

# Agenda

Annual Delegate Conference  
Friday 9th May 2008

Association of  
Higher Civil  
& Public  
Servants

Comhlachas na  
Seirbhíseach  
Uachtarach Stáit  
agus Poiblí

AHCPS

# Agenda 2008

1. Minutes of Annual Delegate Conference 2007.
2. Appointment of Tellers.
3. Adoption of Standing Orders and Reports of the Standing Orders Committee.
4. Chairman's Address and Introduction of Guests.
5. Annual Report.
6. Statement of Accounts.
7. Appointment of Officers, Executive Committee and Standing Orders Committee.
8. Motions as on the Order Paper.

# Standing Orders

## 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.

# Timetable

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 ( <b>collection of ballot papers</b> )	
No. 9	<b>MOTIONS: 1- 34</b>	
	<b>LUNCH</b>	<b>13.30 - 14.30</b>
No. 9	<b>Motions (Resumed)</b>	<b>14.30 - 16.30</b>

Brian Ingoldsby (Chair)

Dave Denny

John Gordon

Denis Moynihan

*Standing Orders Committee*

*21 April 2008*

# Nominations

for Officerships, Executive and Standing Orders Committee 2008

Position

Nominee

Nominated by

Chairperson

Carpenter Peadar  
(Foreign Affairs)

Foreign Affairs

Vice-Chairperson

Allen Tom  
(Revenue)

Agriculture Fisheries & Food  
Community Rural & Gaeltacht Affairs  
Foreign Affairs

Treasurer

McLoughlin Mary  
(Health & Children)

Health & Children  
Education & Science  
Revenue  
Foreign Affairs

Standing Orders Committee

Denny David  
Finnegan Peter  
Hanley Sheila  
Ingoldsby Brian

Finance  
Office of the Houses of the Oireachtas  
Revenue  
Justice, Equality & Law Reform

## Executive Committee

Agnew Terry

Courts Service

Allen Joe

Environment Heritage & Local Government

Carney Tom

Education & Science

Crosby Philip

Revenue

Dunne Larry

Finance

Faherty Eoin

Office of the Houses of the Oireachtas

Holleran Noel

Agriculture Fisheries & Food

Hughes Eamon

An Post National Lottery

Hughes John

Enterprise Trade & Employment

Lehane Ray

Social & Family Affairs

McKevitt Brian

Ombudsman's Branch

Noonan Angie

Health & Children

O'Gorman Ann

Justice, Equality & Law Reform

O'Shea Bernard

Arts Sport & Tourism

# Motions

## RULE CHANGE

### MOTION 1

That this ADC approves the following rule change:  
That Rules 9(b)(i) (A) and 9(b) (i) (B) be amended by replacing the number 15 with the number 20 in each section and sub section. This amendment to take effect from 1 September 2007.

*Foreign Affairs Branch*

#### Amendment no. 1

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.*

*Enterprise Trade & Employment Branch*

#### Amendment no. 2

Replace “30” with “25”

*Revenue Branch*

### MOTION 2

Rule 9 (c)

Delete “31st May” and replace with the “30th June.”

*Revenue Branch*

#### Amendment

Replace “30” with “25”

*Revenue Branch*

### MOTION 3

In Rule 9 (d) (i) Delete “nine weeks” Replace with “eight weeks”

*Revenue Branch*

#### Amendment

Replace “30” with “25”

*Revenue Branch*

### 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”

*Revenue Branch*

### MOTION 5

Rule 22 (f)

Delete “ten” Replace with “eight”

*Revenue Branch*

### 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.

*Revenue Branch*

## PAY

### MOTION 7

(STANDS FOR ITSELF AND MOTIONS 8, 9 & 10)

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.

*Foreign Affairs Branch*

### MOTION 8

That the incoming Executive Committee should, as a matter of extreme urgency, seek the renegotiation of the pay terms of Towards 2016 in light of the numerous and continuing increases in the rate of inflation.

*Health and Children Branch*

#### Amendment

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”

*Revenue Branch*

## MOTION 9

That Conference expresses concern at the substantial variation between the pay elements of the current Towards 2016 National Agreement and current cost of living increases, and instructs the Executive to formulate and implement a strategy, in co-operation with other unions as appropriate, to ensure that pay increases are at least equal to the cost of living increases and, if possible, exceed this threshold by a sufficient amount to compensate for the concessions made under the deal.

*Education and Science Branch*

## MOTION 10

In view of the current rising rate of inflation this meeting urges the incoming Executive Committee of the need to have the terms of the current National Wage Agreement –Towards 2016- reviewed with a view to having the monetary terms revised upwards in the light of the burden that this high inflation is having on our members and society generally.

*Revenue Branch*

## 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.

*Justice, Equality & Law Reform Branch*

## 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.

*Revenue Branch*

## 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.

*An Post Branch*

## 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.

*Executive Committee*

### 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.

*Finance Branch*

### 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.

*Community Rural and Gaeltacht Affairs Branch*

### 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 .

*Community Rural and Gaeltacht Affairs Branch*

### MOTION 18

That conference calls on the Executive to ensure, in its discussions on decentralisation with Department of Finance and/or DIG, that the concerns of the IT community in Departments and Offices are addressed, in relation to the intake of personnel with the necessary skills and qualifications, to ensure the smooth continuity of business; that this could best be achieved by undertaking, as a matter of urgency, the establishment of baseline qualifications or experience as a prerequisite for transfer into an IT post.

*Defence Branch*

### 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.

*Arts Sport & Tourism Branch*

## 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.

*Foreign Affairs Branch*

## MOTION 21

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.

*Finance Branch*

## MOTION 22

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.

*Finance Branch*

### Amendment no. 1

*In line 7 delete the words "against some women";*

*Enterprise Trade & Employment Branch*

### Amendment no. 2

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

*Enterprise Trade & Employment Branch*

## 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.

*Health and Children Branch*

### Amendment

To add to paragraph (c), after sub paragraph (ii):

*Provided that this does not adversely affect any other AHCPs member.*

*Revenue Branch*

## 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.

*Communications Marine and Natural Resources Branch*

## PROMOTION

### MOTION 25

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"*

*Taoiseach's Branch*

## 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.

*Social & Family Affairs Branch*

### Amendment

*after the words "Executive Committee of the AHCPs" in the first line, add the words "to demand that the Official Side"*

*Enterprise Trade & Employment Branch*

## WORK-LIFE BALANCE

### MOTION 27

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.

*Health and Children 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*

## 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.

*Enterprise Trade & Employment Branch*

## 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.

*Health and Children Branch*

### MOTION 30

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.

*Health and Children Branch*

## RETIRING GENERAL SECRETARY

### MOTION 31

That this ADC expresses its appreciation to Seán Ó Riordáin 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.

*Enterprise Trade & Employment Branch*

## 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.

*Executive Committee*

### 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.

*Revenue Branch*

## 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.

*Environment Heritage & Local Government Branch*

### 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.

*Social Family Affairs Branch*

#### MOTION 36

That this ADC calls on the Executive to negotiate a scheme of unpaid special leave similar to Term Time Leave whereby staff can take 8 or 10 weeks unpaid leave in any year, at a suitable time and irrespective of whether they have children or not, without restrictions as to the purpose of the leave.

*Social Family Affairs Branch*

#### 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.

*Agriculture & Food Branch*

#### 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.

*Revenue Branch*

#### 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.

*Revenue Branch*

