

Association of
Higher Civil and
Public Servants

Comhlachas na
Sheirbhíseach
Uachtarach Stáit
agus Poiblí

AHCPS

AHCPS Annual Report

11
12

CONFIDENTIAL TO MEMBERS



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

ANNUAL REPORT
2011/2012

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OFFICERS OF THE ASSOCIATION FROM 1943 - 2012

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'Connellain	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. Nally		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
1987/91	Michael O'Donoghue	Padraig Cullinane	1987-2007	P. Greene
1991/92	Padraig Cullinane	Richard Ryan		P. Greene
1992/95	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
1998/2001	Brian Murnane	Patrick Dowling		Kieran Coyle
2001/2002	Patrick Dowling	Seamus Molloy		Liam Kelly
2002/2003	Patrick Dowling	Seamus Molloy ****		Liam Kelly
		Sean McDonald		
2003/2004	Sean McDonald	Brigitta O'Doherty		Liam Kelly
2004/2005	Brigitta O'Doherty	Philip Crosby		Mary McLoughlin
2005/2007	Philip Crosby	Ciaran Rohan		Mary McLoughlin
2007/2008	Ciaran Rohan	Peadar Carpenter	Dave Thomas	Mary McLoughlin
2008/2010	Peadar Carpenter	Tom Allen	2007-	Mary McLoughlin
2010/2011	Peadar Carpenter	Tom Allen		Bernard O'Shea
2011/2012	Peadar Carpenter	Tom Allen		William Thompson

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

*** Resigned on posting to London as Labour Attache **** Deceased

Trustees

Ms Margaret Kelly, Mr Brian Murnane, Mr Sean McDonald.

Auditor

Anne Brady McQuillans DFK was appointed Auditor by the Trustees in January 2011.

Head Office

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

HONORARY OFFICERS OF THE ASSOCIATION 2011/2012

President	Tom Quigley
Vice-Presidents	Paddy A. Terry Mary McGuire Padraig Cullinane Benny Kevitt Richard Ryan J.P.O'Brien Con Ryan Pat Dowling Seán O Ríordain Brian Ingoldsby Peter Greene

The following Officers were elected at the Annual Delegate Conference held on 6 May 2011:

Chairperson	Peadar Carpenter	(Foreign Affairs)
Vice-Chairperson	Tom Allen	(Revenue)
Treasurer	William Thompson	(Revenue)

EXECUTIVE COMMITTEE 2011/2012

Bolger Grainne	Justice & Law Reform
Bourke Declan	Environment Heritage & Local Government
Burke Denis	FÁS
Dowling Edna	Social Protection
Dunne Larry	Finance *
Farrell Mary	Revenue
Glennon John	Courts Service
Holleran Noel	Agriculture Food & Fisheries
Hughes Eamon	An Post
Hughes John	Jobs, Enterprise & Innovation
McIntosh Willie	Education & Skills
Smyth Kieran	Health & Children
Flood Frank	Foreign Affairs (co-opted)
O'Shea Bernard	Tourism Culture & Sport (co-opted)

* Barry O'Brien (PER) was co-opted following the resignation of Larry Dunne (Finance).

EXECUTIVE SUB-COMMITTEE 2011/2012

AHCPs Officers are ex-officio members of all Sub Committees

PAY & STRATEGY

Carpenter Peadar (**Chair**)
 Allen Tom
 Thompson Billy
 Hughes John
 Holleran Noel
 Glennon John
 McIntosh Willie

COMMUNICATIONS SUB COMMITTEE

Carpenter Peadar (**Chair**)
 Allen Tom
 Dowling Edna
 Farrell Mary
 Flood Frank
 Hughes John
 Burke Denis
 Smyth Kieran
 Walker Alan
 Chadwick Brian
 Crowther Mark

ORGANISATION & GENERAL PURPOSES

Allen Tom (**Chair**)
 Peadar Carpenter
 Thompson Billy
 Bourke Declan
 Hughes John
 Dunne Larry
 Glennon John
 McKeivitt Brian
 Holleran Noel
 McIntosh Willie
 Smyth Kieran

EQUALITY & DIVERSITY SUB COMMITTEE

Tom Allen (**Chair**)
 Carpenter Peadar
 Bourke Declan
 Bolger Grainne
 Dowling Edna
 Glennon John

FINANCE & SERVICES SUB COMMITTEE

Thompson Billy (**Chair**)
 Carpenter Peadar
 Allen Tom
 Bourke Declan
 Dunne Larry
 Hughes Eamon
 McIntosh Willie

Trustees

Ms Margaret Kelly
 Mr Brian Murnane
 Mr Sean McDonald

Auditor

Ann Brady McQuillians DFK appointed as Auditor by the Trustees in January 2011.

Head Office

The Association's Head Office is:

Fleming's Hall, 12 Fleming's Place, Dublin 4.

Consultative Council

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

BRANCH SECRETARIES 2011/2012

Agriculture, Foods & the Marine	Brid Farrell
An Post	Joe Gleeson
Arts, Heritage & Gaeltacht	Mark Bohan
Central Statistics Office	John O'Reilly
Communications, Energy & Natural Resources	John King
Comptroller & Auditor General	Peter Kinsley
Commission for Energy Regulation	Keelin O'Brien
Courts Service	John Glennon
County Enterprise Boards	Michael Tunney
Children & Youth Affairs	
Defence	Colm O'Cinnseala
Education and Skills	Peter Kelly
Eircom	
Jobs, Enterprise & Innovation	Sabha Green
Environment, Community & Local Government	Eoin Corrigan
FÁS	Denis Burke
Finance/PER	Marianne Nolan
Food Safety Authority of Ireland	Pat Farrell
Foreign Affairs & Trade	Nigel Hutson
Garda Civilian	Kieran Downey
Health	Peter Lennon
Health and Safety Authority	Andrew Allen
Houses of the Oireachtas	Charles Hearne
Irish Aviation Authority	
Justice & Equality	Maeve Hogan
Property Registration Authority	Frank Godfrey
National Centre for Partnership & Performance	Edna Jordan
Office of Public Works	
Office of the Ombudsman	Derek Charles
Ordnance Survey Ireland	Greg Whelan
Pensions Board	Tom Dunphy
Injuries Board	Susan O'Gorman
Prison Governors	Ronan Maher
Public Appointments Commission/Service	
Revenue	Val Jeffrey
Social Protection	Des Henry
Taoiseach's	Ray Henry
Transport, Tourism & Sport	Peter Fitzsimons
Chief State Solicitors Office	Michael Fallon
Attorney General	Brian Scannell
Legal Aid Board	Evelyn McGuinness
National Council Special Education	

INTRODUCTION

Introduction

The last number of years have been very difficult for the public service. Despite all the criticism from the bulk of the media and commentariat the Public Service Agreement 2010-2014 has met all targets and this has been acknowledged by the Troika (ECB, EU and IMF). The numbers employed in the public service have reduced from 320,000 in 2008 to 296,000 at time of writing and are to reduce further to 280,000 over the lifetime of the agreement.

Last year we reported that the Association referred to third party the issue of the abolition of the privilege days. The outcome of the arbitration process was successful. However, during the year the Government reviewed the annual leave for all those employed in the public service. The resulting outcome is that most members will lose one day's leave. New recruits will have a maximum of 30 days annual leave and any person promoted from now on will have their leave cut to 30 days max.

In the last year the Department of Social Protection has seen the redeployment of approximately 1,000 staff from the Community Welfare Service in the HSE and 700 staff from FAS. This is creating major challenges for that Department. This influx has made the Department of Social Protection the largest Department in the Civil Service.

The Department of Public Expenditure and Reform has proposed that allowances will be cut by 5 per cent this year and by 10 per cent next year. At the time of writing we are not sure how this will affect our grades.

Final decisions have been made by the Government in relation to the conclusion of the decentralisation programme. However, that leaves a number of unresolved issues particularly around locations where advance parties were sent. The Association will be engaging with the Official Side on these matters.

The Department of Public Expenditure and Reform is proposing measures to reform the public service. Among the proposals are:

- Revised PMDS
- Shared Services
- Move to monthly salary
- Revised sick leave proposals
- New Pension Scheme for New Entrants

Ireland is assuming the EU Presidency for 2013 and talks will be entered into with the Department in relation to staffing arrangements.

Dave Thomas
General Secretary

ORGANISATION

1.1 ANNUAL DELEGATE CONFERENCE

The 30th Annual Delegate Conference of the Association took place in The Radisson Blu Hotel, Golden Lane, Dublin on Friday 6 May, 2011. 169 Branch Delegates and 17 Executive Committee members attended.

The Association's guests at the Conference were Mr Jonathan Baume General Secretary FDA London and Mr Harry Baird, Northern Ireland FDA.

1.2 EXECUTIVE COMMITTEE

Peadar Carpenter, Department of Foreign Affairs was re-elected to the office of Chairperson. Tom Allen, Revenue Commissioners was re-elected Vice-Chairperson. William Thompson (Revenue) was elected as Treasurer.

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

1. **Bolger Grainne** Justice & Law Reform
2. **Bourke Declan** Environment Heritage & Local Government
3. **Burke Denis** FÁS
4. **Dowling Edna** Social Protection
5. **Dunne Larry** Finance *
6. **Farrell Mary** Revenue **
7. **Glennon John** Courts Service
8. **Holleran Noel** Agriculture Food & Fisheries
9. **Hughes Eamon** An Post
10. **Hughes John** Jobs, Enterprise & Innovation
11. **McIntosh Willie** Education & Skills
12. **Smyth Kieran** Health & Children

Frank Flood (Foreign Affairs) and Bernard O'Shea (Tourism, Culture & Sport) were co-opted to the Executive Committee under Rule 11 (a)(iii) of the Rules and Constitution of the Association.

* Barry O'Brien (PER) was co-opted following the resignation of Larry Dunne (Finance) from the Executive Committee during the year.

** Tom Fanthom (Revenue) was co-opted following the retirement of Mary Farrell (Revenue).

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
Dunne Ben	Social Protection
Finnegan Peter	Houses of the Oireachtas
Hanley Sheila	Revenue

Mr David Denny was subsequently elected Chairperson of the Committee.

Peter Finnegan resigned during the year from Standing Orders following his promotion to Assistant Secretary and was replaced by Larry Cashman (Agriculture, Food & the Marine).

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

MOTION 1

Rule Change:

To change wording in rule 11(a)(iii) Executive Committee last line and remove words "men and women" and replace with words "gender and grade". Rule will now read as follows: (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 gender and grade on the Executive Committee.

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

MOTION 2

To change wording in rule (13)(c)(iv) Elected Officers and remove word "may" in final sentence and replace with word "shall". Rule will now read as follows: (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 shall inspect all financial books and records of the Association.

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

PUBLIC SECTOR REFORM

MOTION 3

That Conference notes the Report of the Independent Review Panel on the Department of Finance and instructs the incoming Executive Committee to engage with the Government with a view to ensuring that the consideration and subsequent implementation of the Report's recommendations that fully supports the maintenance of a non-political, non-partisan and independently appointed Civil Service which has impartially served the interests of the Irish people since the foundation of the State.

ACTION: At a meeting with the Secretary General of the Department of Public Expenditure and Reform the issue was raised.

MOTION 4

That this Conference deplores the proposal in the Programme for Government to discriminate against serving civil servants in selection for senior civil service appointments and instructs the incoming Executive Committee to vigorously oppose, by any necessary means at its disposal, any attempts to reserve a proportion of PO and Assistant Secretary appointments for candidates from outside the civil service.

ACTION: Raised with DPER. No proposals available as yet.

MOTION 8

Conference directs the Executive to point out to all concerned that the much-maligned "Whitehall" model of Civil Service has delivered an Irish Civil Service that is "almost incorruptible". Any reforms to be undertaken must not sacrifice this integrity, reinforced by good corporate governance, for short-term apparent effectiveness, designed to appease media and other vested interests.

ACTION: At a meeting with the Secretary General of the Department of Public Expenditure and Reform the issue was raised.

MOTION 9

That Conference accepts that reform of the public service is essential to ensure that the economic well-being of Ireland is restored at the earliest possible moment but demands that any reforms are based on objective reviews of the work of the various parts of the public service rather than crude staff or budgetary reductions.

ACTION: At a meeting with the Secretary General of

the Department of Public Expenditure and Reform the issue was raised.

MOTION 10

That Conference stresses that the delivery of public services cannot be achieved without adequately resourced and effective policy, legislative, administrative and back office support for staff working in what is sometimes referred to as "frontline services" and demands that any review or reform of public services should be based on an objective assessment of the requirements for service delivery that gives due regard to the diverse range of inputs required.

ACTION: At a meeting with the Secretary General of the Department of Public Expenditure and Reform the issue was raised.

MOTION 11

That Conference instructs the Executive to resist any attempts to unilaterally impose new cross-stream reporting arrangements for grades represented by this Association without prior negotiation and agreement with the Association.

ACTION: Cross-stream agreed in Croke Park but Association continues to engage with local management where appropriate.

MOTION 13

Conference notes the decline in members' net pay due to (a) the introduction of the Pension Levy (b) the reduction in Pay Scales and (c) the reduction of tax credits in Budget 2011 Conference calls on the incoming Executive to commission an independent report to determine the decline in net pay relative to previous years based on Pay Rates at the Max of the scales at AP, AP1, PO and PO1 grades

ACTION: This work is being undertaken and a report will be made available.

MOTION 14

Conference asserts the right and responsibility of this Association to respond to any comments or proposals on our members' pay and conditions regardless of source; including political sources where the issue requires it.

PROPOSED ACTION: Incorporated into communications strategy.

MOTION 16

That Conference instructs the Executive to urgently lobby the incoming government in relation to the proposals set out in the National Recovery Plan 2011-2014 (Sect 6.5 - p. 94) to standard rate income tax relief on pension contributions and the public service "pension-related Deduction" over the period 2012-2014.

ACTION: Incorporate into ICTU pre-budget submission. Our intervention was successful in the context of the 2012 budget.

MOTION 21

Conference supports the retention of the 12.5% rate for Corporation Tax as it is seen as a driver for economic recovery by attracting Foreign Direct Investment.

ACTION: Adopted as policy and was a motion for the ICTU biennial conference where it was remitted to the ICTU Executive Council.

MOTION 22

Conference notes that;

(a) There is over €2.5bn in tax arrears (b) The majority of the arrears are owed by the self employed and corporate sector and Calls on the Government to introduce legislation that makes directors personally liable for the non-payment of fiduciary taxes by corporate bodies.

ACTION: Incorporated into Association’s contribution to ICTU pre-budget submission.

MOTION 39

Conference recommends to Congress that an intensive campaign be initiated to encourage union membership to spend their money on Irish manufactured products where possible and to spend their holidays in Ireland. This campaign if successful will save and create a large number of Irish jobs (tourists figures have decreased from 8m to 6.5m in 2010) and send a clear message to the wider public that the Trade Union Movement is prepared to play its part in our economic recovery.

ACTION: Adopted as policy.

ATTENDANCE MANAGEMENT

MOTION 23

This Conference welcomes recent moves to address infringements of sick leave regulations but instructs the AHCPS Executive Committee to take steps to ensure that these procedures support and safeguard genuinely ill staff.

ACTION: Raised with the Official Side and will form part of the forthcoming discussions on the sick leave scheme.

MOTION 25

This Conference directs the AHCPS Executive Committee to report at least twice a year to AHCPS members on the progress of motions passed at an ADC, the first report within four months of the relevant ADC at which passed and the second report within eight months of that ADC.

ACTION: Adopted as policy.

DECENTRALISATION

MOTION 29

That this ADC instructs the incoming Executive Committee to urgently seek to have the Department of Community, Equality and Gaeltacht Affairs offices, which

have been in temporary accommodation in Tubbercurry, Co. Sligo for the past five years, moved to the East Mayo area as originally committed to under the Decentralisation programme, on the expiration of the current lease arrangements on the temporary buildings

ACTION: Decision taken to close the Tubbercurry offices. Implications will be discussed with Official Side.

LEGAL ADVICE

MOTION 30

The incoming Executive Committee of the AHCPS be instructed by the ADC to review the current policy of the AHCPS regarding the provision of legal advice and/or legal representation for members of the AHCPS in relation to work-related issues.

ACTION: The Executive reviewed its legal policy and it was agreed to maintain the policy as is.

STAFFING

MOTION 32

Conference shares the concerns regarding “the dramatic reduction in our staffing numbers over the past year and the related loss of experience and corporate memory” as expressed in the Revenue Commissioners’ Action Plan. Conference notes, however, that there are no plans to deal with the long-term effect on the organisation and calls on the AHCPS to meet with the Dept. of Finance to redress this issue.

ACTION: Raised at several meetings with the Official Side. Issue also being addressed by Transition Teams.

MOTIONS REMITTED

SUPERANNUATION

MOTION 15

This ADC calls for the introduction of a scheme for provisional retirement whereby public servants aged over 50 and eligible for early retirement could apply for a 12 month absence from work on the same terms and conditions as would apply if they retired. At the end of the 12 month period they would either return to work or make their retirement permanent and receive whatever lump sum payments were due.

ACTION: Given the difficulties associated with such a scheme, after consideration, the Executive Committee decided not to pursue the matter.

MOTION 17

This Conference, in relation to the Purchase of Added Years Pension Scheme, directs the AHCPS Executive Committee to seek appropriate compensation, such as a pro-rata refund of contributions with interest, for affected

public servants who made contributions or lump payments prior to 2010.

ACTION: The Executive Committee having considered the matter will not be pursuing this.

SERVICES TO MEMBERS

MOTION 31

That Conference calls upon the incoming Executive Committee to investigate, including if necessary taking legal advice, the options for establishing a health insurance or health benevolent fund for public and civil servants, not ruling out the possibility of direct agreements with hospitals and consultants and the establishment of a dedicated GP service, so as to reduce costs to members and their families.

ACTION: The Executive agreed that it was not possible to introduce a health insurance scheme for members. Legally such a scheme would have to be open to all citizens.

1.5. TRUSTEES AND AUDITOR

The Association's Trustees are Ms Margaret Kelly, Mr Brian Murnane and Mr Sean McDonald. The trustees were re-appointed for further term up to May 2014.

Ann Brady McQuillian Accountants continue as the Association's Auditors.

1.6. HONORARY PRESIDENT AND HONORARY VICE PRESIDENTS

Mr Tom Quigley was appointed as President of the Association at the ADC 2011.

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 Dublin on two occasions during the year on the 17 October 2011 in the Radisson Hotel, Golden Lane, and on the 11 January 2012 in AHCPs Head office. Oisín Quinn SC addressed the meeting in October on the legal implications for member on the referendum on Oireachtas Committees to allow the Dail to make findings of fact against individuals.

Robert Watt, Secretary General of the Department of Public Expenditure and Reform spoke to the Consultative Council meeting in January 2012.

1.8 RETIREMENT SEMINARS

The Association ran a number of Retirement Seminars entitled "Should I stay or should I go" for members considering retiring on or before the 29th February 2012. The seminars were facilitated by Cornmarket Financial Services.

1.9 MEMBERSHIP

The Association, at 31 December 2011, represented 3,030 members at Principal and Assistant Principal in the Civil Service and equivalent levels in a number of state enterprises. This is a reduction of 182 on the previous year. 47 new applications were received during the year. The gender breakdown of membership is 1051 female (31%) and 1979 male (69%).

1.10 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.

The Association operates the following schemes.

Income Continuance Plan – Covering Long-Term Disability

The Plan, which is operated on behalf of the Association by Irish Life 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 1797 members in the Plan. The cost of the plan for members is 0.65% of salary.

Group Life Assurance Scheme

The Group Life Assurance Scheme, which provides supplementary Death in Service cover of twice salary, is underwritten by New Ireland Assurance at a contribution rate of 0.53% of salary. The scheme now allows members continue cover when they retire up to age 80 with reduced cover.

The Scheme is under the umbrella of the existing AHCPs Additional Voluntary Contribution Plan and the deduction qualifies for full Income Tax/PRSI Relief. There are 831 members currently in the scheme.

Additional Voluntary Contributions

Under the Finance Acts it is possible for a person in an occupational pension scheme to make additional voluntary contributions. In 2012 the AVC Scheme will be reduced to 34% allowable for Income Tax and PRSI relief. It will be further reduced in 2013 and 2014.

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

Car /House Insurance

- AA Ireland Tel. Telephone 01 6179253 or email AHCPs@aireland.ie
- Cornmarket, Christchurch Square, Dublin 8 (Telephone 01 4084040).

- Glennons Insurance: Telephone 01 7075959 or Email ahcps@glennons.ie
- Prestige Underwriters Group Motor/Home Insurance through Santam Europe Ltd. Telephone: 1890 808666 (049 437 1505)

Travel Insurance

Prestige Underwriters Services (Ireland) Ltd.
8 Ashe Street, Cavan.
Tel: 1890 808666.

Health Insurance Advice Service and Group Mortgage Insurance Scheme provided by:
Lyons Financial Services, Office 1, Dunboyne Business Park, Dunboyne, Co Meath.
Tel: 01 801 5808
Website: www.lyonsfinancial.ie

Mortgage Advisors

Omega Financial Management,
110 Rock Road, Booterstown, Blackrock, Co Dublin.
Tel: 01 288 4272

Investment Advice and Portfolio Management Service
Cornmarket Group, Christchurch Square, Dublin 8.
Tel: 01 408 4000

Omega Financial Management,
110 Rock Road Booterstown, Blackrock, Co Dublin.
Tel: 01 288 4272

Legal Advice Service
The Association's solicitors, provide a general legal service to members are:

O'Mara, Geraghty, McCourt
51 Northumberland Road, Dublin 4.
Tel: 01 660 6543

McGarr Solicitors,
12 City Gate,
Lower Bridge Street, Dublin 8.
Tel: 01 6351580.

Further information regarding the above schemes are available on the Association's website.

1.11 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.

1.12 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

Mark Crowther assisted with recording and writing of the minutes of the 2011 ADC. Tom Quigley Honorary President and Joe Brennan also assisted at the ADC. Their contribution is greatly appreciated.

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

CIVIL SERVICE

2. PAY

2.1 PUBLIC SERVICE AGREEMENT 2010-2014

The reduction in staff numbers achieved under Croke Park have exceeded the targets set, leading to substantial savings in the public service pay bill. This has been acknowledged in the progress reports of the IMF-ECB-European Commission 'troika' and by the Croke Park implementation body.

Public service numbers fell by 16,000 in the two years up to mid-2011, generating annual savings of 900 million. This trend has continued in the second half of 2011 and is accelerating in the first quarter of 2012, bringing substantial additional savings. Public Service numbers have reduced from 320k to a target of 296k at the end of this year and down to 280k by the end of 2014. The target for the Civil Service is 35,607 for the end of this year.

2.2 RETIREMENTS

It is anticipated subject to confirmation that approximately 7,500 public servants will have retired in January and February. Of this figure it is estimated that 1,200 civil servants will have retired. This obviously will impact on those members remaining in employment. However, the Association has had some limited success in having some key positions filled. The Association will continue to monitor the situation particularly in the post-February scenario.

2.3 REDEPLOYMENT

As part of the redeployment process approximately 1,000 staff from the Community Welfare Service of the HSE were redeployed into the Department of Social Protection and a further 700 were transferred from FAS into the same department. These staff have now become civil servants and discussions are taking place in regard to union recognition for the transferred staff.

Department of Public Expenditure and Reform proposes to maximise the use of the redeployment provisions of the Agreement. Legislation will be introduced to remove barriers to mobility across sectors. The Public Appointments Service (PAS) will continue to operate the redeployment resource panel system and a PAS web-based Redeployment Toolkit will be made available to support HR Units and staff.

2.4 PRIVILEGE DAYS AND ANNUAL LEAVE

Last year we reported that the Department proposed to abolish privilege days and that the AHCPs in conjunction with some other civil service unions disagreed with the proposal and referred the issue to Arbitration. The Arbitration Board reported in March 2011 and abolished the two privilege days but with no reduction in overall annual leave entitlement of members.

During the year, the Government reviewed the annual leave of all public servants and issued an instruction which had the effect of standardising the level of leave across the Public Sector. From 2012 no existing public servant will have more than 32 days annual leave. If you lose leave, you will receive a once-off "compensation" of 1.5 times the leave you lose. For example, for those of our members who currently have 33 days leave, they will lose a day's leave but receive a once-off compensation of 1.5 days leave. In addition, new entrants to the public service will have a maximum of 30 days leave per annum. Existing public servants promoted to higher grades will also have a maximum leave allowance of 30 days.

2.5 PENSIONS

Budget 2010 signalled the Government's intention to make changes to pensions. It announced that it intended to introduce a new pension scheme for all new public servants. This would be a career average pension scheme as opposed to the current final salary pension scheme. The Bill for the introduction of the new scheme was introduced in the Dail. Amendments are now being proposed to this Bill and it is expected that it will be brought through the Dail sometime before the summer of 2012.

2.6 SICK LEAVE

The Government have announced that sick leave provisions will be reviewed with a view to reducing provisions for uncertified and certified sick leave in the context of the standardisation of sick leave arrangements across all sectors of the public service. It is expected that the review will look at the issues of uncertified sick leave, the level of full paid sick leave and the amount of salary received while on sick leave.

2.7 PMDS

Following on from both the introduction of a new simplified PMDS form across the Civil Service for the 2012 cycle and measures to strengthen the approach to tackling underperformance, D/Public Expenditure and Reform will:

- Evaluate the operation of the new PMDS form
- Review the progress in Departments and Offices on tackling underperformance
- Develop electronic PMDS for the Civil Service
- Address the issues of fairness and consistency in ratings and the PMDS Competency Framework
- Review the current rating scale
- Look at the issue of the “reviewer”
- Strengthen the linkage between increments and PMDS
- Promote performance management culture across the Civil Service

2.8 SHARED SERVICES

In line with the actions set out in the Public Service Reform Plan, there will be a greater use of shared services on a phased basis with priority areas for the Civil Service including: human resource management; payroll; pensions administration; and banking.

2.9 REDUCTION IN ALLOWANCES AND PREMIUM PAYMENTS

A review of allowances and premium payments is being undertaken to achieve a reduction of 5% in the cost of allowances and premium payments in 2012, a further 10% in 2013 and further savings in subsequent years. This will impact on a limited number of members in certain Departments.

2.10 PROPOSAL TO MOVE TO MONTHLY SALARY CYCLE

DPER have proposed that all civil service staff move to a monthly salary cycle. The first phase proposed is for weekly paid staff to be moved to fortnightly salary cycle by the end of August 2012. They then propose that all fortnightly paid staff to be moved to monthly salary cycle by the end of February 2013. Serious reservations were expressed by the Staff Side regarding this proposal. The Staff Side has requested information regarding the proposed savings and efficiencies involved and the number of staff currently on the different pay cycles in the civil service. The Official Side have agreed to set up a sub-committee of General Council to consider the issue.

2.11 DECENTRALISATION:

The government deferred a number of decentralisation moves in 2009 pending a review in 2011 because of the budgetary situation.

The outcome of the recent review of is as follows:

- (i). 13 Temporary Accommodation Projects where the advance party should remain in situ

- (ii). 3 Temporary Accommodation Projects which should be cancelled
- (iii). 4 Permanent Accommodation Projects which are to remain in situ
- (iv). 1 Project where permanent accommodation should be provided as the budgetary situation permits
- (v). 1 Project where the administrative centre should be retained

2.12 TLAC

19 TLAC competitions were held during 2011 of which 21 were run as open competitions and 3 were run inter-departmentally.

3 Secretary General Level

2 Deputy Secretary

14 Assistant Secretary level

2.13 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 Staff Panel and 10 General Council and together with numerous meetings of sub-committees of General Council. There was 1 agreed report (Report 1522) of the General Council in 2011.

The officers for 2012, elected at the AGM in January 2012, are Chairperson Ciaran Rohan AHCPs and Vice Chairperson Betty Tyrrell Collard CPSU. Gerry Malone PSEU remains as Secretary to the Panel.

The annual report of the Secretary of the General Council Staff Panel for 2011 **Appendix E** 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.

2.14 WORK LIFE BALANCE/DIVERSITY

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

Term Time

On the 30th of April 2009, the Department of Finance issued a circular replacing the term time scheme with a new Shorter Working Year scheme. Under this

arrangement staff can take leave in periods of 2, 4, 6, 8, 10 or 13 consecutive weeks. The scheme is detailed in Finance circular 14/2009. The operation of the scheme is to be reviewed in April 2012.

Crèches:

Under the Civil Service Childcare Initiative the Minister for Finance appointed a management board made up of representatives of the Department of Finance, the Civil Service Unions and a childcare expert. It is the responsibility of the Board to ensure that the crèches operate in accordance with appropriate management, financial and childcare standards.

There are seven crèches in operation under the civil service child care initiative. Mount Street and Marlboro Street in Dublin, Backweston, Athlone, Sligo, Cork and Ennis.

Independent consultants are engaged to carry out quality audits and make appropriate recommendations.

Parental Leave Circular:

Finance circular 13/2010 outlines the provisions of this scheme. A new EU directive on parental leave will be transposed into Irish law by 8 March 2013. The Directive will grant longer leave periods of 4 months. It also introduces some limits to the transfer of the leave between parents and strengthens the protection for workers applying for Parental Leave.

Worksharing:

A revised worksharing circular (Finance circular 11/2010) issued in 2010. This circular outlines that regular reviews

of arrangements are required and that the business needs of a section should be taken into account along with the personal needs of the staff member.

Flexible Working Hours:

A small number of members avail of this facility in certain Departments. There have been discussions in the Department of Social Protection at Branch level about introducing it in that Department.

E-working:

A working Group, *Smarter Travel – A Sustainable Transport Future* was established under the aegis of the Department of Transport. This Group had two recommendations relating to e-working. The first recommendation set targets for e-working and better broadband provision. The second recommendation related to the setting up of regional e-working centres in conjunction with the private sector. An inter-departmental working group under the aegis of the Department of Transport, Tourism and Sport was established to progress these matters. However, we have recently learned that it is not intended that this Group meet again.

2.15 DISABILITY

The Association is represented at the Disability Sub-Committee of General Council by the Deputy General Secretary John Kelleher.

Updates on all disability issues are regularly supplied on the website www.disability.gov.ie

STATE ENTERPRISES

3.1 AN POST AND NATIONAL LOTTERY COMPANY:

Attendance Recording System

The Company wrote to the Association on 30th September 2011 indicating that they intended to introduce a new attendance recording system for Headquarters staff. The Company has since followed up with a meeting on 11th November with a presentation of their proposals to the branch committee. While the system as envisaged is to be applied to HQ staff in the GPO it could be rolled out to any An Post site.

The Association will be engaging with the Company when further details are available

New IT Structure

The Company has decided to merge the IT function within the Company with its subsidiary company Post Consult Ireland (PCI) and is establishing a new unit called Group Technology Solutions (GTS). The Association is engaging with the company on the new structure and a meeting with the new Chief Information Officer Mr. John Cronin is planned.

Travel & Subsistence

The Association has lodged a claim at JCC on behalf of the staff panel for a review of the travel rates and a review of the mileage at which staff reach the reduced mileage rate. The branch committee are aware that many members who have to undertake a lot of travel in their own cars are finding it costly to undertake such travel. There has been an increase in the size of many of the geographical area covered by many members in the Regional Structure and members are going on to the reduced mileage rate within a few months of the travel year.

Pension Fund

The Company pension fund continues to be in deficit. The size of deficit at any point in time varies with the fluctuations in the markets but is in the region of 700million.

The Company and the unions are still awaiting a Government decision on the "Minimum Funding Standard" before a decision on how to address the issues in the An Post scheme are agreed.

National Lottery Company

The existing National Lottery licence is due to expire at end December 2011 but has been extended to mid-2013. The Government is looking at how best it can

maximise its return on a new licence. Presently each year around one-third of Lottery revenues are allocated to good causes. Under existing arrangements the operator of the licence, receives a management fee that is approximately 2.8 million per annum.

The Government announced in November 2011 in its "Infrastructure and Capital Investment 2012 – 2016" proposals that it intended to fund the building of the New National Children Hospital by obtaining a large upfront payment arising from the New National Lottery Licence.

The Government sees significant potential for the next licence to operate on somewhat different terms which could include:

- A longer term licence of 25 years as against the present 7 to 10 years.
- Encouraging greater commercial interest in acquiring the licence by allowing a modest annual profit for the operator and
- Having the winner of the new licence make an upfront payment to the state

The profit line for the new operator could be achieved by modestly reducing the prize fund, but still keeping it at about half the lottery turnover and possibly easing the restrictions on online lottery sales which would enhance turnover and reduce costs.

Obviously this is a very worrying time for our members in the National Lottery Company as the whole proposal creates a lot of uncertainty in relation to who might operate the lottery under a new licence. There is no doubt that the National Lottery Company has been a very successful state company and has also contributed to An Post finances. The Association will be engaging with the Company to ensure that the interests of the staff in the National Lottery Company are protected.

3.2 FÁS

The redeployment of 700 staff from FÁS to the Department of Social Protection (DSP) occurred from 1st January 2012. Discussions on a range of issues involving all the four unions in FÁS, together with the two unions representing Community Welfare Officers in the HSE, FÁS management and DSP management were facilitated by Ms Anne Perry Deputy Head of Conciliation in the Labour Relations Commission. A small number of issues which could not be resolved at conciliation were referred to an ad hoc adjudication body comprising of Mr Brendan Duffy former Assistant Secretary in Department of Finance and Mr John Carr former General Secretary INTO.

The major issue for the Association was in relation to Grade 7 staff in FÁS who were moving to DSP and designated at AP level but are on a pay scale with a max below the max of the AP. Two Labour Court findings (LRC 20116 and LRC 20117) in relation to SIPTU and IMPACT members integrating from the Community Welfare Service into DSP had recommended that in relation to staff being redeployed from one body into another that “all existing terms and conditions of employment of transferring staff should be protected and should neither improve nor diminish by reason of the transfer” This Labour Court recommendation laid the template for grade 7 staff transferring to DSP.

On 1st January 2012 twenty seven members from the FÁS branch at AP and one at PO level transferred from FÁS to DSP.

The break-up of the organisation is only partially completed. The next stage is the transfer of remaining FÁS staff into two new bodies. One body will be a New Further Education and Training Authority (SOLAS) and will comprise approximately 300 staff from FÁS and possibly some staff from the VECs. The second body will be the New Education & Training Boards (ETBs) and will comprise the training side of FÁS with a reduced number of VECs.

The Association was involved in intense discussions with FÁS senior management in relation to a new interim structure to take the organisation forward for the next 6-12 months until the two new bodies are established.

3.3 IRISH AVIATION AUTHORITY (IAA):

Following on from the agreement to revised funding measures for the Company's Pension Scheme in 2010, at the October 2011 JCC meeting, the Management informed the Staff Side that they intended introducing a hybrid Pension Scheme for new entrants. The Defined Benefit element of the scheme would be capped at 60,000. The Staff Side were unhappy with the low level of the cap and referred this element of the company's proposal to the Labour Relations Commission in November 2011. No agreement was reached at LRC talks and the issue has been referred to the Labour Court.

The Commission for Aviation Regulation (CAR) published its findings governing aviation terminal service charges on 24th October 2011. The regulations will come into effect on 1st January 2012 for a four year period. The charges are effective for aircraft landing and taking off from Dublin, Cork and Shannon airports. The CAR determination will result in a 40% decrease in charges over a four year period – 25% in 2012 and a further 6% per annum up to 2015. In addition the CAR has set service quality targets, which if not met, will result in further reductions to the price cap of up to 10%.

The CAR determination will cost the Authority 4.25m in lost revenue. As a result the Authority indicated that it must immediately set about reducing costs in terminal services to match this loss in revenue.

The Cost Recovery Plan involves the following options:

- A restriction of the filling of vacancies
- Net working hours to be increased by 1.15 hours to 36 hours per week
- Annual leave allowances from 24 to 30 days to be reduced by one day and annual leave allowance in excess of 30 days will be reduced by two days
- Abolition of privilege days
- Revised rosters will be implemented in 2012
- Individual medical and licence fees will be paid for by staff
- The travel allowance in Dublin ACC will be reviewed

The practice of preferential arrangement where certain staff are withdrawn from operational duties for medical or competency reason will be reviewed

The Cost Recovery Plan was presented to the Unions at the December meeting of the JCC. It is anticipated that discussions on the plan will commence shortly.

3.4 INJURIES BOARD

The Association referred the issue of the PCW 1% to the Labour Court. The Labour Court issued its determination on the 20th of June 2011 as follows:

The Court has carefully considered the submissions of the parties to this dispute. It is noted that the Union's claim is for the implementation within the Board of the terms of the PCW Restructuring Agreement of 1999. It is accepted that if the claim were to be conceded it would result in an increase in the payroll costs of the grades concerned by 1%. The Union contends that the claim is a minor claim within the meaning of the Public Services Agreement 2010-2014. The Board denies that it is a minor claim and contends that its concession would have knock-on consequences.

Having regard to all the circumstances currently prevailing the claim cannot be conceded.

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:

- Commission for Energy Regulation (CER)
- Food Safety Authority
- Food Safety Promotion Board (SafeFood)
- Ordnance Survey Ireland
- Health & Safety Authority
- Pensions Board

- Commission for Communications Regulation (ComReg)
 - Eircom
 - National Roads Authority
 - National Centre for Partnership & Productivity
 - Irish Water Safety
- Roads Safety Authority (RSA)
 - National Library of Ireland
 - National Museum of Ireland
 - Western Development Corporation
 - Irish Sports Council



AFFILIATIONS AND RELATIONS WITH OTHER ORGANISATIONS

4.1 IRISH CONGRESS OF TRADE UNIONS

The Association continued its membership of ICTU during the year. The General Secretary Dave Thomas was elected to the Executive Committee of the ICTU at the Biennial Conference in July 2011.

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 on 27 May 2011 and the Annual Report of PSC is attached as **Appendix F**.

4.1.2 ICTU WOMEN'S COMMITTEE

The Association continues to be represented at the ICTU Women's Committee by Edna Dowling Executive Committee and John Kelleher, Deputy General Secretary.

4.1.3 ICTU RETIRED WORKERS' COMMITTEE

The Association is represented on the Retired Workers' Committee of Congress by Vice President Con Ryan and Brian Fitzpatrick.

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 265 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.

4.6 UNION OF FINANCE PERSONNEL IN EUROPE (UFE)

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

The 34th UFE Meeting was held in Brussels in December 2011. The Association was represented by Ciaran Rohan, Assistant General Secretary, Frank O'Dwyer and Val Veffrey, 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 Executive member Eamon Hughes attended a meeting of the group in Toulouse in October 2011.

4.8 FDA UK

The Association was represented at the 2011 FDA Annual Delegate Conference by Chairperson Peadar Carpenter, John Kelleher Deputy General Secretary and Jackie Lacey, Executive Assistant. The Association also maintained close contact with the FDA (Northern Ireland) and the General Secretary Dave Thomas and Deputy General Secretary John Kelleher attended their Annual General Meeting on 23 Feb 2012.

4.9 INSTITUTE OF PUBLIC ADMINISTRATION

The Association continued in membership of the IPA.

4.10 IRISH LABOUR HISTORY SOCIETY

The Association is affiliated to the Irish Labour History Society.

4.11 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.

4.12 COMBINED SERVICES THIRD WORLD FUND

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

4.13 CIVIL SERVICE CHARITIES FUND

The Association is represented on the Civil Service Charities Fund by Larry Dunne PER.

MINUTES OF THE ANNUAL DELEGATE CONFERENCE HELD ON 6th MAY 2011

1 OPENING OF CONFERENCE

- 1.1 The Chairperson, Peadar Carpenter, called Conference to order at 13.40
- 1.2 He welcomed the delegates, press and guests to the conference.

2 ADOPTION OF THE MINUTES OF THE ANNUAL CONFERENCE 2010

- 2.1 Proposed by Larry Cashman (Agriculture) and seconded by Dave Walsh (Education & Skills), the minutes of the Annual Delegate Conference 2010 were adopted.

3 APPOINTMENT OF TELLERS

- 3.1 The following delegates were appointed as tellers:
- | | |
|---------------|---------|
| Liam Kelly | Finance |
| Peter Dockery | Revenue |
| Billy Carrie | C&AG |
| Joe Gleeson | An Post |

4 ADOPTION OF STANDING ORDERS COMMITTEE REPORT

- 4.1 David Denny (Chairperson of Standing Orders Committee) proposed the adoption of Standing Orders. Standing Orders Committee Reports reproduced at **Appendix 1** to these minutes.
- 4.2 The Executive's nomination for appointment as Honorary President is Mr. Tom Quigley.
- 4.3 The Revenue Branch advised that a number of their motions were withdrawn i.e. motions 7, 12, 20 and 26. They also requested that motion 39 be moved from the B List (existing policy) to the Economy Section.

5 CHAIRPERSON'S ADDRESS

The Chairperson's Address is reproduced at **Appendix II** to these minutes

6 ANNUAL REPORT 2009/2010

- 6.1 The text of the General Secretary's Address, introducing the Annual report 2009/2010, is reproduced at **Appendix III** of these minutes.
- 6.2 Brian Lucas (Environment) and Garvan O'Keeffe (Revenue) spoke on the issue of Privilege Days (Section 2.3 of the Report).

- 6.3 There were no other questions raised on the Annual Report and it was adopted unanimously having been proposed and seconded by Conference.

7 THE FINANCIAL STATEMENT – TREASURER'S REPORT

- 7.1 The Financial Secretary, Bernard O'Shea, expressed his thanks to his predecessor, Mary McLoughlin, and to the Head Office staff, in particular John Kelleher and Jackie Lacey, for their invaluable help during the year.
- 7.2 The Financial Secretary then went through the Income and Expenditure Account
- 7.3 The Financial Statement was adopted by Conference

8 APPOINTMENT OF TOM QUIGLEY AS HONORARY PRESIDENT

- 8.1 The Conference approved the appointment of Tom Quigley as Honorary President.

9 MOTIONS

Motion 1

Proposed by Bernard O'Shea (Executive) and seconded by Tom Allen (Executive).

Rule Change:

To change wording in rule 11(a)(iii) Executive Committee last line and remove words "men and women" and replace with words "gender and grade". Rule will now read as follows: (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 gender and grade on the Executive Committee.

Speaker on the motion was John Kelleher, Deputy General Secretary,

The motion was carried.

Motion 2

Proposed by Bernard O'Shea (Executive) and seconded by Tom Allen (Executive).

To change wording in rule (13)(c)(iv) Elected Officers and remove word "may" in final sentence and replace with word "shall". Rule will now read as follows: (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 shall inspect all financial books and records of the Association.

Speaker on the motion was John Kelleher, Deputy General Secretary,

The motion was carried.

PUBLIC SECTOR REFORM

Motion 3

Proposed by Paddy Howard (Finance) and seconded by Terry Walsh (Finance).

That Conference notes the Report of the Independent Review Panel on the Department of Finance and instructs the incoming Executive Committee to engage with the Government with a view to ensuring that the consideration and subsequent implementation of the Report's recommendations that fully supports the maintenance of a non-political, non-partisan and independently appointed Civil Service which has impartially served the interests of the Irish people since the foundation of the State.

Speakers on the motion were Larry Dunne (Executive) and Conor O'Mahony (Enterprise Trade & Innovation).

The motion was carried.

Motion 4

Proposed by Paul O'Farrell (Justice) and seconded by Maeve Hogan (Justice).

That this Conference deplores the proposal in the Programme for Government to discriminate against serving civil servants in selection for senior civil service appointments and instructs the incoming Executive Committee to vigorously oppose, by any necessary means at its disposal, any attempts to reserve a proportion of PO and Assistant Secretary appointments for candidates from outside the civil service.

Speaker on the motion was Paul Monks (Revenue).

The motion, after amendments, was carried.

Motion 5

Conference directs the incoming Executive to do everything possible to ensure that current proposals that appear to be designed to lock Public Servants serving in the Republic of Ireland out of competing for one third of Principal Officer/Assistant Secretary posts are resisted through all means available.

Stands with Motion 4

Motion 6

Proposed by Conor O'Mahony (Enterprise Trade &

Innovation) and seconded by Kevin Foley (Enterprise Trade & Innovation).

That Conference welcomes the balanced and fair conclusions of the Wright Report on the Department of Finance and recommends that the Association seek the conduct of similar quality reviews on all Departments.

The motion was remitted.

Motion 7

Withdrawn by Tom Fanthom (Revenue), Seconded by Frank O'Dwyer (Revenue).

Motion 8

Proposed by Tom Fanthom (Revenue) and seconded by Frank O'Dwyer (Revenue).

Conference directs the Executive to point out to all concerned that the much-maligned "Whitehall" model of Civil Service has delivered an Irish Civil Service that is "almost incorruptible". Any reforms to be undertaken must not sacrifice this integrity, reinforced by good corporate governance, for short-term apparent effectiveness, designed to appease media and other vested interests.

The motion was carried.

Results of Election for Treasurer

The result of the election for Treasurer was then announced with Billy Thompson (Revenue) receiving 81 votes and Bernard O'Shea (Arts, Sport & Tourism) receiving 67 votes

Papers for election to the Executive Committee were then distributed.

Motion 9

Proposed by Conor O'Mahony (Enterprise Trade & Innovation) and seconded by E. Nolan (Enterprise Trade & Innovation).

That Conference accepts that reform of the public service is essential to ensure that the economic well-being of Ireland is restored at the earliest possible moment but demands that any reforms are based on objective reviews of the work of the various parts of the public service rather than crude staff or budgetary reductions.

The motion was carried.

Presentation

A Presentation was then made by PJ Fitzpatrick, Chairman, Joint Implementation Body for Public Service Agreement 2010-2014 is reproduced as **Appendix 4** to these minutes.

Questions were then asked by Peter Carvill (Environment), Noel Holleran (Executive), Peter Golden (Courts) and Robert Butler (Agriculture).

Results were then announced for the Election to the Executive.

Motion 10

Proposed by Conor O'Mahony (Enterprise Trade & Innovation) and seconded by Eddie Nolan (Enterprise Trade & Innovation).

That Conference stresses that the delivery of public services cannot be achieved without adequately resourced and effective policy, legislative, administrative and back office support for staff working in what is sometimes referred to as "frontline services" and demands that any review or reform of public services should be based on an objective assessment of the requirements for service delivery that gives due regard to the diverse range of inputs required.

The motion was carried.

Motion 11

Proposed by Kevin Coleman (OPW) and seconded by Paul O'Brien (OPW).

That Conference instructs the Executive to resist any attempts to unilaterally impose new cross-stream reporting arrangements for grades represented by this Association without prior negotiation and agreement with the Association.

The motion was carried.

Motion 12

The motion was withdrawn.

Motion 13

Proposed by Garvan O'Keeffe (Revenue) and seconded by Frank O'Dwyer (Revenue).

Conference notes the decline in members' net pay due to

(a) the introduction of the Pension Levy

(b) the reduction in Pay Scales and

(c) the reduction of tax credits in Budget 2011

Conference calls on the incoming Executive to commission an independent report to determine the decline in net pay relative to previous years based on Pay Rates at the Max of the scales at AP, AP1, PO and PO1 grades.

Speaker on the motion was Liam Kelly (Finance).

The motion was carried.

Motion 14

Proposed by Frank O'Dwyer (Revenue) and seconded by Garvan O'Keeffe (Revenue).

Conference asserts the right and responsibility of this Association to respond to any comments or proposals on our members' pay and conditions regardless of source; including political sources where the issue requires it.

The motion was carried.

Motion 15

Proposed by Kevin O'Sullivan (Justice) and seconded by Seamus Sisk (Justice).

Proposal to Remit by James Keane (Revenue), seconded by Frank O'Dwyer (Revenue).

This ADC calls for the introduction of a scheme for provisional retirement whereby public servants aged over 50 and eligible for early retirement could apply for a 12 month absence from work on the same terms and conditions as would apply if they retired. At the end of the 12 month period they would either return to work or make their retirement permanent and receive whatever lump sum payments were due.

The motion was remitted.

Motion 16

Proposed by Mark O'Connor (FÁS) and seconded by Charlie Notley (FÁS).

That Conference instructs the Executive to urgently lobby the incoming government in relation to the proposals set out in the National Recovery Plan 2011-2014 (Sect 6.5 - p. 94) to standard rate income tax relief on pension contributions and the public service " pension-related Deduction" over the period 2012-2014.

Speakers on the motion were Liam Kelly (Finance) and John Kelleher (Deputy General Secretary).

The motion was carried.

Motion 17

Proposed by Larry Monaghan (Revenue) and seconded by Frank O'Dwyer (Revenue).

This Conference, in relation to the Purchase of Added Years Pension Scheme, directs the AHCPS Executive Committee to seek appropriate compensation, such as a pro-rata refund of contributions with interest, for affected public servants who made contributions or lump payments prior to 2010

Speaker on the motion was Ciaran Rohan (Assistant General Secretary).

The motion was remitted.

Motion 18

Ruled out of order.

Motion 19

Ruled out of order.

Motion 20

Withdrawn by Paul Monks (Revenue) and seconded by Frank O'Dwyer (Revenue).

The motion was withdrawn.

Motion 21

Proposed by Paul Monks (Revenue) and seconded by Frank O'Dwyer (Revenue).

Conference supports the retention of the 12.5% rate for Corporation Tax as it is seen as a driver for economic recovery by attracting Foreign Direct Investment.

Speaker on the motion was Ciaran Rohan (Assistant General Secretary).

The motion was carried.

Motion 22

Proposed by Garvan O’Keeffe (Revenue) and seconded by Frank O’Dwyer (Revenue).

Conference notes that;

(a) There is over €2.5bn in tax arrears

(b) The majority of the arrears are owed by the self employed and corporate sector and

Calls on the Government to introduce legislation that makes directors personally liable for the non-payment of fiduciary taxes by corporate bodies.

The motion was carried.

Motion 39

Proposed by Michael Hickey (Revenue) and seconded by Frank O’Dwyer (Revenue).

Conference recommends to Congress that an intensive campaign be initiated to encourage union membership to spend their money on Irish manufactured products where possible and to spend their holidays in Ireland. This campaign if successful will save and create a large number of Irish jobs (tourists figures have decreased from 8m to 6.5m in 2010) and send a clear message to the wider public that the Trade Union Movement is prepared to play its part in our economic recovery.

The motion was carried.

Motion 23

Proposed by Larry Monaghan (Revenue) and seconded by Frank O’Dwyer (Revenue).

This Conference welcomes recent moves to address infringements of sick leave regulations but instructs the AHCPS Executive Committee to take steps to ensure that these procedures support and safeguard genuinely ill staff.

Speaker on the motion was Brian Lucas (Environment).

The motion was carried.

Motion 24

Withdrawn by Peter Dockery (Revenue) and seconded by Frank O’Dwyer (Revenue).

The motion was withdrawn.

Motion 25

Proposed by Peter Dockery (Revenue) and seconded by Frank O’Dwyer (Revenue).

This Conference directs the AHCPS Executive Committee to report at least twice a year to AHCPS members on the progress of motions passed at an ADC, the first report within four months of the relevant ADC at which passed and the second report within eight months of that ADC.

The motion was carried.

Motion 26

Withdrawn by Frank O’Dwyer (Revenue) and seconded by Peter Dockery (Revenue).

The motion was withdrawn.

Motion 27

Proposed by John Biggar (Foreign Affairs) and seconded by Kieran Smyth (Health & Children).

That in light of the current economic situation and its impact on members, the removal of the income tax relief on members subscriptions and taking into account the relatively healthy financial position of the AHCPS, that this ADC instructs the incoming Executive Committee to reduce members subscriptions from 0.5% of salary currently to a new rate of 0.45%.

Speakers on the motion were Michael Walsh (Revenue) and Mary Farrell (Executive)

The motion was defeated.

Motion 28

Proposed by Garvan O’Keeffe (Revenue) and seconded by Frank O’Dwyer (Revenue).

Proposal to remit by Tom Allen (Executive), seconded by Bernard O’Shea (Executive)

Conference notes that unions were included as being responsible for Ireland’s economic crisis by Fine Gael in its election material and calls on the incoming Executive to seek an explanation from the leader of Fine Gael as to how it arrived at this conclusion.

Speakers on the motion were John Kelleher (Deputy General Secretary). Peter Carvill (Environment) and Tom Fanthom (Revenue).

The motion was remitted.

Point of order than raised by Frank O’Dwyer (Revenue) and a vote was taken again.

The vote to remit was defeated, and the original motion was then also defeated.

Motion 29

Proposed by Breandan O’Suilleabhain (Community, Equality & Gaeltacht) and seconded by Helena O’Brien (Community, Equality & Gaeltacht).

That this ADC instructs the incoming Executive Committee to urgently seek to have the Department of Community, Equality and Gaeltacht Affairs offices, which have been in temporary accommodation in Tubbercurry, Co. Sligo for the past five years, moved to the East Mayo area as originally committed to under the Decentralisation programme, on the expiration of the current lease arrangements on the temporary buildings.

The motion was carried.

Motion 30

Proposed by Peter Golden (Courts) and seconded by Angela Denning (Courts).

The incoming Executive Committee of the AHCPS be instructed by the ADC to review the current policy of the AHCPS regarding the provision of legal advice and/or legal representation for members of the AHCPS in relation to work-related issues.

Speaker on the motion was Ciaran Rohan (Assistant General Secretary).

The motion was carried.

Motion 31

Proposed by Peter Carvill (Environment) and seconded by Mark Bohan (Environment).

That Conference calls upon the incoming Executive Committee to investigate, including if necessary taking legal advice, the options for establishing a health insurance or health benevolent fund for public and civil servants, not ruling out the possibility of direct agreements with hospitals and consultants and the establishment of a dedicated GP service, so as to reduce costs to members and their families.

Speaker on the motion was Ciaran Rohan (Assistant General Secretary).

Proposal to remit by Conor O’Mahony (Enterprise Trade & Innovation), seconded by Sabha Greene (Enterprise Trade & Innovation)

The motion was remitted.

Motion 32

Proposed by Frank O’Dwyer (Revenue) and seconded by Garvan O’Keeffe (Revenue).

Conference shares the concerns regarding “the dramatic reduction in our staffing numbers over the past year and the related loss of experience and corporate memory” as expressed in the Revenue Commissioners’ Action Plan. Conference notes, however, that there are no plans to deal with the long-term effect on the organisation and calls on the AHCPS to meet with the Dept. of Finance to redress this issue.

The motion was carried.

Conference was then declared closed.

STANDING ORDERS REPORTS NOS, 1 & 2

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 are 2 nominations for the post of Chairperson; it will therefore be necessary to have an election for this post.

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

There are 2 nominations for the post of Treasurer; it will therefore 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.

As two nominees for the Executive are also nominees for officership positions. When the election for Chairperson, Vice Chairperson and Treasurer are completed one or two nominations for Executive Committee will lapse leaving 15 or 14 for election.

3 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 39 motions have been received.

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

Motion 4 will stand for itself and Motions 5.

Motion 18 is out of order due to lack of clarity.

Motion 19 is out of order it is not the business of the Association.

Motion 33 & 34 are out of order because they refer to the ABDM and not the ADC.

B. List

These motions are existing policies of the Association and will not be put to the conference unless a branch wants to oppose the motion. In this case a branch must bring it to the attention of Standing Orders Committee in advance of conference.

Rule Change

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

David Denny (Chair)

Ben Dunne

Sheila Hanley

8 March 2011

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 8 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. 4, 33 and 34. The amendment to motion no. 4 is in order.

Amendments to motions 33 and 34 are not in order because they seek to amend motions which themselves have been ruled out of order in Standing Orders Report No. 1.

Delegates are reminded that a simple majority is required for amendments to motions.

Election of Officers and Executive Committee

5. Mr Tom Allen (Revenue) has withdrawn his nomination for the position of Chairperson. Accordingly no election is required for the post of Chairperson on his appointment as Vice

Chairperson, the nomination of Tom Allen (Revenue) for the Executive lapses. Accordingly, there are 15 valid nominations for the 12 elective positions on the Executive.

Election of Standing Orders Committee

6. One further nomination Mr Peter Finnegan (Houses of the Oireachtas/Taoiseachs) has been received for the Standing Orders Committee.

Catering arrangements

7. Light lunch available to delegates from 12.30pm at the venue. Coffee will be available on a continuous basis immediately outside the conference room.

Timetable

8. Conference will commence **13.30pm sharp**, and conclude at 17.00pm. Motions not reached by that time will be remitted to the Executive Committee.

The following timetable is recommended.

AGENDA		TIME
No. 1	Opening of Conference and Introduction of Guests	13.30 – 14.30
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	
No. 7	Financial Statement	
No. 8	Appointment of Hon. President	
No. 9	Motions Rule Change Motions 1 - 2 Motions 3 - 39	14.30 -15.00
No. 10	Election of officers, Executive Committee & Standing Orders Committee Collection of Ballot Papers	15.00pm
No. 11	Presentation by P.J. Fitzpatrick Chairman <i>Joint Implementation Body</i> <i>Public Service Agreement 2010-2014</i>	15.00 – 15.30
	Motions resumed.	15.30 – 16.55
No. 12	Close of Conference	16.55 – 17.00

David Denny (Chair)
Peter Finnegan
Standing Orders Committee
11 April 2011

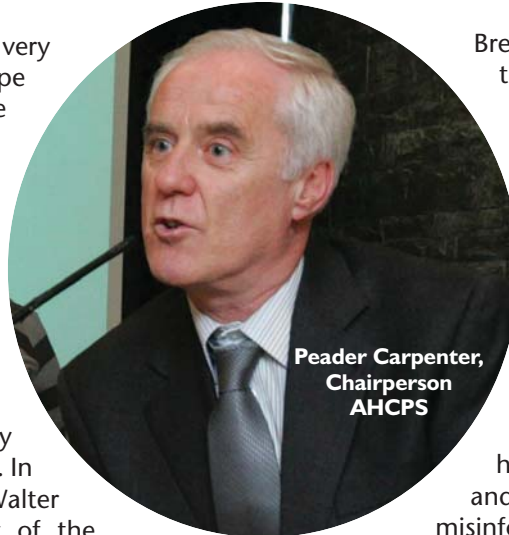
ADDRESS OF THE AHCPS CHAIRPERSON PEADER CARPENTER

Delegates and guests you are all very welcome here today and I hope you find this conference informative, stimulating and that you take the opportunity to engage on issues that are of concern or interest to you and the branches that you represent.

History is a funny thing which often, but not always, does repeat itself. The last visit of a British King to Dublin took place in 1911 so 100 years later we will have the first visit by a British Monarch to the Irish Republic. In 1911 my Great Grandfather, Walter Carpenter, who was the Secretary of the Socialist Party of Ireland, was jailed for heckling the King during the visit. On his release from jail James Connolly organised a rally to welcome him home and Connolly spoke of how ordinary workers were treated and blamed for all of society's problems.

So colleagues even 100 years ago it was workers that were being blamed for the economic situation the country was in. I think we all know what this feels like as workers again are being blamed for the countries ills. On the question of the visit I am personally glad that it is happening as I believe that once the record on what happened on Bloody Sunday in Derry was set straight that there was no longer any impediment to the visit. As a Nationalist I would wish to some day see our island united. As a Republican I just don't get royalty, so I will not be getting excited about the visit. Other States have the right to choose their constitutional systems and we should respect their rights and choices.

At the beginning of my address I would like to take this opportunity to thank a number of people. I would like to thank my fellow Officers and EC members for all their support and hard work over the past year. I would like to mention Brian Mc Kevitt for his contribution to the EC for the past 9 years and he has decided not to seek election this year. This is great service by any yardstick and I would personally wish to thank Brian for all his work over this period, he has seen the best of times and the worst of times! I would also like to thank Brian Chadwick and Mark Crowther for their excellent work on our communications committee, hopefully our new website will be launched early in the summer. I would also wish to thank all of our Head Office staff Dave, John, Ciarán, Jackie and Dorothy for their continued loyalty and dedication. On a sad note this year several former Honorary Officers of the Association passed away including our President Donal O' Mahoney and Vice Presidents Jack Horgan, Charlie Tucker and



Peader Carpenter,
Chairperson
AHCPS

Brendan Sheerin. Brendan was a member of the EC until 3 years ago and his death at such a relatively young age touched many of us greatly. Brendan was a great colleague with an outstanding intellect. Yesterday we also learned of the death of Jackie Murnane, wife of our Trustee and former Chairman Brian Murnane and we send our sympathies to Brian and his family at this very sad time. Ar dheis Dé gach duine díobh.

Delegates, over the last few years we have had to contend with pay cuts, levies and increased taxes and very often misinformed, and sometimes deliberately so, attacks on the public service. I have found the ignorance about the public service to be sometimes quite astonishing. Government is a very broad organisation and deals with huge issues such as health, education, policing etc to some very minor matters such as providing services such as the Patents Office, letters of freedom to citizens wishing to get married abroad to issuing Birth Certificates. What may only affect small numbers of citizens still has to be serviced by staff with the technical and sometimes legal skills to provide these services.

I work in an area that deals very directly with the public and quite often in very difficult cases involving personal tragedies or bigger issues such as natural disasters or political upheaval. Over the last few months we have had to work extraordinary hours over a sustained period. We dealt with political upheaval in Tunisia, Egypt, Libya, Bahrain, Yemen and Ivory Coast and at the same time had to closely monitor the situation in a number of other countries. We also had earthquakes in Christchurch and Japan. I accept that in the area I'm in I will have to work many additional hours at weekends and sometimes very late at night. I'm always heartened by the number of colleagues who offer to help during a crisis and this proves to me that we do have dedicated public servants who will volunteer at short notice to assist our citizens at a time of need. I don't receive any extra payment for all these extra hours nor do I get any time off in lieu of these days worked, and I worked many weekends straight through. I do acknowledge that both politically and within our Department from the Secretary General to the MAC we receive excellent support. However, it can be quite galling when during this period to hear petty arguments about such things as Privilege Days which probably in regard to our grades won't save the State a cent and at the same time there is a total lack of acceptance that there are many civil servants who work long hours and this rarely is acknowledged.

I welcomed the report into the Department of Finance which showed quite clearly that officials had warned both their Minister and the Government about the financial situation that was developing in the economy. The suggestion that the officials should have been more forceful in drawing Ministers' attention to the situation seems very reasonable but does anyone really believe that Charlie McCreavey was interested in what civil servants had to say? Does anyone believe that the PDs were ideologically capable of taking this advice. Was the Taoiseach of the day more concerned perhaps with winning the next election? Maybe the authors considered that they had to put some criticism of officials in to the report and this was the best they could do. The bottom line for all civil servants is that they advise and that Ministers decide, that is a basic democratic principle.

As a State we are now in one hell of a mess. We have lost our sovereignty to the IMF/ECB and we badly need a vision or plan for the future that we can all support, even if we disagree with elements of it or will have to accept more pain along the way. We have a problem in that our banking system has collapsed, and I can only hope that there is some understanding in the EU financial system that will have this will need to be addressed sooner rather than later. Government revenues have reduced to a point where current public expenditure is unsustainable and we have over 400,000 unemployed. Divisions at this time are a distraction and a waste of scarce resources and energy. We need to give hope to those who are unemployed and our young people who will soon be entering the labour market, these are real people not merely statistics, and they deserve that we collectively look at what we can do to create more jobs.

I recall all too well the despair of the late 70's and 80's and that when Partnership began that it was really quite a simple proposal. At the time inflation was running at about 15% and tax etc on pay was about 50 to 70%. Pay increases could be in the order of 10%, so a deal that would see us getting real increases in pay rather than the notional increases that were soon swallowed up by increased cost of living or taxes made absolute sense. Maybe the original objectives became obscured as people looked to partnership to involve itself in all aspects of our society. Some trade union members have become disillusioned with Partnership and there is sometimes criticism that unions have lost the will to negotiate with employers. I believe that despite some of Partnership's perceived failings that it still represents the best way for us to do our business. I personally supported the Croke Park Agreement and though it will cause us some considerable pain over the coming period I still believe that we have no realistic alternative at this time. Our members voted for the agreement by 85% to 15% so our Association's support is quite clear.

We must ensure that the Government does not allow our system of tax collection to be weakened or undermined in any way. It came as a shock to many to see how much money had been lost to the Exchequer at a time when the country was crying out for services. The Revenue

Commissioners have a well deserved reputation for leading the public service in regard to the provision of online services. Revenue have a critical function to collect taxes owed, to ensure the integrity of the tax system by bringing forward timely legislative proposals to close off possible loopholes or other unintended abuses of the system. Let's be honest, none of us actually like paying tax and if it was a voluntary exercise then the State would collapse within weeks. The reality is that if we want to live in a modern civilised society that we must pay tax to provide services to our citizens. If citizens lose confidence in the ability of the Revenue to collect and enforce collection where necessary then the system would gradually deteriorate with a consequent loss of confidence not only in the tax system but in Government generally.

Earlier I mentioned that we had signed up to change and have proven over the years that we will actually embrace change. This however does not mean that we buy in to all the homespun half truths that are currently doing the rounds. There is a certain amount of extra efficiencies that can be achieved in almost any institution but the idea currently doing the rounds that you can do huge amounts of extra work with less resources is just not credible. The simple fact of the matter is that to achieve the savings required some areas will have to be wound down. The proposed increased demands for more reporting to the Oireachtas will require either additional resources or other work will have to be stopped. The Parliamentary Question system should be reviewed to see what types of questions are being asked and to see if there is a better way of giving this information, I'm not talking about Ministers being brought to account but other more mundane questions. Answering PQs takes up enormous resources and at a time when we are looking at all our costs I think we should look seriously at this. One of the concerns raised right across the Civil Service is a perceived lack of willingness on the part of Secretary Generals and MACs to give Ministers advice that without adequate resources that not all functions will be able to be carried out, and to put specific cuts to them. It was only when Ray McSharry as Minister for Finance got a hold of Finance that the country turned itself around, tough decisions were taken and implemented.

Colleagues, the message I would wish to see going out from this conference is that we understand the crisis that our country is in and that we are more than willing to do our share of the heavy lifting to ensure that we give all of our citizens a sense of hope in our future. This will not be unconditional, we expect the Government to engage with us along the way and we expect the heads of government departments and offices to be realistic as to what a department can achieve with the level of resources at its disposal. We've come through difficult times in the past and have a choice of either stagnation and the loss of hope for a generation or to rise up to the challenges that we face. I believe that the members of this association want only the very best for the citizens of this State and are more than willing to lead this effort. Colleagues thank you and enjoy conference.

ADDRESS OF THE AHCPs GENERAL SECRETARY DAVE THOMAS

Chairperson, delegates, guests

While the past year, in contrast to the last few years, has been relatively quiet in industrial action terms, it has been no less busy. Over the previous two years we had a pension levy, a pay cut and industrial action by the Public Services Unions including the AHCPs. At Conference last year we announced the result of the ballot on the Public Service Agreement 2010-2014 (otherwise known as the Croke Park Agreement) which was accepted by 85% of our membership. It took a number of months for other unions to complete ballot however, it was accepted by an overwhelming majority of the unions of the Public Services Committee of the Irish Congress of Trade Unions – I was fortunate enough to be co-opted earlier this year to Executive Council of ICTU, this the first occasion the AHCPs has ever been represented on the Executive Council.

Croke Park Agreement

The Croke Park Agreement sets down a template for the unions and management to agree on savings, modernisation and flexibility within organisations. The main savings that are to be introduced through the Agreement are reductions in staffing numbers. In the civil service context we are ahead of our 2011 targets. At the end of the first quarter the numbers in the civil service have been reduced to 36,079 and the target for the end of 2011 is 36,200. Overall public service numbers have fallen by 16,000 in the last two years. This created savings of €900 million. Numbers are continuing to fall. In addition the pension levy and pay cuts give an annual saving of €1.8 Billion.

A number of major redeployments have already taken place under the agreement, Examples include:

1. The transfer of staff within the HSE
2. The transfer, on a seconded basis, of over 1,000 Community Welfare Officers and support staff from the HSE to the Department of Social Protection
3. The transfer of 500 civil servants from other Departments to the Department of Social Protection to deal with increased demand



Dave Thomas,
General Secretary
AHCPs

4. Redeployment of staff processing medical cards has commenced as part of the process of generating savings through the centralisation of medical card processing

New, less costly, rostering arrangements have been implemented in Wheatfield Prison and Limerick Women's Prison and a task review, which will deliver significant changes to the working practices and rostering arrangements in prisons, has commenced.

In addition progress has been made on the provision of shared services such as:

1. A single central unit for processing medical card applications has been established, with an on-line applications facility.
2. The merger of the Local Government Management Services Board and Computer Services Board has happened on an administrative basis, pending legislation.
3. A number of civil service departments are transferring their payroll and pensions administration to the Departments of Finance or Justice and Law Reform.
4. A national procurement structure for the health system has been agreed, which has and will facilitate further millions of Euros of savings in services and goods purchased.

The modernisation programme is progressing steadily throughout the civil service. In the civil service bank time was abolished from the 1st of January. Proposals in relation to the abolition of privilege days were referred to the Arbitration Board as provided for under the Croke Park Agreement. The Board agreed that privilege days should be abolished but the days should be incorporated into annual leave. We expect the entire public service annual leave issue to be revisited by the management side at some stage in the near future.

Moratorium

Managing the Civil Service with significantly reduced numbers has not been without its problems. The moratorium on recruitment throughout the public service is causing major difficulties in some areas. Indeed it has hit our membership quite significantly which is down almost 10% over the last two years which coupled with the

reduction in salaries has reduced our income quite considerably. In some areas the Association questioned the logic of having a crude instrument which stops the filling of staff vacancies created by retirements. For example in the Revenue Commissioners the number of employees who have left is quite significant especially at our grade levels and we can show that this is counterproductive as each additional person employed on the taxes side can increase the amount of money that is collected in taxes for the state. Indeed, the amount that is collected by individuals in Revenue far outweighs the salaries that are paid to individuals. Later on in the Conference you will hear delegates from the Revenue Branch highlighting how the embargo has actually resulted in a loss of income to the state.

Pensions

As you are aware, Civil Servants, who retire on or before the 29th of February 2011, will have entitlements to pension and lump based on 2009 salary bands.

Talks took place with the Department of Finance on the introduction of a new career average pension scheme for new entrants in the public service. While the Public Sector unions are not in a position to agree to the new scheme we successfully engaged with the Department and lessened some of the harsher aspects of the scheme. We expect the scheme to be legislated on shortly and to be brought into place for new entrants this year.

Programme for Government

The new Programme for Government proposes that the numbers in the public service will be reduced by 18,000 over the next four years over the end of 2010 figures and a further 5,000 in 2015. Discussions have to take place in order to ascertain whether these figures are over and above the existing reductions which were agreed under the Croke Park Agreement. The new programme also proposes that a third of the posts at Principal Officer level and above should be confined to people from outside the civil service and that all posts at this level should be opened for competition to the wider public service. The Association has always been opposed to the exclusion of civil servants from competitions for civil service posts and will continue to fight this proposal. In our view it is difficult for the Government to maintain that they should be entitled to exclude a person who may be the most suitable for the job just because of where they happen to be working! Legal advice we have taken on this issue suggests that legislation would be required to enact this proposal. I see from the agenda from today's conference a motion in relation to this and the Executive will be supporting this motion.

Media

Certain sections of the popular media and individual commentators have continually pilloried the public service for the ills of the economy and for being public servants. However, during the year there were two key

reports issued that found that civil servants had by and large acted in a proper manner and had done all that was required in recommending the correct approaches to government and these recommendations had been ignored. The Wright report into the Department of Finance clearly states that in its annual June memo to the Cabinet the Department's advice *'did provide clear warnings on the risks of pro-cyclical action'* and that *'this advice was more direct and comprehensive than concerns expressed by others in Ireland, or by international agencies.'*

The Nyberg report similarly vindicates the Department of Finance. On page 93 of his report Mr Nyberg states that *"it is well documented that the Department of Finance consistently...supported a less expansive fiscal policy, particularly regarding property market incentives. It also appears that worries about the developing financial situation were expressed internally."*

While it should be acknowledged that Nyberg states that these reservations were sometimes expressed *"not forcefully enough"* it must also be recognised and understood that this advice was given in the context of a major consensus among politicians from Government and Opposition, the Central Bank, the Financial Regulator, all the major banks, the media, the overwhelming majority of economists and economic commentators and the public at large, that the economy was on a sound and stable footing and that any downturn was likely to result in a soft landing at worst.

It was not the civil service that was at fault. However, we may have a major job to convince our political masters of this fact. We have concerns in relation to proposals contained in the Programme for Government to change the constitution to allow Committees to make findings of fact against individuals. The Association awaits formal proposals in this regard but remain to be convinced that this is the correct way forward.

State Enterprises

As you are aware we are also in negotiation with the Department of Social Protection in relation to the proposed transfer of approximately 700 people from FAS into that Department. Our membership in FAS has a number of concerns including the question of establishment and we will address these with the Departments concerned in conjunction with our colleague Unions.

The issue of postal liberalisation and the deficit in the pension fund are major issues in An Post. The Company continues to suffer declining mail volumes so the year ahead will continue to be challenging.

During the year we lost some former stalwart members of the Association Donal O'Mahony who was President of the Association and three former Vice Presidents, Jack Horgan, Charlie Tucker and Brendan Sheeran. May they rest in peace.

In conclusion I would like to thank the Officers, Peadar,

Tom, Bernard and the Executive Committee for their help and support over the last year.

I want to thank Dave Denny and the Standing Orders Committee for their customary care and attention to organising Conference business. I want to thank Mark Crowther who has taken on the job of taking the minutes for conference with the assistance of Joe Brennan and Tom Quigley. I would also like to thank the people with whom I work with in the Association, John, Ciaran, Jackie

and Dorothy and finally I would like to mention Pat Feeney who was the Revenue Branch Administration Official and who had a stroke in 2009 and is still unable to return to work.

Finally, I wish to thank Branch Officers, you the delegates and the members for your help this year and hopefully for the years ahead.

I propose the Annual Report to Conference.

ADDRESS BY P J FITZPATRICK, CHAIRPEMAN IMPLEMENTATION BODY

The Chairman of the Public Service Implementation Body Mr. PJ Fitzpatrick addressed conference. In his address he outlined the environment since the Public Service Agreement was agreed in mid-2010. Despite the EU/IMF bailout, and the new programme for government the Croke Park Agreement remains in place. The new Government has signalled its commitment to the Agreement, but have emphasised that it is a qualified commitment based on delivery of results. He quoted from a recent speech by Minister Brendan Howlin TD



P J Fitzpatrick,
Chairman, Implementation
Body

- *"If there is industrial peace and time limited means to resolve any disputes;*
- *If the work of the many thousands of those leaving the public service is absorbed by those remaining;*
- *And if there is cooperation with new work practices and rosters, and reduced incidence of overtime and allowances*
- *Then further pay reductions can be kept off the table"*

Mr. Fitzpatrick outlined some examples of progress to day.

- Work being done with 16,000 fewer staff
- In the civil service there has been a 14% reduction in senior management, while the overall decrease in the civil service is 7%
- 500 Civil servants redeployed to Social Protection and to Enterprise, Trade and Innovation
- 1,000 Community Welfare Officers transferred from HSE to Social Protection
- Open Competition and competitive interview for promotion posts
- New, less costly rosters in new prisons
- Some agencies merged or abolished
- More services on line
- New rosters for some Garda units
- Extended working day for hospital laboratories saving 5m per annum
- Extended working week for teachers – additional hours and new contracts in place –

- Changes in delivering of waste services in Local Government

Mr. Fitzpatrick emphasised that the above list was not exhaustive but merely a sample of change and cost reduction measures across the public service.

He outlined a number of the challenges ahead. These include;-

- Reduction in staff
- Transform how services are organised and delivered
- More online and shared services
- New clinical programmes in the health sector where five chronic illnesses account for 80% of the annual spend
- Eliminate duplication for means tested services
- Fewer agencies
- Regulatory services – fewer and more joint risk based and targeted
- Extended opening for public offices
- More aggressive national procurement – maximising purchasing power
- More Shared services
- Less documentation and more joined up services – e.g. Revenue and Courts Service
- Local Government Review implementation
- Reduction in number of VECs

Referring to the New Programme for Government Mr. Fitzpatrick outlined a number of aspects of the programme including the establishment of a new Minister and Department for Public Expenditure and Reform whose task is to drive the reform and curb expenditure. The programme includes a commitment to reduce staff numbers in the public sector by 34 – 37,000 by 2014 and a further 4,000 fewer by 2015. There will also be fewer Agencies and State Boards, a reduction in management grades and more external recruitment, particularly in change management and HR management.

Mr. Fitzpatrick said that this creates challenges for Managers and unions, particularly union like the AHCPs, who have a vital role in making the agreement succeed. For unions who engage positively and constructively it is

an opportunity to influence and contribute. Leadership is needed on both sides to deliver real change and reform. He also stressed the point that both the Implementation Body and the Labour Court have emphasised the need for consultation and involvement.

Mr. Fitzpatrick emphasised that savings and reforms must be verifiable and transparent. The report on the savings and progress to date is currently being compiled for the Implementation Body. This will then go to Government for consideration. It will be scrutinised as never before by the ECB and IMF as well as the Government, media and the public. Savings and reforms will be looked at from four perspectives. Cash savings, costs avoided, services reformed/improved and internal efficiencies.

What is required to deliver is improved HR, Leadership, Change skills and strategies. Ability to manage in a recession. The need for communications is vital, to date it has been mixed. There needs to be more delegation to senior and middle managers. There needs to be more ICT and online services, it is essential to do more with less.

In conclusion Mr. Fitzpatrick believed that the agreement can be delivered on. It won't be easy and there will be difficulties but they can be overcome if approached correctly by management and unions.

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 gender and grade 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 shall 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 nine 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 12 Executive Committee meetings between 16 May 2011 and 21 March 2012.

Attendances were as follows:

Name	Possible Attendances	Attendances
Allen Tom	12	11
Bolger Grainne	12	11
Bourke Declan	12	12
Burke Denis	12	11
Carpenter Peadar	12	11
Dowling Edna	12	11
Dunne Larry	6	2
Fanthom Tom **	1	1
Farrell Mary	11	8
Flood Frank *	11	6
Glennon John	12	8
Holleran Noel	12	8
Hughes Eamon	12	8
Hughes John	12	10
McIntosh Willie	12	7
O'Brien Barry **	6	5
O'Shea Bernard *	11	5
Smyth Kieran	12	9
Thompson Billy	12	12

* members co-opted following ADC

** Barry O'Brien replaced Larry Dunne and Tom Fanthom replaced Mary Farrell

ANNUAL REPORT OF THE SECRETARY FOR 2011

1. Public Service Agreement 2010-2014

The Public Service Agreement 2010-2014 has survived despite the unprecedented media hostility at the time that the agreement was signed and which continues to this day. It is worth noting that it has now survived two Budgets, the arrival of the IMF to and a change of Government. Minister Howlin in his Budget speech of re – affirmed that the agreement is the framework for the delivery of the changes required by the Government. The commitments in the agreement to protect against compulsory redundancies and further pay cuts remain in place.

The implementation of the Agreement is overseen by an Implementation Body at national level and by similar bodies in each sector of the Public service such as the Civil Service, Local government etc.

The Civil Service Sectoral Implementation Group is made up of Management and representatives and is chaired by Ms. Anna Perry of the LRC. This Group meets on a monthly basis following the meeting of the General Council. It reports on progress made on various action plans /items contained in the Agreement and raises issues that may be referred to the national Implementation Body.

During 2011 additional working groups apart from the various sub – committees of General Council were established to deal with issues arising from the agreement, such as Redeployment and the FÁS Workplacement Programme (WPP) /JobBridge.

1.1 Redeployment.

As of the 16th December 2011 total number on the PAS Resource Panel stood at 399 broken down as follows.

- Civil Service 190
- NCSSP 191
- Education 18.

The No. of Redeployed Staff recorded by PAS was 79, broken down as follows:

Redeployed From	Redeployed To	Total Number
Civil Service	Civil Service	56
Civil Service	NCSSBs	1
NCSSBs	Civil Service	8
NCSSBs	NCSSBs	12
Local Authorities	Civil Service	1
Local Authorities	Local Authorities	1

1.2 FÁS WPP/JobBridge.

Extract from Agreement: 4.18. There will be full support in the Civil Service and state Agencies with programmes and initiatives to support and assist the unemployed, including the rollout of the FÁS placement programme. This Programme will not displace existing graduate placement programmes.

A Working Group made up of and Management representatives was established to oversee the operation of these schemes and to get involved if problems arose. The Group met on several occasions during the year and whilst there were no major problems in the early operation of the schemes towards the end of the year difficulties arose in relation to the issue of JobBridge internships in the Department of Justice, Equality and Defence relating to 30 internships in the Immigration Service and 30 in the Garda Vetting Unit in Thurles. At time of writing this issue has not been resolved.

2. Performance Management System

2.1 PMDS

The Public Service Agreement 2010-2014 contained a provision for a review of PMDS. A Sub – Committee of General Council was reconstituted towards the end of 2010. This Committee met on several occasions during 2011. In November 2011 agreement was reached on a new PMDS form to replace the three separate Role Profile, Interim and Annual Review forms together with new Guidelines for the completion of the form. The following Memorandum of Agreement was also signed on .

General Council Sub- Committee on PMDS.

Memorandum of Agreement

Changes to the Performance Management and Development System.

The General Council Sub-Committee on PMDS, under Phase 1 of the changes to strengthen PMDS, hereby agrees the following:

- A new agreed template PMDS Form to replace the three separate Role Profile, Interim and Annual Review Forms
- New Guidelines for completion of the new PMDS Form
- The New PMDS Form will come into operation for all Civil Servants for the 2012 PMDS cycle.
- The practical operation of the new Form during 2012 will be reviewed and on the basis of the experience may be amended for 2013 cycle.

- An electronic version of the new PMDS Form will be rolled out for 2013.

Under Phase 2 of changes to PMDS, the Sub-Committee agrees that the following issues will be addressed:

- Fairness and consistency.
 - Competency Framework
 - Ratings
 - Role of Reviewer
 - Independent Review.
- Linking PMDS to the award of individual increments.

Following completion of Phases 1 and 2, a revised General Council Agreement will be drawn up

Signed	Signed
Louise McGirr Department of Public Expenditure & Reform Chair Sub – Committee.	Gerry Malone Secretary Civil Service General 1 Council Staff Panel.

3. Decentralisation

On the Government announced that the Decentralisation Programme which was introduced in 2003 be cancelled in the light of the budgetary and staffing outlook. The note that issued to the Staff Side (**see Appendix A**) contained details of the projects to be cancelled, those to remain in situ and those to be reviewed. In relation to the projects to be reviewed this process has now been completed and at time of writing a report of the Review is with the Government for consideration.

4. Equal Opportunities

The General Council Equality Sub – Committee met once in December 2011. At that meeting it was agreed to try to progress the following issues during 2012.

- e-Working
- A Positive Working Environment
- Review of Civil Service Policies (gender equality and diversity)
- Staff with Disabilities.
- Parental Leave. (Transposition of EU directive into Law)
- Career Breaks and Public Holidays.
- Shorter Working Year Scheme.

4.1 Crèches

The Interim Board of the Civil Service Childcare Agency met on several occasions during the year. The function of the Board is to oversee and consider issues affecting the operation of Crèche facilities for staff in the Civil Service.

Crèches are based at, Mount Street, Backweston, Athlone,

and Ennis. The responsibility for the building and maintenance programme of the Crèches lies with the Office of Public Works. The Department of Public Expenditure and Reform retains responsibility for policy matters relating to existing crèches, the allocation of licences to operators to run the crèches and has an overall supervisory role in relation to the crèches, including the standard of service provided by the operators. Operational Audits are carried out on the crèches on a yearly basis.

4.2 Disabilities

The Disability Sub-Committee of General Council met on one occasion during the year. The Code of Practice remains on the agenda for both the Sub-Committee and the Disabilities Network who usually meet on a regular basis. The Sub – Committee will be reconstituted early in 2012 due to Personnel changes in the Department of Public Expenditure and Reform. www.disabilities.gov.ie

5. Health and Safety

5.1 There were no meetings of the sub-committee during 2011.

6. Travel and Subsistence Sub-committee

6.1 Motor Mileage

There was no progress on this matter during the year.

6.2 Subsistence

There was no progress on this matter during the year.

6.3 Motor Cycle Allowance

There was no progress on this matter during the year.

6.4 Office Accommodation Allowance.

The following revised reduced rates applied from .

Allowance per week	High Rate	Low Rate
Current	€28.92	€18.51
Revised	€19.96	€12.77

7 Grievance Procedure

No progress was made during the year on a revised Grievance Procedure. It is expected that this issue will be addressed early in 2012.

8 Civil Service Employee Assistance Service.

Considerable progress was made during the year on the establishment of a new Civil Service Employee Assistance Service. Competitions were held for the appointment of a Manager and for the appointments to the posts of Employee Assistance Officers. The Manager has been appointed and at time of writing arrangements for the appointments to the posts of Employee Assistance

Officers and the transfer over of existing Employee Assistance Officers is in place.

The new Civil Service Employee Assistance Service is being centralised under the Manager and regionalised throughout the 26 counties with its headquarters in which will house the Manager, based Employee Assistance Officers and an administrative support person. Regional Employee Assistance Officers will be located in different parts of the country, in locations decided by reference to the concentration of Civil Service staffing in the regions. All Officers will report to the Manager who will report to the CSEAS Board and a Principal Officer in the Department of Public Expenditure and Reform.

9 Arbitration Board/Adjudicator

9.1 Arbitration Board

The members of the Arbitration Board who were appointed to were:

Mr. Turlough O'Donnell SC Chairperson, Mr. Gerard Barry, Government nominee, and Mr. Tom Wall Staff Side nominee.

Two Arbitration Reports issued in 2011

- Outsourcing of Warehouse. The Arbitration Report was signed on .
- In the matter of privilege days in the Civil Service. The Arbitration Report was signed on

9.2 Adjudicator

The Staff Side agreed to the re-appointment of Mr Kieran Mc Govern as Adjudicator from June 2011 to June 2012.

The following case was heard in 2011.

- A claim by the Association of Higher Civil and Public Servants (AHCPs) in association with IMPACT, that the Flexible Working Hours (FWH/"flexi-time") Scheme for the Assistant Principal and equivalent grades in the Department of Justice and Equality be fully restored to what was in place prior to January 2011.

The Adjudicator's findings in this case were in favour of the Staff Side.

10 Civil Service Disciplinary Code Appeals Board

Ms. Inge Clissman SC was re-appointed as Chairperson of the Civil Service Disciplinary Appeals Board for 2010/2011.

Mr. Tom Fallon was appointed as Deputy Chairperson.

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. Paul Caffrey. PSEU

Mr. Eugene Quinn. PSEU

Mr. John Kelleher. AHCPs

Mr. Ciaran Rohan. AHCPs

Mr. Tom Hoare. IMPACT

Ms. Christine Cully. IMPACT

The Official Side nominees are:

Ms.Kathleen Redmond. Revenue.

Ms. Patricia Murphy. Department of Social Protection.

Mr. Dave Hanley. Department of Communication, Energy and Natural Resources.

Ms. Lynda Hendley. Revenue.

Mr. Pdraig McMahon. AG's Office.

Mr. Martin Bourke. OPW.

Ms. Anne McDonnell. Education and Skills.

Ms. Patricia Coleman. Dept. of Finance.

Ms. Ellis O'Connell. OPW.

11 Staff Panel/General Council

11.1 Staff Panel

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

Claims Lodged at General Council during 2011

- This is a claim seeking to have the Shorter Working Year Scheme amended to allow Officers to take one weeks leave.
- That a Chairman and Delegate's Allowance payment be made to officers who attend meetings in the .
- Claim seeking to have the same provision of paid leave at the time of marriage applied in the case of Civil Partnership Service.
- Claim seeking to have salary arrangements, similar to those available in the Shorter Working Year Scheme, available to officers who want to spread their salary over the year when taking Parental Leave
- Claim seeking to increase the number of days paid paternity leave from three to five.
- Claim which seeks to have the number of days

Bereavement Leave increased from 3 to 5 in the case of the death of a parent.

- Claim seeking Bereavement Leave of three days for parents in the event of a miscarriage between 16 and 23 week of pregnancy.
- Claim to reduce the compound interest on the repayment of the Marriage Gratuity from 4% to 2%
- Claim to facilitate the retirement on full pension entitlements of officers with 40 years of service but who have not yet reached the age of 60.
- Claim to ensure any sick leave certified as being related to swine flu epidemic be discounted for promotion and incremental progression purposes.

11.2 Move from Conciliation and Arbitration Scheme to using State Agencies

There was no movement on this issue in 2011.

11.3 General Council

During the year 10 meetings of General Council took place. There was one Agreed Report:

Civil Service Conciliation and Arbitration Scheme

General Council Report 1522

(Meeting of 30th September 2009)

This claim seeks to have current flexi carryover of 11.5 hours (1.5 days) per flexi period extended to 12.5 hours per flexi period in the Civil Service

1. The Staff Side put forward this claim at General Council seeking that staff currently on flexitime now be allowed to work up 12.5 hours per flexi period to be taken in the following flexi period.
2. Background
The current flexitime regime allows Departments/Offices discretion to determine flexi time bands from to following discussion at Departmental Councils. The maximum of credit carry over is 11.5 hours and an increase to 12.5 hours is not justified (Council report number 1379 of - Appendix).
3. The Official Side noted that the issue of increase in increasing the number of hours per flexi period had been visited on several occasions (most recently in February 2008 General Council Report 1498). The position has not changed in relation to the possibility of staff shortages in offices where staff are required to deal with members of the public for conditioned hours every day. Concerns relating to staff supervision still remain as a problem.
4. Accordingly, the Official side rejected the claim and a report recording disagreement was adopted on

Circulars issued by Department of Finance/ Public Expenditure and Reform in 2011

No	Title / Content
4/11	Interdepartmental Competition for appointment to the post of Manager of the Civil Service Employee Assistance Service (CSEAS) – Assistant Principal Officer (Higher Scale) in the Department of Finance.
06/11	Annual Leave and Privilege Days.
07/11	Interdepartmental Competition for appointment to the post of Employee Assistance Officer – EAO (Higher Executive Officer) in the Civil Service Employee Assistance Service (CSEAS)
09/11	Civil Service HR Shared Service Centre (HRSSC) Implementation – Temporary Assignment /Secondment Opportunities to the Project Team in the Department Of Public Expenditure and reform – Executive Officer, Higher Executive Officer and Administrative Officer.
15/11	Mechanism to monitor compliance with employment law in outsourced operations under the Croke Park Agreement.

Letters to Personnel Officers

Date issued	Title / Content
6 July 2011	Minimum notice period for retirement.
21 July 2011	Marriage leave in the Civil Service- Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010.

Circulars / Letters available at: <http://circulars.gov.ie>

12. Third World Fund

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

13. Civil Service Charities Fund

The Civil Service Charities Fund was established in 1991 to support voluntary organisations operating within communities or providing services to disadvantaged groups within society , such as people with disabilities. Members of the Fund donate 0.1% of salary i.e. 10 cent per €100 of salary, the donation of which is facilitated by a deduction at source.

The Management Committee of the Fund met four times during the year to consider applications submitted under strict application criteria. The following applications were considered and approved in 2011

Applicant	Amount
Dublin Aids Alliance	€4,780.00
St John of God Community Service	€16,450.00
Baldoyle Family Resource Services	€5,000.00
I.M.N.D.A.	€10,000.00
S.O.F.T. Ireland	€5,000.00
St John of God Kildare Services	€16,000.00
PIETA House	€3,780.00
C.A.R.I. Foundation	€5,000.00
Special Olympics (Eastern Region)	€15,000.00

As 2012 is the 21st Anniversary of the Fund consideration is being given to relaunching the fund in order to attract new members and to increase the profile of the fund within the Civil Service.

Conclusion

I would like to thank the Chairperson Mr. Dennis Walshe 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 the Official Side Secretaries, Simon McGrath and Sighle de Barra for their assistance and co-operation during 2011. I would also like to thank all our colleagues in the Departments of Finance and Public Expenditure and Reform for their contributions throughout the year.

*Gerry Malone,
Secretary,
January 2012*

Appendix A:

Cancellation of the Decentralisation Programme

Government Decision

The Government today (17th November 2011) announced that the Decentralisation Programme which was introduced in 2003 should be cancelled in the light of the budgetary and staffing outlook. This will mean the following:

- Those projects where there is no permanent accommodation or advance party in place are to be cancelled. Details of the cancelled projects are set out at Table 1;

- Projects for which permanent accommodation has been provided and to which staffing assignments are substantially completed are to be left in situ, to be managed in the same way as other regionally based offices and Departments. Details of these projects are set out at Table 2;
- The Department of Public Expenditure and Reform will review, in liaison with the OPW and the relevant Departments, the viability and future prospects of the remainder of the projects, having regard to the current budgetary and staffing constraints affecting the public service generally. The Minister will bring proposals to Government later this year in relation to these. These projects include those where temporary accommodation has been provided, and some others that have business/operational effectiveness issues that require further consideration – details of these are set out at Table 3.

The Department of Public Expenditure and Reform will discuss with the relevant unions alternative options for those staff still committed to decentralising to those locations where projects are being cancelled.

Background – Decentralisation

- In the December 2003 Budget Statement, the then Minister for Finance announced the decentralisation of 10,300 civil and public servants from to 53 locations in 25 counties.
- About a third of the target numbers – over 3,400 – have decentralised since the commencement of the Programme, the vast majority being civil servants.
- While the decentralised offices account for less than 10% of serving civil service staff, taken together with the pre-existing regional and district offices of Departments the proportion of civil servants stationed outside Dublin is now just over 50%.
- Staff relocation under the programme was accomplished on a voluntary basis, without payment of removal expenses or incentives. Other costs to the Departments involved were minimised through business planning, gradual transfers of staff and functions and risk management strategies.
- In October 2008 implementation of the elements of the programme remaining to be completed at that time was deferred by the previous Government, pending a review in 2011 in light of budgetary developments.

Background to the Decision

- The decisions announced by Government today (17th November 2011) in relation to the Decentralisation Programme have been taken in the context of the substantial changes in the budgetary and staffing situation since decentralisation was announced. It also had regard to the need to focus

on programmes and projects that will best support economic recovery and to identify significant expenditure savings and efficiencies.

- The changes to civil service numbers and in public service delivery, together with changes in Ministerial portfolios since the programme commenced, were also taken into consideration.
- A policy of promoting decentralisation as a special case is no longer consistent with the policies and measures now being adopted to effect a reduction in the number of staff employed in the public service.

Cancelled Projects

These are projects where no progress had been made in relation to the provision of accommodation or the movement of staff – they were on the list of projects which were deferred in 2008. In the present budgetary situation and taking account of factors such as reductions in overall public service numbers, re-organisation of Departments and State Agencies and the erosion of staff numbers available for individual locations, the projects are not viable and it has been agreed to cancel them.

Projects remaining in situ

Projects for which permanent accommodation has been provided and to which staffing assignments are substantially completed are to be left in situ, to be managed in the same way as other regionally based offices. Reversal of these projects is not practicable because it would incur major capital and current expenditure costs which could not be offset with savings on the disposal of the regional premises. The vast majority of the staff involved are settled in the decentralised locations and a further

relocation would result in significant and costly disruption to them and to the business of the offices concerned.

Projects for Review

The Department of Public Expenditure and Reform is reviewing, in liaison with the OPW and the relevant Departments, the viability and future prospects of the remainder of the projects and the Minister will bring proposals to Government later in the year in relation to these. These projects (Table 3) include:

- those where temporary accommodation has been provided for advance parties of various sizes pending permanent accommodation for the entire project, and
- those with permanent accommodation that now face the prospect of significant staffing shortfalls due to the change in staffing outlook and others that have business/operational effectiveness issues that require further consideration.

The review will take account of

- property and cost issues;
- the possibilities for integration with other regional or national offices;
- staffing and IR issues; and
- any business, operational effectiveness and related considerations that pertain, including any proposals to curtail and close down programmes and agencies.

Central Decentralisation Unit
17 November 2011

Table 1 – Decentralisation Projects to be cancelled
Projects with no accommodation or staff in situ

Location	Department/Organisation
Arklow	NSAI
Athlone	Higher Education Authority
Ballinasloe	National Roads Authority
Carrickmacross	Social Protection
Carrick on	Inland Fisheries
Carrick on (Phase II)	Social Protection
Cavan/Portlaoise/Galway	HIQA
Claremorris (Phase II)	Office of Public Works
Donegal	Social Protection
Drogheda	Transport Tourism & Sport
Drogheda	Citizens Information Board
Drogheda	Local Government Computer Services Board
Drogheda	Railway Safety Commission
Drogheda	Social Protection
Dungarvan	OSI
Edenderry	FETAC
Edenderry	HETAC
Edenderry	NQAI
Enniscorthy	Bord Bia
Fermoy	Agriculture Food and the Marine
Gaoth Dobhair (Phase II)	Foras na Gaeilge
Kanturk	Office of Public Works
Kildare	Office of the Revenue Commissioners
Kildare	Public Expenditure & Reform - CMOD
Kilkenny	Environment Community & Local Government
Kilkenny	Arts Council
Killarney	Irish Sports Council
Macroom	Agriculture Food and the Marine
Mallow	Fáilte
Mitchelstown	CIÉ Group
Mullingar	Education & Skills
Naas	Health Service Executive
New Ross	Environment Community & Local Government
Portarlington	NEWB
Roscrea	Garda Ombudsman Commission
Shannon	Irish Aviation Authority
Waterford	Environment Community & Local Government
Wexford	National Building Agency
Youghal	Public Appointments Service
Youghal	Valuation Office
Total	40 Projects

Table 2 – Decentralisation Projects to be left in situ or advanced

Projects where permanent accommodation is completed, or due to be completed shortly

Location	Organisation
Athlone	Education & Skills
Ballina	Road Safety Authority
Buncrana	Social Protection
Carrick-on-Shannon (Phase I)	Social Protection
Clonakilty	Agriculture Food and the Marine
Clonakilty	Sea Fisheries Protection Authority
Clonakilty	BIM
Cork	HIQA
Gaoth Dobhair (Phase I)	Foras Na Gaeilge
Killarney	Arts Heritage & the Gaeltacht
Kilrush	Office of the Revenue Commissioners
Limerick	Development Co-operation, Foreign Affairs & Trade
Listowel	Office of the Revenue Commissioners
Longford	Irish Prison Service
Loughrea	Road Safety Authority
Loughrea	Transport Tourism & Sport
Naas	Irish Auditing & Accounting Supervisory Authority
Na Forbacha	Arts, Heritage & the Gaeltacht
Navan	Coroner Service
Navan	Garda Civilian HR Division
Navan	National Property Services Regulatory Authority
Navan	Office of the Director of Probation Service
Navan	Office of the Revenue Commissioners
Newbridge	Department of Defence
Newbridge	Defence Forces
Newcastlewest	Office of the Revenue Commissioners
Roscommon	Property Registration Authority
Sligo	Social Protection
Tipperary Town	Private Security Agency
Trim	Office of Public Works
Tullamore	Finance
Wexford	Environment Community & Local Government
Total	32 Projects

Table 3 – Decentralisation Projects to be reviewed *

Location	Organisation
Athy	Office of Revenue Commissioners (Advance Party)
Birr	FÁS/Solas (Advance Party)
Carlow	Jobs and Innovation (Advance Party)
Cavan	Communications Energy & Natural Resources (Advance Party)
Claremorris (Phase I)	Office of Public Works (Advance Party)
Curragh	Defence Forces
Clifden	Pobal (Advance Party)
Clonakilty	BIM
Dundalk	Sustainable Energy (Advance Party)
Limerick	Development Co-operation, Foreign Affairs & Trade
Newbridge **	Department of Defence
Portarlington	Data Protection Commissioner (Advance Party)
Portlaoise (for Portarlington)	Equality Tribunal (Civil Service) (Advance Party)
Portlaoise (for Portarlington)	NCCA (Civil Service) (Advance Party)
Portlaoise	Agriculture, Food and the Marine (Advance Party)
Roscommon	Property Registration Authority
Roscrea	Equality Authority (Civil Service) (Advance Party)
Shannon	(Advance Party)
Tipperary Town	Justice & Equality (INIS) (Advance Party)
Thomastown	Health & Safety Authority (Advance Party)
Thurles	Garda Headquarters CGVU & FCPS (Advance Party)
Tubbercurry (for Charlestown)	Environment Community and Local Government (Advance Party)
Total	22 Projects

* The projects to be reviewed include some where permanent accommodation has been provided but where there are staffing shortfalls.

** To review HQ designation only

ANNUAL REPORT OF THE PUBLIC SERVICES COMMITTEE 2010-2011

1. MINUTES

The minutes of the 2010 AGM are enclosed at **Appendix 1**

2. FINANCES

It is hoped to provide a report to the meeting, (Bank bureaucracy notwithstanding!).

3. PAY AND RELATED MATTERS

- 3.1 At a meeting on 15 June 2010, a majority voted at a special meeting of the Public Services Committee to accept the Public Service Agreement 2010 - 2014. The result of the card vote is enclosed at **Appendix 2**.

Under the terms of the Agreement, there have been no further cuts in the pay of Public Servants. One consequence has been that, whereas in the previous year there had been 12 meetings of the Negotiating Group **plus** an EGM and 3 meetings of Principal Reps: in the year since, there has been a total of 4 meetings of the Negotiating Group.

- 3.2 At the time of writing, all Unions, (with one exception), have indicated acceptance of the agreement, (with one other Union intending to re-ballot on the issue).
- 3.3 With the arrival of the so-called 'troika' in late 2010 as lenders of the last resort for the country, the public discourse on the agreement took a significant turn towards questioning the very basis for its continuation, given the calamitous state of the nation's finances. A sustained campaign began – and continues – to encourage Government to renege on its commitments under the Agreement.

At the time of writing a review of the Agreement is being conducted and will be completed by the end of May. While the exact outcome, in terms of precise figures, is not yet known, it is certain that the review will show that the Public Service pay bill is on course to be reduced by hundreds of millions of euro.

This has been achieved by staff reductions, organisational change and flexibility. It is possible due to the co-operation of the staff who provide

public services. This co-operation is guaranteed under the Agreement, in return for the guarantees provided by the employer in respect of continued employment and income security.

- 3.4 The Public Services Committee nominated the following to sit on the Implementation Body set up under the Agreement:

Shay Cody (IMPACT)
Sheila Nunan (INTO)
Patricia King (SIPTU)
Tom Geraghty (PSEU)

This Body has met on numerous occasions since its first meeting after the Committee's acceptance of the Agreement. In addition, implementation bodies, under independent chairpersons, have been set up in each of the sectors. The details of the Chairpersons are as follows:

Education	David O'Callaghan
Health	Pat Harvey
Local Government	Dan Murphy
Civil Service	Anna Perry
State Agencies	John White
Prisons	Michael McLoone

The Chair of the National Implementation Body is P.J. Fitzpatrick, who also chairs the Garda and Defence Forces Implementation Bodies.

The initial employer representatives on the National Implementation Body were Ciarán Connolly, Brendan Duffy (Dept. Finance) and Philip Kelly (Dept. Taoiseach) with Oonagh Buckley as Secretary. Brendan Duffy retired in early 2011 and Ciarán Connolly's retirement is imminent, at the time of writing.

Considerable thanks and appreciation are due to two fine public servants who have served the State to the best of their considerable abilities. With the establishment of the new Department of Public Expenditure and Reform, further secretarial assistance has now been provided.

4. PENSIONS

- 4.1 Under the Public Service Agreement 2010 – 2014, discussions took place on the previous

Government's intention in respect of the pension arrangements for future entrants to the Public Service to move from a final salary system to one based on career average earnings. These discussions took place under the auspices of the Labour Relations Commission. The letter from the then Minister confirming acceptance of the outcome is enclosed at **Appendix 3**. Legislation that was under preparation when the Government fell was not completed. At the time of writing, this is awaited.

5. STAFFING LEVELS

5.1 It seems to be clear, and generally accepted, that by the end of 2011, Public Service numbers will fall to about 301,000, down from a peak of 319,450 in 2008. In the four year plan published by the previous Government it was proposed to reduce the size of the Public Service from 307,900 in 2010 to 294,700 by 2014. These figures were incorporated into the agreement with the 'troika', lenders of last resort. Under the Programme for Government of the new Government the proposed reduction of 14,000 up to 2014 was increased to 18,000 – 21,000, with a proposal to reduce by a total of 25,000 by 2015.

6. ELECTION OF OFFICERS

At the AGM in 2010, the following were elected as Officers of the Committee:

Chair	Shay Cody (IMPACT)
Vice-Chair	Sheila Nunan (INTO) Gene Mealy (SIPTU)
Secretary	Tom Geraghty (PSEU)

7. CONCLUSION

7.1 Despite a consistent barrage of hostility, the Public Service Agreement has survived the arrival of the IMF led 'troika' and a change of Government. It has done so because it is recognised by all parties involved that an agreed approach to the necessary task of reducing public expenditure, in light of our banking, economic and fiscal collapse, is a more sensible way to do business than an alternative that could, on the other hand, see further attacks on Public Servants, with the inevitable reaction of industrial strife.

Given the continued deterioration of the economic situation, the position regarding the maintenance of the agreement remains somewhat fraught. However, the May review will show that the Agreement is delivering in extracting cost and, in so doing, is delivering the continuation of the protections guaranteed to Public Servants in return.

7.2 I would like to thank my fellow officers, fellow members of the Implementation Body, Liam Berney of Congress for his invaluable help throughout the year and all members of the PSC Negotiating Group.

7.3 Finally, for ease of reference enclosed at **Appendix 4 and Appendix 5** are clarifications received regarding 'loss of earnings' and the means by which issues between the parties to the Public Service Agreement are to be processed.

*Tom Geraghty,
Secretary*



ICTU - PUBLIC SERVICES COMMITTEE

MINUTES OF ANNUAL GENERAL MEETING OF PUBLIC SERVICES COMMITTEE HELD ON 23 JUNE 2010

ATTENDANCE

Peter McLoone	Chair & IMPACT	P. MacMenanim	TUI
Sheila Nunan	Vice Chair & INTO	Mike Jennings	IFUT
Tom Geraghty	Secretary & PSEU	Hugh Gibbons	IFUT
S. Cody	IMPACT	Annette Dolan	TUI
Louise O'Reilly	SIPTU	John Clinton	POA
Liam Berney	ICTU	Karl Dalton	POA
Finbarr Maguire	TEEU	Phil NíSheaghda	INMO
John White	ASTI	Bernard Harbor	IMPACT
Pat King	ASTI	Liam Doran	INMO
Joe Morgan	ASTI	David Hughes	INMO
Gene Mealy	SIPTU	Walter Cullen	UNITE
Patricia King	SIPTU	Jerry Shanahan	UNITE
John O'Reilly	TUI	Eric Young	IMO
Don Ryan	TUI	Terry Casey	MLSA
Declan Glynn	TUI	John Kane	MLSA
Ciaran Rohan	AHCPS	Noel Ward	INTO
Diarmaid de Paor	ASTI	Kevin Callinan	IMPACT
Bernie Ruane	TUI	Blair Horan	CPSU
Paul Sweeney	TUI		

Apologies : K. Figgis, SIPTU

The meeting began by noting with sympathy the recent deaths of the father of Pat Kavanagh, (TEEU) and the mothers of Brendan Hayes, (formerly of SIPTU) and Noirín Greene (formerly of UNITE).

1. MINUTES

Peter MacMenanim stated that J. Mulvihill (TUI) listed in the attendance at the AGM on 19 May 2009, should, in fact, be J Craughwell. In addition, P. Mac Sweeney (TUI) should also be shown as having been in attendance. Subject to these changes, the minutes of the AGM on 19 May 2009, proposed by Louise O'Reilly, seconded by Blair Horan were adopted.

The minutes of the EGM held on 14 July 2009 proposed by Liam Doran, seconded by Diarmaid de Paor and were adopted.

2. ANNUAL REPORT

The meeting had before it a copy of the Annual Report. On the proposal of John White, seconded by Blair Horan, this was adopted.

3. FINANCIAL REPORT

The Financial Report had been circulated in advance. On the proposal of Diarmaid de Paor, seconded by Bernard Harbor, this was adopted.

4. ELECTION OF OFFICERS

The following had been nominated:

Chair	S. Cody (IMPACT)
Vice-Chair (2)	S. Nunan (INTO) and G. Mealy (SIPTU)
Secretary	T. Geraghty (PSEU)

The nominations were noted and agreed.

5. UPDATE

The Chair stated that the Secretary and himself had met with the Official Side to discuss the composition of the Implementation Body for the

'Public Service Agreement 2010 – 2014' and related matters. It was noted that the issues had to be discussed by Government and that a further meeting between the Official Side and the Officers was likely within a week or so. He stated that when this was arranged constituent unions would be notified and that, subsequently, a meeting of the Negotiating Group would be necessary. It was noted also that meetings of the Pensions sub-group were to be arranged.

6. OTHER BUSINESS

i) Terry Casey (MLSA), raised recent comments by the incoming Chair, Shay Cody, regarding the ability of smaller unions to represent their members. Mike Jennings, Blair Horan and Jerry Shanahan spoke on the subject. Shay Cody responded by noting that individual unions had many different views on issues but that his union's view on this matter would not interfere in his performance as Chair. of the Committee.

ii) Peter MacMenanim asked the incoming officers to note the view expressed at the 2009 AGM regarding the desirability of having quarterly meetings of the full Committee.

7. RETIREMENT OF CHAIR

With the completion of the formal business of the meeting, tributes were paid to Peter McLoone, the outgoing Committee Chair, by John White, Liam Doran and Blair Horan. Tom Geraghty made a presentation to Peter McLoone on behalf of the PSEU, as an expression of gratitude for his work on behalf of Public Servants. Peter McLoone then responded, thanked the Committee for its support and wished it well in its future endeavours.

*Tom Geraghty,
Secretary*



APPENDIX 2

**RESULT OF CARD VOTE ON
DRAFT PUBLIC SERVICE AGREEMENT 2010 - 2014**

UNION	No of VOTES Union entitled to	FOR the Proposal	AGAINST the Proposal
AHCPS	32	32	
ASTI	183		183
BATU	5	5	
CPSU	128		128
IFUT	20		20
IMO	68	68	
IMPACT	606	606	
INMO	390		390
INTO	314	314	
MLSA	19	19	
OPATSI	3		3
POA	34		34
PSEU	113	113	
SIPTU	719	719	
TEEU	10		10
TUI	158		158
UCATT	20	20	
UNITE	60		60
VOA	3	3	
TOTAL		1899	986



Department of Finance
 Government Buildings
 Upper Merrion Street
 Dublin 2
 Ireland

Telephone 353-1 604 5492

5 November, 2011

Mr Shay Cody
 IMPACT Trade Union,
 Nerney's Court,
 Dublin 1

Dear Shay,

I am to inform you that the Minister for Finance has given his approval to the proposals in relation to the accrual rate and main personal occupational benefits in the new Public Service pension single scheme which were contained in section B of the Labour Relations Commission's letter of 4 October.

Work on the necessary legislation is in hands for submission to Government for final approval of the terms and publication. The Minister will propose to the Government that the new scheme in that legislation be based on the Commission's proposals in section B.

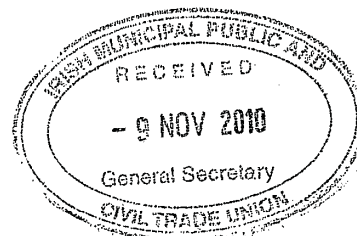
As you are aware, there are a number of detailed technical and other issues in section C of the Commission's letter on which further discussion is required before the terms and conditions of the scheme are finalised. One possible approach would be to establish a joint working group. I would welcome your views.

I am copying this letter to Kevin Foley and Maedhbh Cronin for their information.

Yours sincerely,

J. O'Connell

 J O'Connell
 Assistant Secretary



**IMPLEMENTATION
BODY**

Mr Tom Geraghty
Secretary
Public Services Committee
Irish Congress of Trade Unions
Parnell Square
Dublin 1

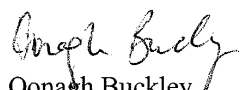
8 March, 2011

Dear Mr. Geraghty,

I am writing to advise that the members of the Implementation Body noted at their recent meeting of 3 March, 2011 the recent recommendation of the Labour Court (LCR 19995) in relation to compensation for loss of earnings under the Public Service Agreement (in a context other than redeployment). The Court recommended that the compensation for actual loss of earnings arising from the new arrangements be calculated on the basis of 1.5 times the actual loss. The level of loss should be established in each case by comparing earnings in a full twelve month period in which the new arrangements has been in operation with a corresponding period in which the current system operated. On phasing, it was recommended that 50% of the compensation due should be paid 12 months after the new arrangement became operational, with the remaining 50% of the amount due paid six months thereafter.

The members of the Body agreed to endorse this recommendation of the Court as the formula to be applied in cases of actual loss of earnings (in a context other than redeployment) under the Agreement to the Public Service Executive of the ICTU and to public service management in each sector.

Yours sincerely,


Oonagh Buckley,
Secretary.

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**IMPLEMENTATION
BODY**

Mr. Duffy,
Chairman,
Labour Court,
Tom Johnson House,
Haddington Road,
Dublin 4.

11 November, 2010.

Dear Mr. Duffy,

I refer to the recent meeting with you and the other members of the Labour Court in which the issue of handling disputes, specifically those raising issues of interpretation of the terms of the Public Service Agreement 2010 – 2014 was raised.

The following is the understanding of the members of the Implementation Body of how such disputes should be handled:

- The Public Service Agreement 2010 – 2014, paragraph 1.24, provides that “Where the parties involved cannot reach agreement in discussions on any matter under the terms of this agreement within 6 weeks, or another timeframe set by the Implementation Body to reflect the circumstances or nature of the particular matter, the matter will be referred by either side to the LRC and if necessary to the Labour Court.... The outcome from the industrial relations or arbitration process will be final. Such determination(s) will be made within 4 weeks, or another timeframe set by the Implementation Body to reflect the circumstances or nature of the particular matter.”
- The relevant sectoral implementation body, as a preliminary matter, should be made aware of the disputes arising and ensure that disputes are managed appropriately, in particular to avoid a number of individual disputes on similar issues being referred to the industrial relations machinery.
- It is intended by the Parties to the Agreement that the LRC and Labour Court (or the Public Service Arbitrator in the case of groups comprehended by schemes of Conciliation and Arbitration) will perform their normal function of resolving disputes that arise under the Agreement, albeit with agreement between both parties that disputes can be referred quickly and that they will be bound by the determination of the Court.
- It would be normal that the terms of the Agreement would be applied by the LRC/Court to the facts of the dispute. This may involve reviewing the terms

IMPLEMENTATION BODY

of the Agreement and interpreting whether, or how, they apply to the facts of the dispute.

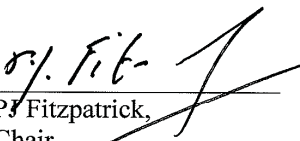
- If a matter of interpretation is at issue, it should be raised at an early stage by the parties to the dispute.
- In certain instances, however, a party to a dispute may raise a fundamental issue about the intention of the parties when they agreed to a particular clause of a Sectoral Agreement. Where such an issue arises which does not have application beyond the sector involved, it should be considered by the parties to the Agreement represented in the Sectoral Implementation Body in the first instance. The view of that body as to the intention of the parties should be confirmed to both sides and included in the material submitted to the LRC/Labour Court (the Implementation Body should be provided with this material also). If the Chairperson cannot resolve the matter, the matter should be raised with the Implementation Body. This should be done in advance of the LRC/Labour Court hearings, as otherwise there may be a delay in processing the matter before the LRC or the Court.
- In any instance where a fundamental issue is raised by a party to a dispute as to the intention of the Parties to the General Agreement (i.e. Chapter 1) or where a dispute as to the intention of the parties to a Sectoral Agreement cannot be resolved by the Sectoral Implementation Body or has general application, the matter should be referred to the Implementation Body. The view of that body as to the intention of the parties should be confirmed to both sides and included in the material submitted to the LRC/Labour Court. This should be done in advance of the LRC/Labour Court hearings, as otherwise there may be a delay in processing the matter before the LRC or the Court.
- There may be situations where the Implementation Body may seek the assistance of the Labour Court in reaching a determination on a matter of interpretation.

The question of handling disputes under the terms of the Agreement that may increase costs was also raised. As was the case in previous Agreements, the parties to this Agreement have agreed under paragraph 1.27 of the Agreement that no cost increasing claims for improvements in pay or conditions of employment will be made or processed during the lifetime of the Agreement. Ciaran Connolly, Secretary General, PSMD wrote to the Public Service Executive of the ICTU in June 2010 confirming that it was the intention of public service managements to continue to operate in relation to minor claims on the same general basis that they have operated in previous agreements, most recently the *Towards 2016* agreement, with the exception of minor claims relating to remuneration, the award of which is precluded under the terms of the Financial Emergency Measures in the Public Interest (No. 2)

**IMPLEMENTATION
BODY**

Act, 2009. I understand that the Department of Finance intends to issue guidance to all Government Departments to assist public service management in this regard.

Yours sincerely,


 P. Fitzpatrick,
 Chair,
 Implementation Body.

