

2007 RESOLUTIONS Adopted and action taken

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

MOTION 4

In Rule 9 (d) (i) Add “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”

MOTION 6

Rule 22 (f)

Add

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 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.

Action Taken

The amendment to the Rules & Constitution of the Association has been registered with and approved by the Registrar of Friendly Societies.

MOTION 7

This conference instructs the incoming Executive Committee to work through ICTU to keep the terms of the “Towards 2016” national agreement under review, with a view to providing, if necessary, for an appropriate increase to compensate for any erosion of the pay elements of this agreement caused by the significant recent increase in inflation.

Action Taken

The Association has written to ICTU on this matter and continues to monitor the situation. The General Secretary, Dave Thomas has attended the ICTU Executive Committee for the meetings discussing the next round of the pay talks discussing the unions' strategy. The rate of inflation is one of the items to be addressed in the forthcoming talks.

MOTION 11

That this ADC calls on the incoming Executive to conduct a study of the cost of living in Dublin so as to establish if there are grounds for seeking the payment of allowance to members living in County Dublin similar to that applicable to London in the UK.

MOTION 12

In light of the greater cost of living in metropolitan areas, this conference seeks a weighting allowance similar to that granted in the UK for staff living and working in such areas.

Action Taken

A claim seeking an allowance for staff working in urban locations has been lodged at the General Council Staff Panel. This has not yet been agreed by the other unions who are considering it. A similar claim by the Irish Nurses Organisation (INO) was rejected by the recent Benchmarking Body Report.

POSTAL LIBERALISATION

MOTION 13

That this ADC instructs the Executive Committee to request the Minister for Communications when introducing legislation to implement the EU Postal Liberalisation Directive to ensure that

- The provider of the Universal Service Obligation is adequately funded so that there is no threat to jobs or salary levels to our members in An Post
- Postal customers outside of major urban areas do not suffer a reduced delivery and collection service
- New entrants are not allowed to "cherry pick" at the expense of the USO provider.

Action Taken

The Association has written to Mr Eamon Ryan TD, Minister for Communications, Energy & Natural Resources outlining the Association's concerns on this matter.

DECENTRALISATION

MOTION 14

That this ADC reiterates its support for a rational model of decentralisation and calls on Government to review the scope and timetable of the current decentralisation programme having regard to the serious difficulties arising both from HR/IR and Quality Public Services perspectives.

Action Taken

The Executive Committee continues to press in IR and public fora for a more rational model of decentralisation. The Association's revised document *Public Service Decentralisation The Need for an Immediate Review* which was published in May 2007 has been circulated to all members of the government, TD's, Senators, and the media. The Executive continues to keep the issue under review.

MOTION 15

That Conference requests the Government to publish an Environmental Impact Statement on the current decentralisation programme assessing matters such as how availability of public transport affects the selection of office sites, and the steps taken to ensure the programme does not promote a car dependent lifestyle.

Action Taken

A claim in this regard was lodged at General Council. The Official Side response was that the DIG kept all aspects of Decentralisation under review and that it was not considered productive to look at just one aspect of Decentralisation in isolation.

Motion 16

That this Conference instructs the incoming Executive to request the Department of Finance to amend the CAF arrangements to allow officials on the Dublin CAF to express a preference for offices in those counties bordering any of the 4 Dublin local authority areas. Where positions arise in these offices the usual seniority provisions would be employed to ascertain the order in which places are offered to officers on either CAF panel.

Action Taken

A claim in this regard has been lodged at General Council. The Official Side is examining the merits of the claim. At the time of writing the Association is awaiting a response.

MOTION 17

That this Conference instructs the incoming Executive to request the Department of Finance to extend the Dublin CAF to include all offices in the Greater Dublin area not covered by the CAF for decentralised offices .

Action Taken

Association head office is in discussion with the sponsoring branch regarding the implications of the motion.

MOTION 19

That this Conference instructs the incoming Executive to ensure that members who wish to decentralise are no longer forced to accept poorer working conditions or a reduction in salary in order to decentralise and to enter into negotiations with the Department of Finance to seek the restoration of former conditions and salary in all cases where decentralising members have been negatively affected.

Action Taken

This issue is under discussion with Department of Finance at the General Council Sub Committee on Decentralisation.

MOTION 20

That this ADC expresses serious concern about the adverse impact on the welfare, career development and working conditions of members arising from the Decentralisation Programme and instructs the Executive Committee to prioritise these issues, paying particular attention to its core mandate of protecting the welfare of its members, in formulating an effective and coherent response on the part of the Association to the impact of the Decentralisation Programme and its consequences.

Action Taken

The Executive Committee continues to keep the Decentralisation issue under review and published and circulated to all members of the government, TD's, Senators and the media it's revised document *Public Service Decentralisation The need for an immediate review.*

Motion 21 - Remitted

That Conference instructs the incoming Executive Committee to ensure that candidates in the forthcoming PO Interdepartmental competition have an opportunity to compete for posts in Dublin.

Action Taken

The Closing date for the PO competition had already passed and no action could be taken in relation to that competition. However, when the next competition is being discussed this will be an issue the Association will pursue. The Association is also conscious that there will be large numbers of surplus PO's in Dublin who have to be accommodated.

MOTION 22 –Remitted

That Conference instructs the incoming Executive Committee to ensure that Candidates in the forthcoming Open PO competition may only compete for posts in decentralised locations where there is a shortfall in applicants from that grade.

Action Taken

It was agreed that vacancies that occur in Dublin that are due to the interdepartmental competition are filled by surplus PO's from Decentralising Departments/Offices. The resultant vacancies in the Decentralising/Decentralised Department/Office will be filled from one of the PO panels in the following sequence

1	Interdepartmental	2 open	3 Interdepartmental
4	Open	5 Interdepartmental	6 Open
7	Interdepartmental	8 Open	9 Interdepartmental

The sequence is then repeated. This fulfils the criteria of 4 in 9 posts going to the open panel and ensures that only posts in Decentralisation/decentralising locations are offered to the panels.

MOTION 23

That this ADC:

a) notes that the circular for the current interdepartmental competition for PO carries with it a commitment for successful candidates to decentralise for a minimum of 3 years;

b) notes that the official side are interpreting this to mean that the commitment must be discharged by an officer remaining for the entire period at a particular regional location, even where a vacancy becomes available at another regional location that the officer concerned had applied for under the decentralisation programme;

c) given that this is neither in the interests of the individuals concerned nor of the decentralization programme, instructs the incoming Executive to seek a commitment from the Official side, the effect of which would be to allow an officer promoted under this scheme to:

- (i) maintain his/her application to decentralise to their location of choice, and

- (ii) allow him/her to transfer to that location, when a vacancy arises, and to discharge the balance of their commitment there.

Provided that this does not adversely affect any other AHCPS member.

Action Taken

The Association has raised this issue at the Decentralisation Sub Committee of General Council and is currently being examined. The Official Side clarified the five year rule as follows “If someone is not asked to move to the decentralisation location on or before the 5-year period mentioned above expires, their obligation to move lapses as a result of the expiry of the undertakings given. Obviously, if they still want to move after the 5-year period, they would be facilitated in doing so. If they are not prepared to move when asked, and facilities are in place to permit them to do so within the time scales set out, Personnel Officers will arrange for their reversion to the grade from which they were promoted.”

SUPERANNUATION

MOTION 24

That this Conference ask the Executive to seek, in the context of decentralisation, added years service up to age 60 for early retirement purposes for staff who are entitled to benefit from existing Cost Neutral Pension arrangements.

Action Taken

A claim in this regard had previously been lodged at General Council in December 2006 and no progress was made. The Executive decided that it was too soon to lodge a similar claim and agreed to keep the matter under review.

PROMOTION

MOTION 25 – Remitted

That conference instructs the incoming Executive Committee to secure commitment from the official side that in respect of the Open Competitions for promotion, there will be equity of treatment between all candidates, irrespective of whether they are current serving civil servants or external applicants. In this regard that Conference further instructs the incoming Executive Committee to secure agreement from the official side that stage 2 and stage 3 of the current open competition for PO, will be separate for stage 2 and stage 3 of the Interdepartmental competition.
Taoiseach’s Branch

Amendment

In the final sentence to delete “separate for” and substitute “separate from”

Action Taken

The Closing date for the PO competition had already passed and no action could be taken in relation to that competition. However, when the next competition is being discussed this will be an issue the Association will pursue.

LATERAL MOBILITY

MOTION 26

That this ADC instructs the Executive to seek to have a system put in place to allow mobility of staff between Departments.

Action Taken

Claim lodged at General Council in relation to AHCPS grades. The Official Side are giving active consideration to this proposal and considering a continuation of the CAP system when this decentralisation programme is completed

WORK-LIFE BALANCE

MOTION 27 – Remitted

That the incoming Executive Committee should pursue with the official side, as a matter of urgency, the introduction of annualised hours for APs and POs in order to provide appropriate work life balance options for AHCPS grades.

Action Taken

This is one of a number of issues being considered by the Work Life Balance Network as part of a review of Work Life Balance issues.

POSITIVE WORKING ENVIRONMENT

MOTION 28

Welcoming the increased awareness of the effects of bullying in the workplace and the development of procedures to address the problem, in general, and noting that allegations of workplace bullying must be addressed fairly and equitably, that this ADC instructs the incoming Executive Committee to seek from the official side data on cases where allegations of bullying have been made, to determine numbers of cases overall, the number of cases where a finding has been made (whether for or against the allegations), the number of inconclusive findings, and any evidence of abuse of the process, with a view to making any recommendations which the Executive Committee sees fit in relation to the fairness of the process or to address other issues arising for members.

Action Taken

A claim seeking data in relation to bullying cases has been lodged at General Council. The Official Side is reviewing their policy in line with Health & Safety Authority guidelines which will include maintaining and monitoring statistics in relation to cases and outcomes.

ASSOCIATION ORGANISATION

MOTION 29

That this ADC 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

The Association continues to expand its use of ICT technology for communicating with branches and members and is updating its website. An amendment to Rule 9 (d)(i) was agreed at the 2007 ADC which allows for the receipt of motions by electronic means. As signature of a candidate for an officership, executive or standing orders position is still required nomination for these positions are still required by hard copy.

MOTION 30 – Remitted

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

Action Taken

The Executive Committee considered this motion but found that, because of the representative nature of the Association, it was not possible to devise a workable provision, without being over elaborate, with the consequent possibility of allowing loopholes.

RETIRING GENERAL SECRETARY

MOTION 31

That this ADC expresses its appreciation to Seán Ó Ríordáin for the professionalism, commitment, and dedication he has displayed in representing the interests of the members of the Association over the past twenty years. During his time as General Secretary, and in his civil service career before taking up that post, he has

displayed the highest standards of public service and we wish him a well earned, long and happy retirement.

Action Taken

The sentiments of the motion have been expressed to the former General Secretary Sean O Riordain who was in attendance at the ADC.

SUBSCRIPTION RATE

MOTION 32

That this ADC determines that the membership subscription rate be reduced from 0.6% of salary to 0.5% of salary with effect from 1 January 2008.

Action Taken

The reduction in membership subscriptions took effect from January 2008.

MOTION 33

This conference notes the large amounts of surplus income over expenditure that have been accumulated in recent years, €345,762 in 2005, €350,338 in 2004 and €382,266 in 2003 and calls on the Executive to

- (a) Utilise a significant percentage of this surplus, and any subsequent annual surplus, towards reducing the mortgage on the Fleming's Place property and
- (b) Set funds aside for any unanticipated expenses arising from decentralisation
- (c) If on the completion of the decentralisation programme, there is still a significant annual surplus reduce the rate of the annual subscription.

Action Taken

The mortgage has been repaid in full since August 2007 and the membership subscription was reduced to 0.5% of salary from January 2008. The Executive Committee continues to keep the Association's finances under review.

LEAVE

MOTION 34

Given the complicated nature and arbitrary effects of the procedures for carrying forward unused leave over a three year cycle, this ADC instructs the incoming Executive to submit a claim to add to the existing arrangements a general provision to permit the carrying forward, without conditions or restrictions, of up to five days' annual leave at the end of any leave year.

Action Taken

A claim in this regard has been lodged at the General Council Staff Panel and is under discussion at a sub committee of Council.

Motion 35

That this ADC calls on the Executive to negotiate a scheme of unpaid special leave whereby staff can take a half day unpaid leave for each year of service, subject to a maximum of 15 days per year.

Action Taken

A Claim has been lodged at General Council Staff Panel and has been rejected. The Department of Finance response was as follows:

DPS Circular Letter 2/76: Special Leave already allows unpaid leave for a wide variety of purposes – urgent domestic circumstances, at time of marriage, study purposes, language courses abroad, charitable/community work, miscellaneous purposes for up to two months, i.e. “the purpose for which the leave is sought must be reasonable in itself and not incompatible with the applicant’s official position” (2/76, para. 37.1).

The maternity leave provisions allow 16 weeks unpaid additional maternity leave.

The civil service work-life balance arrangements provide several possibilities for staff who may need to take some unpaid leave – worksharing, term time, career break.

The statutory provisions of Parental Leave, force majeure, Carer’s Leave are also widely availed of in the civil service.

In view of the wide range of special leave provisions in the civil service, it is not proposed to extend the scheme of special leave without pay.

STAFFING

MOTION 37

That this Annual Delegate Conference instructs the incoming Executive Committee to commence negotiations with the Official side on the introduction of an arrangement whereby staff on Maternity Leave are replaced for the duration of said leave on the same basis as applies in the case of staff availing of the

arrangements for leave under Term Time mindful of the fact that under revised arrangements Maternity Leave can be of a duration of up to 48 weeks.

Action Taken

Arrangements in this regard are already in place. Personnel Officers were advised in writing by the Department of Finance that “Vacancies arising from serving staff availing of Maternity leave and Adoptive leave (including additional Maternity leave and Adoptive leave) may be filled by the granting of higher duty allowances in the case of staff above clerical level or the basic recruitment level in Technical or Professional grades and by the recruitment of temporary staff at Clerical level or the basic recruitment level in Technical and Professional grades. Whether higher duty allowances are required the criteria for selection of staff for acting-up assignments are a matter to be determined by individual Departments.”

TAXATION

MOTION 38

This conference notes with concern the continued use of avoidance schemes to minimise tax liabilities and calls on management to ensure that the appropriate numbers of skilled staff are available to confront these schemes with appropriate legislation backing them.

Action Taken

The Executive Committee have noted the sentiments and continue to keep the matter under review.

MOTION 39

This conference notes with concern the increasing tax evasion in the Shadow Economy and calls on management to ensure that the office is adequately staffed with the appropriate skilled staff backed by appropriate legislation to confront this issue.

Action Taken

The Executive Committee have noted the sentiments and continue to keep the matter under review.