shall be one third of the total number of accredited delegates nominated by Branches and notified to the General Secretary in accordance with Rule 9(b)(i).
- (i) The order of business at the Annual Delegate Conference shall be determined by the Standing Orders Committee.
- (j) A Special Delegate Conference shall be held:
 - (i) on the direction of the Executive Committee.
 - (ii) on the direction of a previous Delegate Conference, or
 - (iii) within 28 days of the receipt by the General Secretary of a requisition for, and stating the purpose of, such a conference from at least 5 branches representing at least 15% of the total membership of the Association. Each such Branch requisition must have been approved by general meetings of the members in the Branches concerned.
- (k) The business of the Special Delegate Conference shall be stated in the notice convening the conference which shall be sent to all Branches not later than 7 clear days before the conference. No other business shall be transacted by the Conference.
- (l) Names of delegates nominated by Branches for the purpose of the Special Delegate Conference shall be notified to the General Secretary not later than one day before the conference.
- (m) If a quorum is not present after one hour of the stated time for a delegate conference, the conference shall stand adjourned for not less than 7 days and not more than 28 days. Rule 9(h)(iii) shall not apply to an adjourned conference. At least 5 days notice shall be given to Branches of the time date and venue for the resumption of the adjourned conference.

10. CONSULTATIVE COUNCIL

- (a) There shall be a Consultative Council which shall consist of the Chairperson and Secretary of each Branch or their deputies together with the Executive Committee. The Chairperson of the Association shall act as Chairperson of the Consultative Council.
- (b) The Consultative Council shall meet not less than twice yearly on dates to be determined by the Executive Committee.
- (c) The functions of the Consultative Council shall be:
 - (i) To act as a forum where the members may,

through their council representative, make their views known to the Executive Committee and where the Executive Committee may obtain the membership opinion;

- (ii) To promote understanding between Branch Secretaries and between Branch Secretaries and the Executive Committee.

11. THE EXECUTIVE COMMITTEE

- (a) The Executive Committee shall comprise:
 - (i) The Chairperson, Vice-Chairperson and Treasurer;
 - (ii) Twelve other members elected by simple majority by the Annual Delegate Conference from nominations made by branches; and
 - (iii) not more than two members co-opted by the Executive Committee. The Executive Committee, in making the co-options, shall have regard to candidates nominated for but not elected to the Executive Committee, to the desirability of representations being accorded to smaller branches of the Association and as between the various employments where the Association has representation and of a balanced representation as between men and women on the Executive Committee.
- (b) The Executive Committee shall hold office until the end of the delegate conference at which their successors are elected. Any vacancy shall be filled by co-option by the Executive Committee.
- (c) A Special Delegate Conference convened for the purpose may remove any one or more of the Executive Committee by resolution. Such resolution shall be adopted by a vote of not less than two-thirds of those present at the conference and voting. Upon any Executive member or members being removed under this rule, the conference at which the removal takes place shall elect another person or persons to fill the vacancy or vacancies, who shall hold office for the unexpired term of the Executive Committee member or members so removed.
- (d) The Executive Committee shall exercise the powers of the Association in furtherance of the objects of the Association.
- (e) The functions of the Executive Committee shall include:
 - (i) management, direction and control of the affairs of the Association in accordance with and subject to the direction of delegate conference;
 - (ii) The development of policies and strategies for the achievement of Association objectives within the guidelines and directives laid down by delegate conference;

- (iii) Determining strategy for, and participating in, negotiations;
 - (iv) Controlling the pace and direction of the Association's development between Delegate Conferences;
 - (v) Considering and accepting of applications for membership;
 - (vi) Appointing trustees as provided for in these rules;
 - (vii) nominating the Honorary President and Vice Presidents for appointment by annual delegate conference.
- (f) The Executive Committee shall interpret the Rules and Constitution and the Standing Orders of the Association where doubt or dispute may arise and shall decide on any matter not covered by the Rules and Constitution. Such interpretation will stand unless the annual delegate conference or special delegate conference following the decision decides otherwise.
- (g) The Executive Committee shall have power to appoint sub-committees and other committees as necessary and to define their terms of reference.
- (h) The Executive Committee shall have power to appoint and dismiss the General Secretary and to appoint and dismiss any other staff as may be required for the efficient conduct of the Association's business. It shall also settle the terms of employment of the General Secretary and other staff.
- (i) The Executive Committee shall ensure that the affairs of the Association are being properly conducted by the General Secretary and other staff of the Association.
- (j) The Executive Committee shall have power to negotiate and to spend money in giving effect to Association policy.
- (k) A quorum for meetings of the Executive Committee shall be seven members.
- (l) The Executive Committee shall meet not less than ten times in a year and, so far as practicable, at least once a month.
- (m) The agenda for ordinary meetings of the Executive Committee shall be circulated at least 3 days in advance. Special meetings may be called at shorter notice by the General Secretary in consultation with the Chairperson or, in the latter's absence, with the other elected officers.
- (n) The Executive Committee shall prepare and circulate to all members an Annual Report and Statement of Accounts of the Association.

- (o) The Executive Committee may invite other members to participate in an advisory capacity and without voting powers in any of its deliberations.

12. STANDING ORDERS COMMITTEE

- (a) A Standing Orders Committee which shall consist of not more than six members shall be elected at the Annual Delegate Conference.
- (b) Members of the Standing Orders Committee shall hold office until the end of the delegate conference at which their successors are elected. Any vacancy arising between conferences shall be filled by a member of the Association appointed by the Executive Committee.
- (c) A member of the Executive Committee may not at the same time be a member of the Standing Orders Committee.
- (d) The Standing Orders Committee shall elect a Chairperson from among its members and shall regulate its own procedures. Three shall constitute a quorum at meetings of the Standing Orders Committee.
- (e) The Standing Orders Committee shall meet with the General Secretary prior to each delegate conference on a day to be decided by its Chairperson and the General Secretary to consider the business proposed for the delegate conference.
- (f) The Standing Orders Committee shall make recommendations as it deems necessary in accordance with the Rules and Constitution and Standing Orders of the Association as to the order in which the business of each conference should be taken for the purpose of the efficient conduct of the conference.
- (g) The Standing Orders Committee may also meet during each delegate conference and make such recommendations as it deems necessary from time to time to facilitate the business of the conference.
- (h) The Standing Orders Committee may also recommend procedures for the better conduct of delegate conferences generally. Its recommendation shall be considered by the Executive Committee and decided on by a simple majority of the delegates voting at conference. If adopted they shall become part of the Standing Orders of the Association.

13. ELECTED OFFICERS

- (a) The Chairperson, Vice-Chairperson and Treasurer shall be elected by simple majority at the Annual Delegate Conference.
- (b) If a vacancy in the office of Chairperson arises between Annual Delegate Conferences it shall be filled by the Vice-Chairperson. All other vacancies in these officerships arising between annual

conferences shall be filled by the Executive Committee.

- (c) The respective functions and duties of the elected officers shall be as follows:
 - (i) The Chairperson shall uphold the objects, aims, policy and constitution of the Association. The Chairperson's principal functions shall be:
 - (A) to preside at meetings of the Consultative Council and Executive Committee;
 - (B) to preside at delegate Conferences;
 - (C) to preside at such other Association meetings as are appropriate;
 - (D) to deliver an address at the Annual Delegate Conference;
 - (E) such other duties as delegate conferences or the Executive Committee may assign to the Chairperson.
 - (ii) The Chairperson shall have a second or casting vote in the event of a tie in voting on any matter other than a motion to change the Rules and Constitution of the Association.
 - (iii) The Vice-Chairperson shall carry out the duties of the Chairperson in the absence of the latter and shall be regarded as the Chairperson for this purpose. The Vice-Chairperson shall discharge such additional duties as are assigned to the Vice-Chairperson by delegate conference or the Executive Committee.
 - (iv) The Treasurer shall report to the Executive Committee and to the Annual Delegate Conference on the financial affairs of the Association and shall ensure that proper accounts and receipts of payment of the Association are kept. The Treasurer may inspect all financial books and records of the Association.
- (d) The Officers of the Association shall ensure that the decisions of the Executive Committee are carried out.

14. HONORARY PRESIDENT AND HONORARY VICE PRESIDENTS

The Executive Committee may nominate an Honorary President and a number of Honorary Vice-Presidents for appointment by annual delegate conference. These offices shall be purely honorary and shall be for such term as the annual delegate conference on the recommendation of the Executive Committee may decide.

15. TRUSTEES

- (a) The Executive Committee shall appoint three trustees to carry out the functions assigned to them under these rules.

- (b) The trustees shall be members of the Association in good standing and shall not be members of the Executive Committee.
- (c) The trustees shall be appointed for a term of five years, but may be individually or otherwise suspended or removed by the Executive Committee before the end of such term. Any vacancies arising shall be filled on the nomination of the Executive Committee.
- (d) Any real or leasehold property acquired by the Association in accordance with Rule 4(a)(i) shall be vested in the trustees.
- (e) The trustees shall appoint the Association's Auditor.

16. GENERAL SECRETARY AND OTHER EMPLOYEES

- (a) The Association shall have a full time General Secretary and such number of other staff as may be determined by the Executive Committee to be necessary for carrying out the business of the Association.
- (b) The General Secretary shall be the Chief Executive Officer of the Association and shall be responsible to the Executive Committee for negotiation and representation of members' and Association interests, for recruitment of new members and for the proper management and development of the Association, including the maintenance of minutes, records and accounts and the management and operation of systems and procedures in accordance with the Rules and Constitution, decisions of delegate conferences and directions of the Executive Committee. The General Secretary may, with the consent of the Executive Committee, delegate any of these functions.
- (c) The General Secretary shall report to meetings of the Executive Committee and the Consultative Council on the business and affairs of the Association and has the right to speak at Annual or Special Delegate Conferences.
- (d) Except where otherwise decided by the Executive Committee, the General Secretary shall not be entitled in any negotiations conducted by him or her to enter into any final or binding agreement on behalf of the Association. The General Secretary shall otherwise be free to speak and shall have the same authority and status as would any accredited deputation or negotiating team.
- (e) The General Secretary and any Deputy General Secretary or Assistant General Secretaries or other staff shall be appointed by the Executive Committee. The remuneration and other conditions of appointment of the General Secretary, Deputy General Secretary, Assistant General Secretaries and other staff shall be determined by the Executive Committee.

17. INDEMNITY

The Executive Committee shall make suitable provision to indemnify members of the Executive Committee, the General Secretary and other staff of the Association against any damages or financial loss suffered by them arising from the due execution of their duties on behalf of the Association.

18. STRIKES AND INDUSTRIAL ACTION

- (a) The provision of this Rule shall apply notwithstanding any other provision contained in these Rules.
- (b) In this Rule the terms "strike" and "industrial action" shall have the same meaning as in the Industrial Relations Act 1990.
- (c) In this Rule the term "member" shall have the same meaning as in Rule 5.
- (d) The provisions of this Rule shall apply to the Republic of Ireland only.
- (e) The Association shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot, entitlement to vote in which shall be accorded equally to all members whom it is reasonable at the time of the ballot to believe will be called upon to engage in the strike or other industrial action.
- (f) The Association shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from, or constraint imposed by, the Association or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
- (g) The Executive Committee shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including an aggregate ballot referred to in Paragraph (h) of this Rule, favours such strike or other industrial action.
- (h) The Executive Committee shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of the Association's members voting in a secret ballot, except where, in the case of a ballot by more than one trade union, an aggregate majority of all the votes cast favours such strike or other industrial action.
- (i) Where the outcome of a secret ballot conducted by the Association or in the case of ballots conducted by the Association and any number of other trade unions which are affiliated to the Irish Congress of Trade Unions an aggregate majority of all the votes cast is in favour of supporting a strike organised by

another trade union, a decision to take such supportive action shall not be implemented by the union without the sanction of the Irish Congress of Trade Unions.

- (j) As soon as practicable after the conduct of a secret ballot the Association shall take reasonable steps to make known to the members of the Association entitled to vote in the ballot—
 - (i) the number of ballot papers issued,
 - (ii) the number of votes cast,
 - (iii) the number of votes in favour of the proposal,
 - (iv) the number of votes against the proposal, and
 - (v) the number of spoiled votes.
- (k) Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the Association party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned.

19. GENERAL BALLOT

- (a) A General Ballot of the members may be held to determine the policy of the Association on any matter. Such ballot shall be held:
 - (i) On the direction of a delegate conference or the Executive Committee;
 - (ii) Within 28 days of the receipt by the General Secretary of a requisition for such a ballot from at least 5 Branches, representing at least 15% of the total membership of the Association, provided each such requisition has been approved by a general meeting of the members in the Branches concerned; or
 - (iii) Within 28 days of the receipt by the General Secretary of a requisition from one-fifth of the entire membership.
- (b) The Executive Committee may decide to hold a Special Delegate Conference instead of a general ballot within 28 days of receiving a request under Rule 19 (a)(ii) or (iii).
- (c) When it is determined that a general ballot of members is to be held, the ballot paper, together with a brief memorandum setting out the principal considerations for and against the proposals to be balloted on, shall be sent to each member at the members' normal official location. The ballot paper shall be accompanied by a stamped addressed envelope for the return of the completed paper. Ballot papers shall be returned within 21 days of the

date of issue, or such shorter time as may be determined by the Executive Committee and advised to each member with the ballot paper. The Association's Auditor shall be responsible for the opening, counting and certification of the result of any general ballot of members.

- (d) Policy determined by a ballot on a simple majority of votes cast will be binding on the Association as if it were a motion passed at an Annual Delegate Conference.

20. FINANCE

- (a) The Executive Committee shall have overall responsibility for the financial affairs of the Association.
- (b) The Executive Committee shall have the power to raise funds by borrowing money on any real or personal property of the Association.
- (c)
 - (i) The Executive Committee shall have power to levy members to augment the funds of the Association in order to provide assistance to members in dispute or for such other purposes in accordance with these rules as the Executive Committee may decide.
 - (ii) Members of the Association shall be entitled to claim financial assistance from the Association, at a rate to be determined by the Executive Committee, where disputes result in members withdrawing their services on the instructions of the Executive Committee or where the Executive Committee deems members to be locked-out or victimised by their employer as a direct consequence of action taken by members of the Association where such action has the approval of the Executive Committee.
 - (iii) Legal advice for members may be financed from Association funds at the discretion of the Executive Committee where the matter on which advice is sought arises from or is related to the member's employment.
- (d) The financial year of the Association shall end on 31st December of each year.
- (e) The accounts of the Association shall be audited annually by the auditor appointed by the trustees.
- (f) All monies received as subscriptions or otherwise by the Association shall be lodged to a Banking Account or to Banking Accounts opened in the name of the Association as approved by the Executive Committee.
- (g) All disbursements on account of the Association shall be drawn on such bank or banks and authorised by any two of the Officers, i.e. Chairperson, Vice Chairperson or Treasurer. However, the Executive Committee may delegate authority to the General Secretary or in his absence to the Deputy General

Secretary to authorise payments to meet the ordinary running costs of the Association provided they are also authorised by the Treasurer or other Officer of the Association.

- (h) The surplus funds of the Association shall be invested in the joint names of the Trustees in such trusts or securities including real property as the Executive Committee may from time to time decide.
- (i) Every person having an interest in the funds of the Association may at any reasonable time, and on giving notice, inspect the books of the Association and the register of members of the Association.

21. MEMBERSHIP SUBSCRIPTIONS

- (a) The membership subscriptions of ordinary and associate members shall be determined from time to time by delegate conference.
- (b) The subscription of an ordinary member shall be deducted from salary by authorisation of the member or in a manner determined by the Executive Committee.

22. BRANCH ORGANISATION

- (a) The members of the Association shall be organised into branches as determined from time to time by the Executive Committee.
- (b) Each Branch shall be responsible for representing and safeguarding the interests of its members at local level in accordance with Association policy, for the recruitment of members within its Department or Office or grade, body, company or corporation, for the representation of its members' views concerning their Department or Office or grade, body, company or corporation and transmitting its members' views on these and other matters to the Executive Committee and/or Delegate Conference.
- (c) The administration of each Branch shall be vested in a Branch Committee. The Branch Committee shall consist of a chairperson, secretary and not less than one and not more than fifteen other members.
- (d) The duties of the Branch Chairperson shall be to assist in the conduct of the business of the Branch generally, to sign all minutes and through the Branch Secretary to call any meeting of the Branch or Branch Committee as required, to represent the Branch at meetings of the Consultative Council and to ensure that in the event of him or her being unable to attend that a deputy is appointed in his or her place.
- (e) The duties of the Branch Secretary shall include:
 - (i) Keeping branch members informed of the business and affairs of the Association.
 - (ii) Transmitting communications between the Branch and the Executive Committee.

- (iii) Advising members of the dates of Annual Delegate Conference and arranging meetings as required for the purpose of nominations for elections, motions for discussion at conference and election of delegates;
 - (iv) Keeping a record of all Branch meetings and Branch Committee meetings;
 - (v) Notifying the General Secretary in proper time of nominations, motions and amendments and names of delegates;
 - (vi) Representing the Branch at meetings of the Consultative Council and ensuring that in the event of his or her being unable to attend that a deputy is appointed in his or her place;
 - (vii) Providing the Executive Committee with such information as it may require from time to time.
- (f) An annual general meeting of the members of each Branch shall be held not later than ten weeks prior to the date of the Annual Delegate Conference.
- In the case of a Branch authorised under Rule 22 (j) to substitute a Branch Delegate Meeting for an Annual General Meeting, having regard to the geographic spread of members, the Branch Delegate Meeting will take place no later than four weeks prior to the Annual Delegate Conference or the closing date for amendments to Motions on the final agenda of the Annual Delegate Conference, whichever is the earlier provided that
- (i) A previous Delegate Meeting of the Branch has mandated the Branch Executive to propose motions and make nominations on behalf of the Branch for the Annual Delegate Conference.
 - (ii) And that the Branch Executive puts all such motions and nominations on the Agenda of the Branch Delegate Meeting, taking place in accordance with the provisions of rule 22(f), for approval by the delegation.
- (g) Each member shall be given due notice of the holding of this meeting and the meeting shall deal with the following matters:
- (i) receive a report of the Branch Committee on the activities of the Branch for the year;
 - (ii) Elect Branch Officers, Branch Committee and delegates for the Annual Delegate Conference;
 - (iii) Make nominations for the Officerships, Standing Orders Committee and Executive Committee;
 - (iv) Consider motions for the Annual Delegate Conference;
 - (v) Arrange further meetings as required to consider the draft agenda of the delegate conference and amendments to motions in the Agenda;

- (vi) Transact such other business as required.
- (h) Special general meetings of a Branch shall be held whenever the Branch Committee deems it necessary, or in accordance with the directions embodied in a resolution passed by a majority of the members present at a previous Branch general meeting, or on a request signed by not less than one fifth of the members of the Branch or on the instruction of the Executive Committee.
- (i) Expenditure reasonably incurred by a Branch in the exercise of its functions including the expenses of delegates at the Annual or Special General Meeting of the Branch or Delegate Conference shall be paid out of the funds of the Association. The Executive Committee shall have discretion to decide what is reasonable for this purpose.
 - (j) Where the Committee of a Branch considers that Branch general meetings should be replaced by Branch delegate meetings for that Branch, it shall so notify the Executive Committee in writing. A group of members in a branch who constitute not less than one-fifth of the entire membership of the Branch may also notify the Executive Committee in writing that they consider that it would be desirable to replace Branch General Meetings by Branch Delegate Meetings On receipt of such notification the Executive Committee shall, if it is satisfied that delegate meetings are preferable to general meetings in that Branch, having regard to the geographical spread of the members of the Branch, conduct a ballot of the members of the Branch to determine the views of the members of the Branch. The Executive Committee may agree to the substitution of delegate meeting for general meetings only if a majority of those members voting in the ballot vote in favour of the substitution of delegate meetings for general meetings. Where General Meetings have been replaced by delegate meetings, the delegate meetings shall consist of the Branch Committee together with delegates appointed by sub-branches of the Branch. The composition of sub-branches and the number of delegates to be appointed by each sub-branch to the branch delegate meetings and any other procedural matters involved in the holding of delegate meetings shall be a matter for the Branch Committee of the Branch subject to the approval of the Executive Committee.

Branch delegate meetings, shall, where they are substituted for Branch general meetings, have the same powers and responsibilities of Annual and Special General Meetings of branches as are specified under these Rules and the general provisions of Rule 22 shall apply as if references to annual or special branch meetings constitute reference to annual or special delegate meetings of branches. Where Branch delegate meetings have

been substituted for Branch General Meetings, a proposal to return to Branch General Meetings must be initiated and processed in the same way as a proposal to change from Branch General Meetings to Branch delegate meetings as set out in this Rule.

23. REVISION

The Rules and Constitution may be amended only by a motion tabled in accordance with the rules for motions at delegate conferences, and passed by not less than a two-thirds vote of the accredited delegates nominated by branches and of members of the Executive Committee present and voting at a delegate conference. Any such amendments shall be notified to the Registrar of Friendly Societies.

24. DISSOLUTION

The Association may be dissolved at any time by means of a general ballot of the members provided that such dissolution is approved by five-sixths of the membership. In the event of dissolution any net assets remaining after discharging all debts and liabilities shall be divided equally between those who were members at the time of dissolution. Any such dissolution shall be notified to the Registrar of Friendly Societies.



STANDING ORDERS FOR ALL DELEGATE CONFERENCES OF THE ASSOCIATION

The following Standing Orders shall apply to all Delegate Conferences of the Association.

1. Motions

1. No motion or amendment may be discussed until it has been formally proposed.
2. No motion or amendment may be withdrawn except by the consent of Conference.
3. The proposer of a motion or amendment shall be allowed not more than five minutes for his/her speech and all subsequent speakers not more than three minutes each.
4. The proposers of a motion or amendment shall be a delegate of the Branch which has submitted the motion or amendment or in respect of an Executive motion or amendment a member of the Executive Committee. If there is no delegate representing a Branch present when a motion or amendment is due to be moved by that Branch the motion shall fall.
5. The proposer of a motion shall be the only person permitted to speak more than once on the same motion. The proposer in exercising his/her right of reply may speak a second time for not more than three minutes. Where a motion has been amended only the proposer of the original motion shall have the right of reply.
6. Only one motion may be before the Conference at any time.
7. An amendment to a motion may not be moved while another amendment to that motion is before Conference.
8. An amendment may not be moved where Standing Orders Committee have indicated that in their opinion, it is a direct negative to a motion.

2. PROCEDURES MOTIONS

1. Next Business

If a proposal to proceed to next business has been moved and seconded the proposer of the motion under discussion shall have the right to speak in opposition and the proposal shall then be put without further discussion. If the proposal is carried, the discussion on the motion originally under discussion shall be abandoned and the meeting shall proceed to the next

business on the Agenda. If the proposal is lost, the discussion on the original motion shall be resumed.

2. Discussion to Close

A proposal that the discussion be brought to a close shall be moved, seconded and decided without discussion. If this proposal is carried, the motion or amendment under discussion shall be put and decided without further discussion other than a reply by the proposer of the motion. If the proposal is lost, the discussion, on the motion or amendment shall be resumed.

3. Question Now Put

A proposal that the question be now put shall be moved, seconded and decided without discussion provided the Chairperson is satisfied that both sides of the question have been adequately discussed. If the proposal is carried, the motion or amendment under discussion shall be put and decided forthwith without further discussion. If the proposal is lost, the discussion on the original motion shall be resumed.

4. Referral to Executive Committee

A proposal to refer a motion to the Executive Committee may be moved and seconded but the proposer of the motion may have the right to speak in opposition.

5. The acceptance of a procedure motion shall be at the discretion of the Chairperson.

3. PROCEDURE

1. A delegate may not address the meeting unless proposing, seconding or speaking to a motion except when raising a point of order.

A point of order may be raised on the following issues:

- (i) Incorrect procedures – implies that some member is contravening the rules of Conference e.g. speaking longer than allowed.
- (ii) Irrelevancy – wandering from subject.
- (iii) Unparliamentary language – swearing, personal abuse etc. or anything derogatory.
- (iv) Transgression of Rules – Use of procedure contrary to that laid down by Standing Orders.

2. The General Secretary and appropriate honorary officers may present, or reply to queries, on formal reports as appropriate.

3. The Chairperson of the Standing Orders Committee may make recommendations to the Conference which shall be decided upon immediately.
4. If two or more delegates offer to speak, the Chairperson will call on the delegate first observed offering; however the Chairperson of the Standing Orders Committee shall, if offering, be accorded priority.

4. ROLE OF CHAIRPERSON

1. The Chairperson at his/her discretion may declare a motion carried by agreement unless a proposal that a vote be taken be proposed and seconded.
2. The decision of the Chairperson shall be final upon any point as to the interpretation to be placed upon any Standing Order, upon the point as to whether a motion had been carried or rejected, and on all points of order.
3. Any member wilfully disobeying the ruling of the Chairperson may be suspended during the remainder of the time the motion in question is under discussion or for the whole Conference.
4. If in the opinion of the Chairperson grave disorder has arisen he/she may at his/her absolute discretion adjourn the Conference for a specified time.
5. The Chairperson shall have a second or casting vote should the votes on any proposal be equally divided.

5. STANDING ORDERS COMMITTEE

1. Where more than one motion deals with the same topic the Standing Orders Committee will draw up a composite motion covering the points made in the overlapping motions. The composite motions be put to Conference in place of the original motion. Standing Orders Committee shall indicate which Branch should move the motion.

Where the proposing Branch cannot agree to a composite motion then the original motion shall be put to the Conference in the order determined by the Standing Orders Committee.

The composite motion will be indicated to members in accordance with Rule 6(d)(ii) for the purpose of amendments.

2. The Standing Orders Committee may indicate the Motions under specified sections of the Agenda, get priority in discussion and shall so indicate those motions.

If in the time allotted for discussion of those sections of the Agenda, all the motions therein are not reached they may be deferred to a later stage of Conference.

3. Any motion appearing in the Agenda which has not been moved before the closing of the Conference shall be deemed to be referred to the Executive Committee for consideration.

6. ELECTION

Election of officers, Executive and Standing Orders Committees shall be held by way of secret written ballot on the basis of a single non-transferable vote.

7. SUSPENSION OF STANDING ORDERS

1. Any of the Standing Orders for Delegate Conferences may be suspended for a stated purpose provided a motion to that effect is adopted by a majority of those present and entitled to vote. Such suspension of Standing Orders may not exceed 30 minutes unless a proposal is adopted by the Conference whereby the suspension maybe extended for a period not exceeding 15 minutes.
2. The Standing Orders Committee may at any time during the meeting when it deems it necessary, make recommendations to the Chairperson that time limits be imposed on speakers or that the order of business be changed to facilitate the more effective progress of the meeting.
3. The Standing Orders Committee will be in session and available to delegates during the period of Conference.



EXECUTIVE MEETINGS: ATTENDANCES RECORD

There were 16 Executive Committee meetings between 9 May 2008 and 25 March 2009 a further meeting will take place in April 2009.

Attendances were as follows:

Name	Possible Attendances	Attendances
Peadar Carpenter	16	16
Tom Allen	16	13
Mary McLoughlin	16	15
Agnew Terry	16	12
Allen Joe	16	7
Carney Tom	16	14
Crosby Philip	4	2
Dunne Larry	16	9
Faherty Eoin *	16	12
Holleran Noel	16	14
Hughes Eamon	16	13
Hughes John	16	8
Lehane Ray	16	11
McKevitt Brian	16	15
Noonan Angie	16	8
O’Gorman Ann	16	10
O’Shea Bernard *	16	13
Walsh Ann **	11	2

* members co-opted following ADC

** Ann Walsh replaced Philip Crosby

GENERAL COUNCIL STAFF PANEL ANNUAL REPORT 2008

1. Pay

1.1 Towards 2016

In September 2008 the final increase of 2.5% under section 27.17 of Towards 2016 was made.

Following meetings during July, September and October a new pay deal was negotiated. At its conference in November ICTU endorsed the new deal.

The new agreement provides for 6% over 21 months with an additional 0.5% for those

earning up to and including 22,463 per annum. There will be an eleven month pay pause in the public sector. 3.5% will be paid in September 2009 with 2.5% being paid in June 2010. The addition 0.5% will also be paid in June 2010.

1.2 Benchmarking

The Public Service Benchmarking Body carried out its review during 2007 and the final report was published in January 2008. The review included a detailed evaluation of the pay and jobs of 109 grades in the public service. The following recommendations were made:

- The pensions of the public service groups covered by the benchmarking exercise are significantly more valuable than those of private sector groups
- The superior values of public service pensions should be quantified as 12% of salary and that a discount of this amount should be applied in comparing remuneration levels in the public sector and the private sector
- In general public service salaries compare well with the private sector
- The comparison exercise combined with a discount of 12% in respect of the value of public service pension relative to arrangements in the private sector showed that the salaries of only a small number of the public service grades examined were below private sector rates
- In general where remuneration was found to be below private sector levels this arose in the case of some of the more senior grades examined
- The annual cost of the increases recommended by the Body is in the region of 50 million on full implementation

2. Superannuation /Pensions

There were 2 claims lodged at the November General Council in relation to superannuation and pensions they were:

Claim 1.

That the pension scheme be amended to remove the anomalies that mean, staff who transfer within the Public Service are incurring additional costs. In particular:

- (i) Staff who opt out of a public service Spouses and Children Scheme should not be obliged to join a scheme as a condition of transfer of employment.
- (ii) Where staff have been obliged to join as a condition of transfer, they should have their right to opt out restored.
and
- (iii) Where they were obliged to join as a condition of transfer, they should not be obliged to pay into the scheme in relation to the period when they were outside the scheme

The Official Side response was that membership was optional for staff serving at the time of introduction of the schemes. The option holds so long as the employee remains in the employment in which the option was made. The option also holds if the employee is transferred, under statute, to another body in the public service. Membership is compulsory for all other staff, whether new recruits, employees with previous service in another area of the public service or employees with previous service in the area in which they are now employed. Underpinning this policy is the fact that each body or organisation has its individual scheme, introduced at a different date, the fact that service, not terms and conditions, can be transferred from one area to another and the longstanding policy that re-entry to employment gives the employee the option of aggregating service, benefits to be subject to the terms and conditions of the second period of employment or preserving earlier benefits and, in effect, qualifying for two pensions. The Commission on Public Service Pensions considered the question of compulsory membership for single people and the non-refundable nature of the contributions paid by them and decided not to recommend any change in the foregoing scheme rules. It would be costly, administratively difficult (reviewing the tax status of contributors amongst other things) and likely to lead to pressure for other staff to be given an opt-out, in effect to render the scheme a voluntary one. There

would be renewed claims for a further option to be given to serving staff, who had opted out of the schemes when they were introduced. The scheme is compulsory and this is seen as a core element.

Claim 2.

That a scheme of retirement with immediate payment of full superannuation benefits be introduced for those staff who are under 60 years of age who have 40 years service or more.

The Official Side response was that the current position of civil servants who wish to resign before the minimum pension age is that they may preserve their superannuation benefits until minimum pension age, or they can opt for immediate superannuation benefits on a cost-neutral basis. This cost-neutral arrangement was introduced following consideration by the Government of the report of the Commission on Public Service Pensions. The Commission had recommended the arrangement so as to allow public servants within 10 years of minimum pension age to retire with immediate payment of benefits, subject to actuarial reduction to cater for the longer period over which the benefits would be paid. However, the Commission did not support early retirement along the lines of this claim, recognising that early retirement, other than on an actuarially reduced basis, gives rise to substantial pension costs.

Given the Government’s objective of minimising the growth in future pension costs, against a background of significant sustainability challenges in the medium to long term, as starkly set out in the Green Paper on Public Service Pensions, there is no scope for agreeing the Staff Side’s claim for a scheme of retirement with immediate payment of full superannuation benefits for staff under 60 years of age, who have 40 years of service or more.

3. SMI/Partnership/Performance Management System

3.1 PMDS

The Staff Side sub-committee met in November to discuss seeking a review of PMDS.

The following issues were raised

- Role of the Reviewer
- Targets – protocol on how they are applied
- External review process
- Linking of time, attendance and sick leave

It was agreed to defer seeking a review at the present time.

Decentralisation

In 2007 a discussion paper on Loss of Earnings was issued by the Official Side, the Staff Side had a number of issues with the document and a meeting was held with the

Official Side. We are awaiting a further response from the Official Side.

The Government announced in November that it had reviewed the Decentralisation Programme and decided that six thousand posts will move to locations already operational

or committed to coming on stream, however a further five thousand posts will now be deferred until the Government carries out a further review in 2011.

Following this announcement the decentralisation sub-committee met to discuss the implications of the announcement for the decentralisation programme.

The following claim was lodged at General Council on foot of the Government announcement.

That a compensation package be put in place for those civil servants transferring to decentralised locations under current decentralisation programme who now find themselves in a “negative equity” position vis a vis their family homes.

During 2008 the following papers were issued by the Official Side in relation to the decentralisation programme.

- HR Agreement
- Transfer Protocol
- Acting Up paper
- Promotion Paper
- Tax Officers/Higher Tax Officers
- Revised Dublin Arrangements
- ICT Agreement (and tables) for D/EHLG and D/ES
- ICT paper Agriculture

4. Equal Opportunities

4.1 Work Life Balance

The Work Life Balance Network was set up to address policy issues and in particular issues raised by Departments/Offices in the Work Life Balance Review. The Network is at present finalising its report and it is hope this will be available early in 2009.

4.2 Career Breaks

In March 2008 a letter was issued to Personnel Officers in relation to amendments to Circular 18/98 covering Special leave without pay for career breaks. These amendments related to:

Eligibility (paragraph 7) and, Duration and Purpose (paragraph 10).

Eligibility: Paragraph 7 now reads:

“Subject to what follows, established civil servants, who have satisfactorily completed two years’ continuous service may apply for special leave without pay for a career break, provided they have not reached retiring age.

The duration of a career break may not extend beyond retiring age. (Periods of special leave without pay in accordance with Maternity Protection Legislation, Adoptive and Carer's Leave and Parental Leave should not be considered to break continuity of service for this purpose)."

Duration and Purpose: Paragraph 10 now reads; "Eligible staff may, in general, avail of three career breaks in the Civil Service. A second and third career break may not be taken until the officer has served for a period equal to the duration of the initial or second career break. The total period of the special leave** should not exceed ten years in all and no one period of absence should exceed five years. The period of service requirement between career breaks may be waived at the discretion of the Head of Department in exceptional circumstances."

** Other forms of special leave without pay (other than periods of less than six months, such as special leave taken under Circular 28/91 or short periods of special leave without pay for study purposes) will, in general, be taken into account when calculating this overall limit.

4.3 Parental Leave

A revised circular on Parental Leave, circular 20/2008 was issued by the Department of Finance in 2008.

4.3 Breastfeeding Breaks

Following a claim at General Council, General Council Agreed Report no 1506 was sign in June 2008. This agreement allows for breaks for breastfeeding mothers to be made available until the child has reached two years of age. In relation to having workplace facilities provided in all offices, particularly under the decentralisation programme, it was agreed that this would be referred to Departmental Councils in Government Departments.

4.4 Term Time Scheme

In 2007 it was agreed that 2nd November would be the closing date for all departments/offices for applications for term time. The number of applications is down for the coming year.

4.5 Fixed Term Contracts

In December the Department issues it's Guidelines on Best Practice for the Recruitment and Management of Fixes Term employees in the Irish Civil Service.

The report covers

- Protection of Employees (Fixed Term Work Act 2003)
- Recruitment Process
- Contract of Employment – statutory requirements
- Terms and Conditions
- Renewal of Fixed Term Contracts
- Termination of Service

- Redress
- Unfair Dismissals Act (1977-2077)

4.5 Crèches

To date there are six crèches in operation under the Civil Service Childcare Initiative: Mount Street, Dublin, Marlborough Street, Dublin, Backweston, Athlone, Sligo and Ennis.

Following tendering process Nurture Childcare and Early Learning Centre have taken over the running of Ennis, Mount St. Dublin, and Marlborough St. Dublin. They will also run the new crèche at Mahon in Cork which is due to open in January 2009. This will bring the number of Civil Service Crèches to seven. A Value for Money Review was carried out over the last year and the findings were published on the Department of Finance website in November 2008. The Civil Service Childcare Initiative Board agreed to a 4% increase in fees for 2009.

Currently the Interim Board of the Civil Service Childcare Initiative operate the Initiative on behalf of the Minister for Finance. From the 1st January 2009 the department have decided to transfer responsibility for the building and maintenance programme for the Civil Service Crèches to the Office of Public Works. The Department of Finance will continue to retain responsibility for policy matters relating to existing crèches, the allocation of licences to operators to run the crèches and will continue to have an overall supervisory role in relation to the crèches including monitoring the standard of service provided by the operators.

4.7 Disabilities

The Code of Practice was presented to Disability Liaison Officers in February. It was proposed that partnership steering committees should have the Code as a regular item on their agenda.

Work Placement Project (WAM) continued in 2008 but was funded by Fas and not EU funded as in previous years. This project is aimed at providing placements for graduates successful candidates in 2008.

Monitoring the number of employees with disabilities continued during the year with some departments still not meeting their 3% target.

The Disabilities Network continues to meet regularly and new Disability Liaison Officers (DLO's) have been trained. A new website www.disabilities.gov.ie is to go live shortly.

5. Health and Safety

5.1 Mobile Masts

The Staff Side produced a draft report on Mobile Mast early in 2007. After some months the Official Side made amendments to the draft which are still unacceptable to the Staff Side. Due to changes in personnel on the Official Side a meeting has not yet taken place. It is proposed to hold a meeting in January.

6. Travel and Subsistence Sub-committee

6.1 Motor Mileage

Following meetings between the Staff and Official Sides the following motor mileage rates were from 1st July 2008. Circular 13/08 – Motor Travel Rates was issued on 27th June 2008

RATES PER MILE AFFECTIVE FROM 1 JULY 2008

Official Motor Travel in a calendar year	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
Up to 4000 miles	83.92 cent	99.22 cent	126.73 cent
4001 and over	45.51 cent	50.66 cent	61.05 cent

REDUCED MOTOR TRAVEL RATES AFFECTIVE FROM 1 JULY 2008

	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
	31.40 cent per mile	35.68 cent per mile	41.81 cent per mile

RATES PER KILOMETRE AFFECTIVE FROM 1 JULY 2008

Official Motor Travel in a calendar year	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
Up to 6437km	52.16 cent	61.67 cent	78.76 cent
6438km and over	28.29 cent	31.49 cent	37.94 cent

REDUCED MOTOR TRAVEL RATES AFFECTIVE FROM 1 JULY 2008

	Engine Capacity up to 1200cc	Engine Capacity 1201cc to 1500cc	Engine Capacity 1501cc and over
	19.52 cent per km	22.18 cent per km	25.99 cent per km

6.2 Subsistence

Following meetings of the sub-committee of General Council the following subsistence Rates have been agreed from 1st July 2008. Circular 14/2008 issued on 1st July 2008.

Domestic Subsistence rates from 1st July 2008					
Overnight rates				Day Rates	
Class of Allowances	Normal Rate	Reduced Rate	Detention Rate	10 hours or more	5 hours but less than 10 hours
A Class	€145.32	€133.97	€72.64	€44.81	€18.28
B Class	€143.58	€122.81	€71.82	€44.81	€18.28

6.3 Motor Cycle Allowance

Following discussions with the Official Side the following Motor Cycle Rates were agreed.

Rates from 1st July 2008				
Miles up to	150	151 - 250	251 - 600	601 plus
0-4000 (miles)	31.05 cent	43.12 cent	50.88 cent	61.34 cent
4001 & over (miles)	20.09 cent	28.56 cent	32.81 cent	37.75 cent

Rates from 1st July 2008				
Kilometres	up to 150	151 - 250	251 - 600	601 plus
0-6,437 (km)	19.30 cent	26.80 cent	31.62 cent	38.12 cent
6438 & over (km)	12.49 cent	17.75 cent	20.39 cent	23.46 cent

6.4 Removals Circular

In December the Official Side forwarded proposed decrease in the Lodging Allowance.

Allowance per week	High Rate	Low Rate
Current	28.92	18.51
Revised	28.52	18.26

7. Public Service Management Bill

7.1 Grievance Procedure

Staff Side met to discuss draft report provided by the Official Side. As the draft was not approved by the Staff Side it was agreed to meet again with the Official Side for discussions. Following a change in personnel on the Official Side a meeting was held and the Official Side agreed to provide a further document for Staff Side discussion early in 2009.

8. Arbitration Board/Adjudicator

8.1 Arbitration Board

The current members of the Arbitration Board are as follows:

Chairperson: Mr. James Connolly, Mr. D. Hunter Government nominee, and Mr. Tom Wall Staff Side nominee. The fixed term for these appointments is the period ending 30th June 2009.

The revised arbitration list is attached at appendix C

8.2 Adjudicator

The Staff Side agreed to the re-appointment of Mr Kieran Mc Govern as Adjudicator from June 2008 to June 2009.

9. Civil Service Disciplinary Code Appeals Board

Ms. Inge Clissman SC was re-appointed as Chairperson of the Civil Service Disciplinary Appeals Board for 2008/2009.

The following are the Staff Side nominees to the Board

Mr. Eoin Roynane	CPSU
Mr. Kevin Gaughran	CPSU
Mr. Derek Mullen	CPSU
Ms Theresa Dwyer	CPSU
Ms. Phyllis Behan	PSEU
Mr. Billy Hannigan	PSEU
Mr. George Maybury	PSEU
Mr. John Kelleher	AHCPS
Mr. Ciaran Rohan	AHCPS

The Official Side nominees are:

Mr. Denis Hodson	Revenue
Mr. Vincent Clohissey	Dept. Social & Family Affairs
Mr. Henry Mitchell	Dept. Justice Equality & Law Reform
Mr. Gerry Maloney	Dept. Justice Equality & Law Reform
Mr. Joe Shortall	Dept. Agriculture
Ms. Michelle Shannon	Dept. Justice Equality & Law Reform
Ms. Susan McGrath	Dept. Arts Sports and Tourism
Ms. Patricia Coleman	Dept. Finance
Ms. Eilis O'Connell	Dept. Defence

10. Staff Panel/General Council

10.1 Staff Panel

During the year there were 11 meetings of the General Staff Panel.

10.2 Move from Conciliation and Arbitration Scheme to using State Agencies

Following discussions at the May Staff Panel meeting the IMPACT / CPSU claim proposing to move from the C&A scheme was agreed following a vote of the Staff Panel. It was agreed to set up a sub-committee of Staff Panel to continue discussions with the Official Side, the sub-committee members are – L.O'Donnell IMPACT, B. Horan CPSU, T. Geraghty PSEU, J.Clinton POA, D. Thomas AHCPS. The Official Side have nominated Mr. D.Hurley, Ms. M. McLoughlin, Ms O. Buckley and Mr. B. Fee to the sub-committee. The committee will be chaired by Mr. D. Hurley.

Following meetings in July, September and October a draft document was agreed and sent to the Official Side. The Staff Side are now awaiting a response from the Official Side.

10.3 General Council

During the year 11 meetings of General Council took place, with numerous meetings of Sub-committees of General Council.

11. Third World Fund

The Fund's Committee of Management met quarterly during the year. The Committee presented it's Annual Report at the July Staff Panel meeting. The new website for the fund can be viewed at www.cstwf.ie

12 Civil Service Charities Fund

The Committee continue to meeting each quarter and at their December meeting agreed to hold the Annual General Meeting of the Fund on Tuesday 2nd March 2009.

Following the Annual General Meeting a report will be presented to the March Staff Panel meeting.

13. Appendix A

Claims lodged at General Council 2008.

14. Appendix B

List of General Council reports issued during 2008.

15. Appendix C

Cases heard at Arbitration, Ad Hoc Arbitration under sustaining Progress and Adjudication in 2008

16. Appendix D

Circulars issued by the Department in 2008.

Conclusion

I would like to thank the Chairperson Mr. John Kelleher for his assistance and co-operation during the last year. I would also like to thank the Vice-Chairperson Mr. John O’Flanagan.

To the General Secretary, Officers and Staff of the PSEU, in whose premises the Panel Office is located, thank you for your assistance, courtesy and welcome advice during the year.

I would like to thank the Panel constituent members for their co-operation during the year.

Finally, I would like to thank the Official Side Secretary Aengus O’Riain for his assistance and co-operation during 2008. I would also like to thank all our colleagues in the Department of Finance for their contributions throughout the year.

*Joan Byrne
Secretary
January 2008*

CLAIMS LODGED AT GENERAL COUNCIL 2008

AHCPS	Seeking an "urban weighting allowance" for staff working in urban areas.
STAFF PANEL	Seeking incremental credit in respect of service in a higher grade and subsequent promotion where the higher grade service is not continuous.
STAFF PANEL	Seeking the addition of three extra days annual leave entitlement for all staff who are operating on a 24hour seven-day shift.
IMPACT	Seeking a restoration of shift payments to all grades represented by IMPACT in the Irish Coastguard.
STAFF PANEL	That the Sick Leave Regulations for Established Civil Servants be amended in the case of staff who have long service and a good sick leave record so that the period of sick leave on full pay be increase to 12 months in the case of serious illness and also that the limit of 56 days sick leave in four years in respect of eligibility for promotion be increased to 112 days in the case of such staff.
PSEU	That the Annual Leave Allowances of the Executive Officer grade be increased by 3 days
PSEU	That in future interdepartmental competitions for PSEU grades, position is determined by the candidate's total score
CPSU	To introduce a higher scale payment for Staff Officers
STAFF PANEL	Seeking an increase in CMO resources avail able to speed up the review of cases referred for assessment.
STAFF PANEL	For all officers in Departments to be provided with user friendly and compact booklets explaining the obligations, restrictions, rights and entitlements under departmental internet and e-mail policies.
STAFF PANEL	To provide eye tests for all officers on a biennial basis
STAFF PANEL	Seeking to commence overtime from 16.30 hours rather than "normal closing time" (Agreed Report 978/1983- Flexible Working Hours) which is generally interpreted to mean 17.30 hours
STAFF PANEL	That a report be compiled on the implementation of the agreements listed at 1 and 2 in each Department that a Finance circular setting out he terms of the agreements be issued, that discussions take place in respect of item 3 1) Agreement on telework 2)Agreement on Stress in the Workplace 3) Agreement on Harassment and Violence at Work.
STAFF PANEL	Seeking to have career breaks for the purpose of self employment extended from three years to five years.
STAFF PANEL	That overtime payments will be calculable for superannuation purposes

STAFF PANEL	That a compensation package be put in place for those civil servants transferring to decentralised locations under the current decentralised programme who now find themselves in a "negative equity" position vis a vis their family homes.
STAFF PANEL	To recognise service with all Public Sector bodies including commercial semi-state companies such as CIE, Aer Lingus, ESB and RTE etc. for the purposes of Incremental Credit.
STAFF PANEL	To increase CO Annual Leave on appointment to 22days per year and further increasing CO and SO grades by 1 day after every three years of service subject to the maximum leave entitlement available to the General Service grades.
STAFF PANEL	That the pension scheme be amended to remove the anomalies that mean staff who transfer within the Public Sector are incurring additional costs
STAFF PANEL	That removal expenses continue to be paid in circumstances where a Civil Servant applies to be included on a central transfer list.
STAFF PANEL	That two further long service increments for AP and PO grades be awarded. In addition the period of eligible service for both the existing and new long service increments be reduced from three to two years
STAFF PANEL	That a scheme of retirement with immediate payment of full superannuation benefits be introduced for those staff who are under 60 years of age and who have 40 years service.
STAFF PANEL	That standard mileage allowances and time off in lieu be paid for the extra time spent travelling each day for staff who are required to undertake additional travel in own transport to and from work in a temporary decentralisation location as a result of the failure of a Dept. to secure permanent accommodation in the official decentralised location by the date set out in official decentralisation plans.

AGREED REPORTS IN 2008

No	Title
1495	Seeking to have the number of days compassionate leave increased to 10days on the death of a parent, spouse or child and the definition of immediate relative extended to include aunt, uncle, nephew, niece, first cousins, sister/brother in-law Agreement (note no increase in the period of bereavement is being given)
1496	Seeking to return to a position where worksharers are to be allowed some discretion as the method of payment they receive for public holidays. Disagreement
1497	Seeking the introduction of condensed working hours for staff Disagreement
1498	Seeking to have the current flexi carryover of 11.5 hours per flexii period extended to 14 hours per flexi period in the Civil Service Disagreement
1499	Seeking to have the starting of flexitime bandwidth from 8.00am to 7.30am with immediate effect Disagreement
1500	Seeking the introduction of a new work pattern from 7am to 2pm Agreement
1501	Seeking a review of the core hours of the work-sharing scheme pattern of 9.00am to 3.00pm to be changed to 9.00am to 2.45pm Agreement
1502	Seeking to condense the number of points on the incremental scales of professional and technical grades. Disagreement
1503	That the existing pay on promotion circulars be amended so that Civil Servants are treated no less favourably than non-Civil Servants when being promoted on foot of an open competition. Disagreement
1504	That the Motor Mileage Rates be reviewed with effect from 1/7/2008 on the basis of the agreed formula Agreement
1505	That the Home Subsistence Rates be reviewed and any changes applied with effect from 1/7/2008 on the basis of the agreed formula Agreement

1506	That breaks for breastfeeding mothers be made available for the first twelve months after giving birth and that workplace facilities be provided in all offices particularly offices under the decentralisation programme for breastfeeding mothers
	Agreement
1507	Seeking incremental credit in respect of service in a higher grade and subsequent promotion where the higher grade service is not continuous
	Disagreement
1508	Seeking an “urban weighting allowance” for staff working in urban areas
	Disagreement
1509	To permit to carry forward without conditions or restrictions of up to five days annual leave at the end of a leave year.
	Disagreement
1510	Seeking the addition of three extra days annual leave for all staff who are operating on a 24-hour seven day week shift
	Disagreement
1511	To grade the post of Deputy Chief Appeals Officer (DCAO) Dept. of Social and Family Affairs, at PO level
	Disagreement
1512	Seeking to have the existing full sick leave pay provision extended from six months to twelve months where the medical condition involves ongoing oncology care
	Disagreement
1513	That Certificates from accredited Para Medical staff, such as those issued by physiotherapist and chiropractors, be regarded as equivalent to certification by a doctor for the purposes of sick leave regulations
	Disagreement
1514	That the Sick Leave Regulations for Established Civil Servants be amended in the case of staff who have long service and a good sick leave record so that the period of sick leave on full pay be increased to 12 months in the case of serious illness and, also that the limit of 56 days sick leave in four years in respect of eligibility for promotion be increased to 112 days in the case of such staff.
	Disagreement
1515	That in all future Interdepartmental Competitions for appointment to Higher Executive Officer and Assistant Principal, position is determined by the candidate’s total score
	Disagreement
1516	To provide eye tests for all officers on a biennial basis
	Disagreement
1517	This report has not yet been signed off on
1518	That the arrangements governing special leave with pay be amended in order to permit such leave for staff obliged to accompany dependent relatives to medical appointments.
	Disagreement



THE FOLLOWING ADJUDICATION HEARINGS WERE HELD IN 2008:

- **Continued payment of an allowance to Conservation Rangers.**

The Adjudicator findings were in favour of the Official Side.

- **To upgrade the Chief Clerks in the Circuit Court offices to AP (Standard Scale)**

The Adjudicator findings were that an annual allowance in the nature of pay be conceded, such allowance to be set at 3300 (officers appointed pre 6th April, 1995) and 3474 (officers appointed post 6th April, 1995) – the allowance to be with effect from 1st March, 2008.

- **Co-operation with the introduction of all modernisation and flexibility initiatives.**

This was an ad-hoc hearing, the Adjudicator findings were in favour of the Official Side.

CIRCULARS ISSUED BY DEPARTMENT OF FINANCE IN 2008

No.	Title/Content
01/08	Cursai agus Scolaireachtaí Gaeltachta 2008
02/08	Retention of Civil Servants beyond the normal retiring age
05/08	Revision of pay of Civil Servants
06/08	Confined competition for Appointments as Clerical Officer in the Civil Service
07/08	Confined competition for Established Appointment to certain Grades in the Civil Service
08/08	Appointment on a secondment basis in the Office of the Ombudsman for the Defence Forces.
10/08	Public Service Pension Reform
13/08	Motor Travel Rates
14/08	Subsistence Rates
18/08	Revision of pay of Civil Servants
19/08	Subsistence Allowances Abroad
20/08	Revised Parental Leave

Letters to Personnel Officers 2008

09/121/06	One Year Probation Contracts and General Council Agreement Nov 2007
22/2/2008 LP	The Safety, Health and Welfare at Work Act 2005
22/2/2008 LP	Management of Sick Leave and case Referrals to CMO's Office
00/8/82	Starting Pay on Recruitment from Open Competitions