All ICTU public service unions ‘sign up’ to deal’s disputes mechanisms

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The Public Services Committee of ICTU has told the Department of Public Expenditure and Reform, that all of its affiliated unions have assented to ratification of the new public service agreement - and will be confirming this with the Workplace Relations Commission.

There had been doubts regarding unions whose members had rejected the agreement in individual ballots, such as the secondary teachers union, ASTI, as well as the Irish Medical Organisation (IMO) and the med lab scientists union, the MLSA.

But ahead of its meeting with DPER last week, they each indicated to the PSC that they would abide by an agreement that was backed by 13 unions out of 17 over a week ago.

The decision of public service affiliates to accept the overall result is significant.

Unlike what had been the case over several recent public service agreements, there are no “fence sitters” on this occasion.

Notwithstanding this, however, the three unions whose members rejected the terms will continue to pursue their particular issues, but must formally do so within the oversight and disputes resolution procedures.

The mechanism for pursuing specific category-related issues will be through the new sectoral bargaining clause, which provides for a sectoral “round” worth one percent of payroll of the group concerned.

GOAL ACHIEVED

When the chairman of the PSC, Kevin Callinan, addressed an IRN conference in the spring of 2019 – two years ago this week – he clearly referenced the wider impact of the just-concluded settlement of the nurses and midwives dispute. Commenting that when the credibility of public service agreements - like the PSSA - was “stretched”, as he put it, the model itself becomes strained.

Clearly, he was signalling an aspiration to get all unions to sign up for a common disputes procedures as one of the bedrocks of any future agreement. This goal was achieved by the PSC this week.

Ironically, that same 2019 nurses dispute ultimately triggered a move by other public unions to seek a sectoral bargaining round to ‘catch up’ with the nurses, the result being the new sectoral bargaining clause in Building Momentum.

“HANDCUFFS” OFF

Meanwhile, the Public Service Pay Bill, 2020, has been somewhat overlooked. The effect of this Bill will is the restoration of the collective bargaining environment in the public service that pertained before the financial crisis.

The Bill will allow the Minister for Public Expenditure & Reform to sanction increases in the pay or allowances of public servants, thereby enhancing the power available to the Minister.

But the stated objective of the change, specifically relates to the implementation of Sláintecare reforms, under which consultants employed by the State will have to focus 100% of their time on public-only work within the public health system. The Minister has described the objective of this Bill as “removing the FEMPI handcuffs”.

WORK TO DO

Meanwhile, IRN understands that the PSC and DPER officials also discussed issues regarding the oversight and disputes procedures, which require decisions on appointees and individual chairs to head up new mechanisms like the Tripartite Implementation Body (TIB).

No formal decisions with regard to names have yet been made.

On sectoral bargaining, the original date of end February for decisions on categories or groups, has been extended out to the end of this month. Meanwhile, the engagement between sectoral management and relevant unions on how the ‘Sectoral Bargaining Fund’ will apply in each identified unit, has been pushed out from March to the end of April.

It is understood that the unions themselves will be cranking up their own internal consultative processes regarding the categories or groups, some of which will require cross-sectoral arrangements.

THE ‘HOURS’ REVIEW

On the ‘Haddington Road hours’, an independent body will be established by end March, which IRN understands is likely to have a strong industrial relations component. Again, this will require an experienced person to chair it, with no decision as yet on who this might be.

The review body on hours is to report by end 2021, with its recommendations “initiated within the lifetime” of the agreement.

To enable commencement of its recommendations during 2022, an envelope of €150m will be made available across all affected grades, groups, categories and sectors. “In the context of the 2023 estimates, having regard to available resources … the parties … will engage proactively in relation to such provisions as are necessary to roll out any remaining recommendations,” the agreement says.

Whether the €150m is enough to meet the full cost of the roll back of the HRA hours is doubtful, but it should enable substantial progress. To what extent the pre-crash hours will be restored is also uncertain. It seems likely that this whole area will require further engagement in the context of a new deal in 2023, talks on which could get underway as early as May, 2022.