



# FORSA

CSQ

Civil Service Quarterly

ONLINE SPRING 2023



## Why are they legislating and not negotiating?

Pages 6 & 7



# What could you do without?

Almost everything in your life depends on your salary...

- ✓ Mortgage/rent
- ✓ Heating
- ✓ Electricity
- ✓ Food
- ✓ Savings/loans
- ✓ Travel expenses
- ✓ Childcare expenses



## Don't risk it!

The Fórsa Salary Protection Scheme for Civil and Public Servants aims to give you peace of mind by keeping some of the important things in life on track if you can't work because of illness or injury\*.

**Scan the QR code to apply online today!**



**SCAN ME**

 **Cornmarket**

Call (01) 408 6283

\*To be eligible to claim from the Fórsa Salary Protection Scheme for Civil and Public Servants, you must meet the definition of disablement as defined in the policy document and exhaust the deferred period of the Scheme. Other terms, conditions and exclusions apply. For more information on the Scheme, please see [cornmarket.ie/forsa](http://cornmarket.ie/forsa).

Cornmarket Group Financial Services Ltd. is regulated by the Central Bank of Ireland. A member of the Irish Life Group Ltd, which is part of the Great-West Lifeco Group of companies. Telephone calls may be recorded for quality control and training purposes.

This Scheme is underwritten by New Ireland Assurance Company plc. New Ireland Assurance Company plc is regulated by the Central Bank of Ireland. A member of Bank of Ireland Group.

**Editor:**

Seán Carabini  
[scarabini@forsa.ie](mailto:scarabini@forsa.ie)

**Asst Editor:**

Róisín McKane  
[rmckane@forsa.ie](mailto:rmckane@forsa.ie)

**Fórsa Civil Service Division**

Tel +353 1 817 1500

Tel +353 1 676 5394

Email [info@forsa.ie](mailto:info@forsa.ie)



**Copy editing/design:**

Brazier Media

[www.brazier.media](http://www.brazier.media)

**Editorial**

# Proud to be called civil service workers

As I write this, branches have concluded their AGMs and motions are being sent in ahead of our civil service conference in May. At the conference, we will vote on which motions will become divisional policy and which will not.

There is a clear theme to some of the motions arriving in. It is obvious that family-friendly initiatives are a huge concern to members, be it in relation to blended working, flexi-time or parental leave. There are calls for the civil service to embrace its position as an employer of choice by adopting policies that would re-establish the civil service as a leader in the development of smart, worker-centred approaches to the workplace.

However, it is clear from the tenor and genesis of many of the motions that people recognise that the civil service has a long way to go to ensure that its workers feel that they have the full respect that is deserved. There are concerns about a lack of access to family-friendly measures. There are concerns about the outsourcing of civil service work. And there are concerns about a lack of meaningful consultation on a myriad number of issues.

The lack of consultation on issues that impact workers is emblematic of the void that currently exists between civil service management and civil service workers. Ireland, for example, is not a full member of the EU Social Dialogue in Central Administration committee, meaning that the 2015 agreement between the European Public Services Union (EPSU) and full members of the committee that guarantees meaningful consultation on a host of worker issues doesn't apply here.

The lack of a worker voice in the civil service is heightened when one considers that civil service

workers do not have the right to the same dispute resolution mechanisms as other workers. This is best symbolised by our lack of access to the WRC and Labour Court on many issues – something that Fórsa is poised to move into the next phase. This will be explored further in CSQ.

Finally, it is symbolised most succinctly in the phrase 'civil servant'. I'd like to suggest that we stop calling ourselves 'civil servants' and start using the term 'civil service workers'. We need to let the powers that be know that we are workers. We carry out work on behalf of the state. And as such, we have a right to demand that we will be treated as workers.

Fórsa is making a huge push to redress the power balance between management and civil service workers by gaining access to the WRC and Labour Court for our members. In our view, we can no longer put up with a situation where a civil service worker has nowhere to bring a grievance. The first step comes with making sure that people know, first and foremost, what we are. We are workers.

**Seán Carabini**  
Editor



## In Numbers...

Briefing:

### European Social Charter

#### What is it?

A list of rights that should apply to all EU citizens

#### Why is it in the news?

In March the European Committee of Social Rights found Ireland to be in breach of the charter on **nine** grounds, including:

- Lack of a right to carry over annual leave **IN BREACH**
- Nonconformity with rights for night workers **IN BREACH**
- Minimum wage for workers aged 18 and 19 does not allow for decent standard of living **IN BREACH**
- Principle of transparency of remuneration not complied with **IN BREACH**
- Periods of notice for workers and civil servants "manifestly unreasonable" **IN BREACH**
- Lack of full protection against dismissal on grounds of being a union member **IN BREACH**
- Non-protection against liability in event of strike for some workers (eg, gardaí) **IN BREACH**
- Non-conformity with charter on right to equal pay on grounds of sex **IN BREACH**

Pictures: Alex Holyoake (CC BY 2.0); European Committee of Social Rights

In Numbers:

### From the IPA's Public Sector Trends 2022

## 14.4%:

Percentage employed in the Irish public sector, one of the lowest levels in the EU.

## €21,134:

Average government spending per person on public services (to the end of 2021)

## 368,000:

Number employed in the civil and public service at the end of 2022

"Improved family leave and flexibility on when and how we work is good for workers and families. It is good for businesses that get to retain valuable and often highly-trained staff. It is good for society and for the economy too. It will help close the gender gaps in caring, pay, and pensions. It is a win-win!"  
- Owen Reidy, ICTU General Secretary, on the passage of the Work-Life Balance Bill



## 3,147:

Number of staff (FTE) working in Garda Civilians area that could lose their civil service status under the proposed policing bill.

**Seminar:** Taking Charge of the Future: How trade unionists can lead the economic debate  
**Fórsa Offices, Dublin**  
**19th April 2023, 15:30**  
Scan QR code for details...



**Quote:** "These issues were identified four years ago, the Government has had fair warning there are problems, but they are going unaddressed."  
- **Prof. Aoife Nolan**  
President, European Committee of Social Rights



## Message from the Chair

# Keeping up the pressure to get problems sorted...

### Hello Colleagues

I hope you are all keeping well and staying safe. As Chair of the Civil Service Division, I would like to take this opportunity to acknowledge the hard work carried out by you at local level in your respective offices/ departments.

Without the foot soldiers on the ground – who do a large amount of very important, and sometimes tedious, work – we would be lost. And that's a fact! Also, your participation in union training and events, which ultimately leads to a stronger voice within the division, is also very much appreciated.

I also wish to acknowledge the dedication of the elected members on the Divisional Executive Committee, including Vice Chairs Darragh Fox and Michael Crowe, who bring issues from your respective workplaces, and work tirelessly to get these issues resolved.

Their commitment to ensuring best representation of members is a credit to their dedication to ensure best results and fair play for all.

The union is focussing on fixing the bigger issues, such as getting access to the WRC for all civil service workers so that we have somewhere to bring unresolved problems – and rightly so! We also need to make sure that we keep the pressure on to get all issues resolved.

An issue that I'm particularly concerned about is the continued problem with overpayments. We are seeing more and more cases of people on sick leave who are having overpayments generated when they are due to move to half pay. Before

the setting up of the NSSO, local HR was able to note and prevent many of these cases from happening, but it appears to be more difficult to monitor now.

My advice to anyone who is due to go on half pay is to try and keep on top of it. If you know that it is going to happen, please contact your local HR and the NSSO with as much advance notice as possible. It will not stop every overpayment case from

**If the NSSO was properly resourced, then it would be better able to stay on top of the overpayments situation. It is vitally important that we keep pressing for a full resourcing of the NSSO to enable it to keep on top of all pay issues**

happening, but it will help to some degree.

If you do find yourself being overpaid, be sure to tell them as quickly as you can. They are mandated to recover it all, so please keep HR and NSSO fully aware and up to speed as much as possible.

I have to recognise that the NSSO is not the cause of overpayments. If the NSSO was properly resourced, then it would be better able to stay on top of the

overpayments situation. It is vitally important that we keep pressing for a full resourcing of the NSSO to enable it to keep on top of all pay issues.

The NSSO only stays afloat due to the tremendous efforts of our members who work there. But, for their sake and for the sake of all of us who rely on the NSSO for pay, we have to insist that it be fully resourced as a priority.

Our Divisional Conference is taking place in Galway in May and I look forward to meeting you all and to having good and frank discussion, debate and engagement on your motions.

I wish you and yours a very Happy Easter. Enjoy the break.

**Helen Linehan**  
Chairperson,  
Civil Service Division, Fórsa



## In focus...

Picture: Houses of the Oireachtas (CC BY 2.0)



**CHECKS AND BALANCES** TDs go about their business in the Dáil but what level of engagement is there with workers directly impacted by the laws enacted here

# Govt depts legislating without adequate levels of consultation

Fórsa has noticed an increasing trend for government departments to legislate instead of negotiate on issues that could impact on the terms and conditions of civil service workers.

On a number of recent occasions, legislation that could have an impact on the terms and conditions of employment have been introduced without the necessary and expected levels of full consultation.

"There are a number of pieces of legislation that are being introduced that could impact the terms and conditions of civil service workers," said Fórsa Assistant General Secretary Seán Carabini. "While we know we don't have a veto

MEETING IN PROGRESS

on legislation, we do expect to be part of robust consultations when legislation is being introduced that could impact on the rights of civil service workers."

He added: "In the past few months, we've seen the reappearance of the

Civil Service Bill that will make it easier to terminate the employment of civil service workers and the Policing, Security and Community Safety Bill that could see all civilian staff in the civil service lose their civil service status."

On the Policing Bill, Fórsa Assistant General Secretary Jim Mitchell insisted that negotiation was "key". He said: "There's no point in the government fixing its position in legislation prior to engagement with its own workforce. The Policing Bill could fundamentally

**NEGOTIATION 'KEY'** AGS Jim Mitchell



**Continued on page 5**

## Depts legislating without adequate consultation

### From page 4

change what it means to be a CO or an EO working in the Garda area.

"Surely it's not only desirable - but practical - to seek the engagement of the people affected before you enact the Bill."

So what are the main concerns Fórsa members in the Garda area have about the legislation?

Mitchell explained: "At the moment, the difficulty is that our members - their own workforce - are not being heard. If they stopped the legislative train for a moment, Garda management would realise that people are concerned about how it affects their careers.

"I don't know why management appear to have an objection to discuss these matters prior to the legislation passing. We are getting good, sensible questions from our members. What will a loss of civil service status mean for my mobility options? What about interdepartmental competitions? Will all civil service policies continue to apply? Will there be any impact on things like flexi time?

"Why the powers that be won't sit down with us to discuss these very basic questions with the representatives of their own workforce is, at best, misguided and at worst, daft."

The Civil Service Bill was initially tabled in 2018. At that time, Fórsa made very strong representations on it, highlighting some fundamental concerns, including the downgrading of the right to terminate a civil service worker's contract to an unspecified grade below Secretary General, the unclear future of the independent Civil Service Disciplinary Appeals Board and the general lack of clarity on appeals generally.

Deputy General Secretary Éamonn Donnelly told CSQ: "There was some engagement five years ago and the Bill seemed to disappear. But to have the same Bill back in front of us without any further discussion is ludicrous.

"Our principal objection back then is the same principal objection we have now - just like with the Policing Bill, they're legislating instead of negotiating. What kind of signal does that send?"

Donnelly continued: "At the same time, we have a situation whereby civil service workers aren't able to access the WRC on a whole raft of issues because of their civil service status. There has been no sign over the last 10 years of any meaningful commitment to giving civil service workers access to proper dispute resolution mechanisms.

"We're still in a position that a civil service worker who can't get a grievance resolved under the grievance procedure can't go to the WRC with it. Civil service workers can't even bring most issues under the Health, Safety and Welfare at Work Act to the WRC, which is a concern when you consider that it covers things like workplace bullying, for example."

Asked about what the next steps were, he



**'IT'S ABOUT RESPECT - PLAIN AND SIMPLE'** DGS Éamonn Donnelly's message to civil service chiefs

said: "All of these things are connected. It's not about power. It's not about disputes. It's about respect - plain and simple. The civil service should be trying to stake its claim as a leading workplace with proper policies to support its workers. But it's holding itself back by keeping its workers at arm's length and not consulting or negotiating with the representatives of its own workers.

"Our ask is simple - show your workers some respect. Include them. Build a better place to work with them. Trust them by giving them the tools they need to fix their workplace issues. And stop all of this nonsense about trying to

**... show your workers some respect. Include them. Build a better place to work with them. Trust them by giving them the tools they need to fix their workplace issues. And stop all of this nonsense about trying to legislate first and ask questions later**

legislate first and ask questions later."

When queried about what members can do to help achieve this goal, he had one simple message: "It's all about non-members."

He explained: "Every non-member that exists sends a signal to the powers that be - that there are some in the workforce that are happy with how things are. That's who Government departments are targeting and they're hoping the rest of us will give up.

"Well, we can't give up. We need you - all members - to let non-members know that they're holding the rest of us back. Every person who joins helps us take another step forward towards fixing this. Talk to any non-members in your office. Get them to join. It's too important not to."

**UPDATE:** As CSQ goes to print, there are signals coming from the office of the Garda Commissioner that a meeting with Fórsa to discuss the Policing Bill may be granted. This follows a sustained lobbying campaign by Fórsa members with the political system on the matter.

## News

# '406 Days' wins Human Rights Film Award

**Seán Carabini**

CSQ Editor

'406 Days', a documentary feature film about the 406-day picket by workers laid off by Debenhams after they closed their Irish stores in 2020, has won the Irish Council for Civil Liberties 'Human Rights Film Award' at the Dublin International Film Festival.

On delivering the award, the jury noted: "406 Days is an incredible testimony to the strength and resilience of a group of mostly-female workers in the face of the might of an international company.

"This is a story of accidental activism; of organic revolution; of women who stood out in rain, hail, snow and sunshine, 24 hours a day to defend their rights. It's a story all of us in Ireland should know and everyone who sees it will be inspired to grab a placard and get out on the street."

Further information about the film (and the associated book) can be found at [www.debspickettales.ie](http://www.debspickettales.ie)

Picture: Mandate



CONFRONTATION Dramatic scene from '406 Days'

## The North

# NIPSA concerns over falling incomes

**Róisín McKane**

Assistant Editor, CSQ

Northern Ireland: NIPSA concerns at falling income for public servants

Carmel Gates, General Secretary of the Northern Irish Public Service Alliance, has noted her deep concern at the announcement of recent budgetary measures that will see a *de facto* drop in income for public sector workers across Northern Ireland.

She said: "[The Budget] confirms the lived experience of our members and their families as a result of the decisions and long-term political priorities of those in power. This is not 'just' a trade union perspective, it is objective fact.

"As reported by the Institute of Fiscal Studies, for example, 'real disposable household income is still undergoing its largest fall in living memory...set to drop by 3.7% this financial year, and by a further 2% over the next year'.

"Similarly, the Chair of the Office for Budget Responsibility (OBR) describe this drop in real household disposable income as 'the largest two-year fall in living standards since records



Picture: NIPSA

began in the 1950s."

Noting that there may be a revisitation of budgetary spending in the run-up to the next UK election, she nonetheless observed: "It was still shocking, however, to find that there was nothing at all within it on public sector pay and to see that locally departmental spending will fall in the next two financial years."

Fórsa stands in solidarity with our Northern Irish public and civil service colleagues and supports them in their call for more stable funding and much-needed improvements to their income

**[The Budget] confirms the lived experience of our members and their families as a result of the decisions and long-term political priorities of those in power... it is [an] objective fact**

## Europe

**'Megastrike'**  
hits Germany

A series of coordinated strikes between two of Germany's largest unions in March has been dubbed a 'megastrike'. The EVG and Ver.di unions represent a combined 2.75m employees across the transport and public sectors.

The strikes are seen as an attempt to begin wage negotiations in sectors that have seen real inflation as a result of the increase in energy prices resulting from the Ukraine war.

"The people are not only underpaid, they are hopelessly overworked," said Ver.di General Secretary Frank Werneke in an interview with the German tabloid newspaper *Bild*.

Jonas Priester (CC BY-NC-ND 2.0)



# Fórsa concerns on domestic violence leave

**Niall Shanahan**

Fórsa Communications Officer

Fórsa contacted the Minister for Children, Equality, Disability, Integration and Youth, Roderic O'Gorman to express what it says are the union's "grave concerns" on the proposed rate of pay - allocated for domestic violence leave - under the provisions of the Work Life Balance and Miscellaneous Provisions Bill (2022).

Fórsa National Secretary Ashley Connolly said anyone requiring this type of leave should receive full pay. The Bill proposes a sick leave rate, which caps payment at 70% of salary, or €110 per day.

Ashley added: "The purpose of paid domestic violence leave is to ensure financial stability. Any reduction in pay for those who require it is wholly unacceptable.

"Research has proven that financial control by abusers is one of the reasons people struggle to escape domestic abuse. Those experiencing abuse may not have financial independence or full control of their own finances. If a person's income is monitored by their abuser a change in their normal salary could alert the abuser. This puts the victim at additional risk."

Ashley said Fórsa supports the call by

Womens' Aid for 10 days of fully paid leave "as best practice". She urged the minister to consider positions on this expressed by a number of senators at the Seanad Committee Stage debate in January.

She added: "We want this leave to work. Fórsa wants to see those who need domestic violence leave avail of it. This legislation should not impose barriers for those navigating a pathway out of domestic



NS Ashley Connolly



Picture: Feans (CC BY 2.0)

abuse." At the union's conference in May 2022, delegates unanimously backed a conference motion for statutory leave for victims of domestic violence. The conference motion committed the union to actively campaign for an effective statutory entitlement.



BACKROOM STAFF Civilians at work in GISC

## 3,146

FACTBOX

The number of civil service staff (FTE) who risk losing their civil service status under the Policing, Security and Community Safety if it passes in its current form. Fórsa is calling for meaningful negotiations ahead of the full passage of the bill through the Óireachtas.

Picture: Garda Press Office

## Explainer...



# Protecting rights and building a culture of respect

Image: IHREC

The Irish Human Rights and Equality Commission (IHREC or the Commission) is Ireland's national equality and human rights institution. Our job is a clear one, set out in law in 2014 to protect human rights, promote equality and build a culture of respect and intercultural understanding in Ireland.

So when setting out our new Strategy Statement 2022-2024, we placed the Public Sector Equality and Human Rights Duty (the Duty) as a priority. In doing so, we detailed a clear determination to increase the understanding and acceptance by public sector bodies of their legal responsibility with regard to the Duty.

The Duty is contained in Section 42 of the Irish Human Rights and Equality Commission Act 2014. It places a statutory obligation on public bodies in the course of their work to have regard to the need to eliminate discrimination, promote equality of opportunity, and protect the human rights of public sector staff and service users. This is not a once-off obligation: it is an ongoing duty.

Public bodies are required to demonstrate their implementation of the Duty through a three-step process: Assess, Address, and Report.

This means they must carry out an organisation-wide assessment of equality and human rights issues relevant to their functions and the workplace; to develop policies, plans



Fórsa member **Colm Parnell** who works at the Irish Human Rights and Equality Commission outlines the vital role played by the Public Sector Equality and Human Rights Duty in promoting best practice on rights issues across public sector workplaces

and actions to address these issues; and report annually on progress and achievements.

This information must be set out in the organisation's strategic plan, and reported on in their annual reports, "in a manner that is accessible to the public". In meeting its obligations under the Duty, a public body may also have regard to its purpose, size, and resources.

It is the State's responsibility to respect, protect and fulfil human rights. Implementing the Duty means public bodies are being proactive and not waiting until a problem or complaint arises before addressing it. This supports their compliance with equality and human rights standards, which will contribute to improving the quality of service delivery and the experience of staff in the workplace.

### What can you do to support the Public Sector Equality and Human Rights Duty in your workplace?

You can ask your public body:

- Is there someone with responsibility for compliance with the Public Sector Duty?
- Has an assessment of equality and human rights issues been completed/planned?

- Has an action plan to address equality and human rights issues been prepared or planned?

- Has reporting on the statutory obligation been suitably incorporated into corporate planning cycles and annual reporting cycles?

- Was there consultation with worker or service user representatives?

While the Commission has a guidance and support role in relation to the Duty, the legal responsibility for implementation falls directly on public bodies.

To help public bodies in meeting this obligation, we have developed an introductory eLearning module on Equality and Human Rights in the Public Service.

This eLearning module will support staff working in the public service to meet their commitments to equality and human rights and their statutory obligations under the Public Sector Duty.

- Further information on the Public Sector Duty can be found at [www.ihrec.ie/our-work/public-sector-duty](http://www.ihrec.ie/our-work/public-sector-duty)
- You can access the eLearning module [www.ihrec.ie/elearning](http://www.ihrec.ie/elearning)



Picture: PlusLexia.com [CC BY 2.0]

# No access to WRC and feeling cold shouldered by the state...

"The situation in the civil service is far from rosy," said Assistant General Secretary Seán Carabini. "There is a Dignity at Work policy, which, in the face of it, is a good thing to have. It states that all forms of bullying, harassment and sexual harassment are unacceptable. As far as a statement of intent in a policy, that's as good as it gets."

"However," he continued, "The difficulty comes if a person believes that their case hasn't been properly investigated or is dismissed in a manner that they think is unfair. Indeed, a HR manager has the power to decide whether or not a case even goes for investigation.

"This is a problem as, while there is a 'review' mechanism available if a person is unhappy with the outcome of an investigation, there is no review or appeal mechanism if a HR manager decides to end a complaint before the investigation phase. Knowing this makes it very uncomfortable for anyone making a complaint."

So what other limitations exist for civil service workers pursuing a dignity at work claim?

Carabini explained: "Where appeals exist, they are conducted within the civil service. There is no recourse to the WRC on these matters. This is the biggest problem with the code.

"Bullying, itself, is not illegal in Ireland. There is no law against it. However, there is a Statutory Instrument (SI 674/2020) that recommends how it should be prevented and resolved.

"The problem - and I know that civil service workers may not believe this at first - is that the Statutory Instrument, which applies to all



With recent media scrutiny of how bullying is handled in Óglaigh na hÉireann, the Irish Defence Forces, **Róisín McKane** looks at current anti-bullying policies - and their deficiencies - available to civil service workers

workplaces, states that breaches of it can be referred to the WRC under the 1969 Industrial Relations Act. The problem? The 1969 Industrial Relations Act excludes civil service workers!

"It means that there is no legal recourse to challenge an unsatisfactory bullying outcome through the state's dispute resolution machinery."

Fórsa Deputy General Secretary Éamonn Donnelly believes this is central to the issue.

He told CSQ: "That's why we're trying to put access to the WRC for civil service workers at the heart of everything we're doing. We're trying to make all members aware that the law

here doesn't apply to them. They don't have the same rights as other workers.

"They can't even bring a bullying case to the WRC! It's not fit for purpose. Not only that, but other codes of practice that are issued under statutory instruments also bar civil servants because of the acts they're issued under. Victimisation is another example. Civil service workers are not covered."

Asked how the union plans to campaign to change this, Donnelly said: "There's a reason why WRC access is front and centre of everything we're trying to do. Since the state was founded, civil service workers have not had access to the same dispute resolution machinery as all other workers. It's simply not good enough.

"And the only way we're going to be able to fix it is to be big enough that they have to grant us access like all other workers. That means that, first and foremost, we have to keep recruiting new members.

"The government aren't going to fix this problem because they're some sort of munificent employer. Rights don't fall out of the sky. They are hard won by large groups of people acting together.

"It means that if there's a non-member in your office, they're actively watering down the power we could have to fix this problem. And they need to be told that. The more people we have, the safer we can make the workplace for everyone."

**Since the state was founded, civil service workers have not had access to the same dispute resolution machinery as all other workers. It's simply not good enough**



## News

# Charities: cost-of-living crisis 'exacerbating period poverty'

**Mehak Dugal**

*Fórsa Communications Dept*

Concerning reports from charities and food banks in recent weeks show women are being forced to choose between food and buying period products.

Amanda Quinn, finance administrator with the Quarryvale Family Resource Centre in Clondalkin, Dublin, spoke to RTÉ earlier this month about the growing financial pressure people are facing in this regard.

"It's not a luxury product. It's an essential item, but it's not the priority unfortunately. The priority is food, heating the house and electricity, and of course as we know with the cost of both increasing, period poverty is real. We're experiencing it here in our food banks," she said.

Ms Quinn also said the embarrassment factor in requesting such products from the centre can be particularly difficult to see and called on Government to do more.

"I'm signing up women and they're almost embarrassed to ask 'Do you have sanitary pads? Do you provide tampons?' and of course we do. There is such a demand. Period poverty is so real," she said.

Charities have warned that the cost-of-living crisis has exacerbated period poverty, as the demand for menstrual products distributed by charities has increased.

Data from Bloody Good Period, a charity that provides period products to those unable to buy them otherwise in the UK, found that there was a 78% increase in demand for their products during the first quarter of 2022, compared to the same period in 2020.

The charity also says it expects this increase in demand to continue to rise as a greater number of people have limited disposable income as essential items, such as electricity, gas, and fuel, take up a larger proportion of their budgets. The RTÉ article cited further



**WARNING** Activists say cost-of-living crisis has exacerbated period poverty, as demand for menstrual products distributed by charities has increased

Images: Anthony Tran at Unsplash; Netracare at Unsplash



**It's not a luxury product. It's an essential item, but it's not the priority unfortunately - the priority is food, heating the house and electricity...**

concerning figures stating 60% of young girls have missed days at school due to their periods.

Fórsa has been calling for all employers to do more and take real action on the matter, including in schools that are meant to be the centre of learning and progression.

The union is seeking discussions with the Department of Education to seek the introduction of menstrual welfare policies.

Fórsa says schools and education should be to the forefront in putting menstrual health policies into place for female employees.

"Doing so would set a clear example to all regarding the importance of menstrual health and would allow schools to lead and educate by setting an example," according to Fórsa.

# Competition complaints

## Background

All Civil Service promotion competitions are subject to the 'Code of Practice for Appointment to Positions in the Civil and Public Service'.

These guidelines are prepared and published by the Commission for Public Service Appointments, the regulatory body for all appointments in the public service.

The Code of Practice was re-issued in 2021. All competitions must adhere to the code. Where an applicant believes that there has been an issue with their application and wishes to challenge a decision, the Code sets out what they must do.

There are two basic appeals that an applicant may lodge - a Section 8 appeal and a Section 7 appeal.

The CPSA defines a Section 7 appeal as applying if: "If a candidate is unhappy with a decision made during a selection

process, or they believe it was made on incorrect information or that documented procedure was not followed, they can request a review under Section 7 of the code.

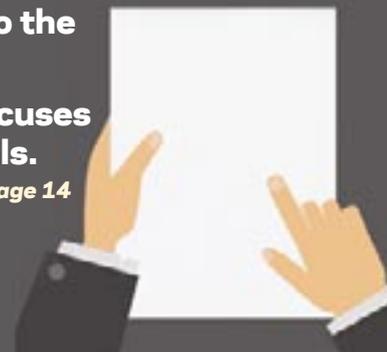
"The decision may be reversed if it is found to have been incorrect to have been based on incorrect information or as a result of documented procedure not being followed."

They define a Section 8 appeal as applying if: "Make a complaint that the selection process followed was, in itself, unfair."

Candidates should note that, bar exceptional circumstances, a candidate cannot make both a Section 7 and 8 appeal in relation to the same issue.

This Fórsa guide focuses on Section 8 appeals.

*Continued on page 14*



## code of practice

noun [C] /k d v præk.t s/

A set of standards agreed on by a group of people who do a particular job

# Fórsa guide to Section 8 Complaints

## From page 13

### Timeframe:

A formal complaint must be made within five working days of receiving either the selection decision being challenged.

A formal complaint must be made within five working days of receiving either the selection decision or the result of the informal complaint.

### The complaint should:

- Be aligned with the principles and standards referred to in Section 2 of the code;
- Clearly state which principles the challenge relates to;
- Give clear evidence indicating why the applicant believes the competition did not meet these principles (provide additional documentary evidence where available).

Particular attention should be paid to the circular announcing the competition. This is the governing document of the competition.

Breaches of the competition circular may fall under one of the key recruitment principles.

### Informal Process:

Section 6 of the Code of Practice outlines that an informal review or complaint may be taken in the first instance. While this step is not required, it is recommended.

The informal complaint can be raised with the area running the competition no later than five working days after the selection decision that is being challenged has been made.

*Note – this is done with the organisation managing the selection process. It is not done with the CPSA. The organisation managing the selection process will appoint a representative to respond to the complaint.*

If the complainant is dissatisfied, they can move to the formal stage.

### Formal complaint:

The formal complaint should follow the complaints process outlined

above. It should be addressed to the organisation running the competition and not the CPSA. Timeframes should be respected.

The complaint should reference the principles and standards of the Code of Practice that the applicant believes are relevant.

All documentary evidence, including the competition circular, should be attached to it.

The reviewer for the formal process will be someone unconnected with the recruitment and selection process.

Helpfully, the CPSA sets out the questions a reviewer must consider when reviewing an appeal.

These questions are:

- What standard does the allegation relate to?
- What does the standard mean?
- What actions should the public body have taken?
- What actions did the public body take?
- What safeguards/procedures should the public body have had in place?
- What safeguards/procedures were in place?

A decision will be issued, in writing, within 25 days.

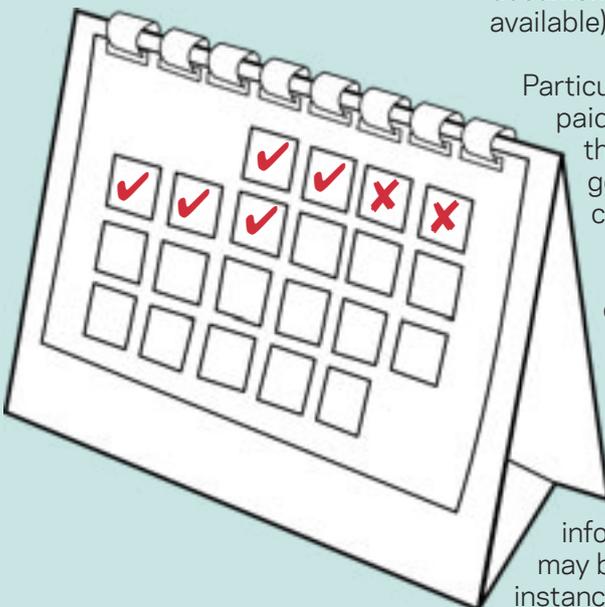
### Further Appeal:

A formal decision may be appealed to the CPSA directly within 10 working days and should adhere to the standards outlined at Section 8.3 of the CPSA Code of Practice.

### Outcomes:

It is important to note that the informal process is designed to be quick. This is to allow for a candidate to continue with their

**Continued on page 15**



### Before making a complaint:

Applicants should read the 'CPSA Code of Practice for Appointment to Positions in the Civil and Public Service' carefully.

The code is based around six key recruitment principles:

1. Probity;
2. Merit;
3. Best practice;
4. Consistency;
5. Transparency;
6. Appointments promoting equality, diversity and inclusion.

The principles and standards expected in a competition are set out at Section 2 of the Code of Practice.

## code of practice

noun [C] /k d v præk.t s/

**A set of standards agreed on by a group of people who do a particular job**

Illustration: Shutterstock

### From page 14

application where an informal appeal recommends in favour of the complainant.

However, it is important to note that, in cases where a review is taken all the way to the CPSA, they

do not have the authority to instruct a public body to overturn an appointment decision.

Fórsa strongly recommends that those making a Section 8 challenge to an appointments process follow the CPSA code of practice precisely.



The code can be found at [www.cpsa.ie](http://www.cpsa.ie)



**I FELT FREE  
TO TALK,  
KNOWING  
THEY  
WOULDN'T  
TELL ANYONE**

Talk to us – if things are getting to you.

We're always here – round the clock,  
every single day of the year.

Be yourself – whoever you are, however  
you feel, whatever life's done to you.

We're a charity – it's the public's kind  
donations that help fund our service.



**116 123**

FREE

This number is FREE to call



[jo@samaritans.org](mailto:jo@samaritans.org)



[samaritans.org](http://samaritans.org)

**SAMARITANS**

## Around the CS Division...

# Initial talks on proposed move of One Learning to IPA

A presentation was given to unions representing staff in the Department of Public Expenditure, National Development Plan Delivery and Reform about a proposal to transfer the Civil Service One Learning initiative from the Department to the Institute of Public Administration.

Fórsa Assistant General Secretary Pat Ennis told CSQ: "We're at early stages in the consultation phase of this proposal. We're

meeting with the members affected in the area to understand what their concerns may be before we decide how the matter should be progressed.

"There is, of course, a bigger dimension to this as One Learning delivers training for the entire civil service and not just the Department itself.

"I've therefore asked for a presentation to be given on the matter to the Civil Service General



'EARLY STAGES' AGS Pat Ennis

Council to allow for all aspects of the matter to be considered.

"The IPA is a good organisation that is both well known to - and respected by - civil service workers, so we want to be sure to give this proposal the deliberation it deserves," he said.

Consultations will now take place with the staff potentially directly affected by any proposed changes and with all civil service unions.

## Conservation Ranger review ongoing at NPWS



**SPLENDOR** Conservation Rangers are on the frontline in protecting Ireland's natural beauty

Following lobbying efforts in recent years by branch activists to have the matter resolved, a Fórsa-commissioned review is under way to examine the pay and duties of the Conservation Ranger grade in the National Parks and Wildlife Service.

Fórsa Assistant General Secretary Deirdre O'Connell told CSQ: "It is encouraging to see this up and running, because to allow things to continue as they are would be unjust. Conservation Rangers have highly complex roles ensuring that our natural re-

serves and national parks are properly managed. They are also responsible for policing EU directives on wildlife and biodiversity in Ireland.

"It's not an easy job at all. Many of our Conservation Rangers have post-graduate degrees to assist them in carrying out their roles.

"And yet," she continued, "they are among the lowest paid of all civil service workers. It's just not fair nor equitable. We hope that the current review will bring some much-

needed resolution to their pay and other terms and conditions. The state prides itself on its commitment to protecting our wildlife and our biodiversity. It now needs to make sure that the civil service workers who carry this out for them receive fair pay and conditions."



AGS Deirdre O'Connell

Main picture: e-vos at Unsplash

## Concerns raised at Legal Aid Board outsourcing

Fórsa has raised concerns with the Legal Aid Board at proposals to establish a private practitioner panel of mediators and has called for talks on the matter.

Assistant General Secretary Seán Carabini told CSQ: "There are problems with the pay and conditions of mediators working for the Legal Aid Board. They're simply not paid enough to be able

to attract and assure mediators that they will be able to have a full and proper career practising their profession with the Board.

"Fórsa is supportive of the provision of mediation as an alternative to legal routes for the general public. There are areas where it is very appropriate and effective. Indeed, the mediation staff that are currently working in the Board

meet the highest professional standards and are seen as a credit to their profession.

"But the Government needs to allow the Board to resolve the pay issues. If they want to make mediation an attractive career option, they have to pay the appropriate wage and ensure at least that mediators are seen to have parity of esteem with their legal profes-

sional colleagues." He insisted that outsourcing "won't fix it", adding: "Fórsa last year brought a claim to the Legal Aid Board to have a full review of the Family Mediation Services to ensure that issues including career paths, reporting structures, pay and other terms and conditions are all brought into line with what is necessary to allow the service to thrive."

*Around the CS Division...*

# Dept confirms central review into blended working under way

The Department of Public Expenditure, National Development Plan Delivery and Reform has confirmed to Fórsa that work is under way on the central review of blended working arrangements across the civil service.

Under the terms of the original roll-out of the current blended working pilot, the review was to be completed by the start of the year. However, the late roll-out in many departments has seen the review pushed out.

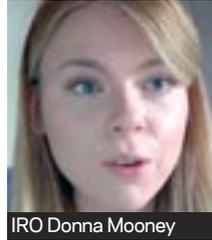
The department informed the unions that more than 90% of departments have now responded to them, meaning that the review should be able to represent most of the practices across the civil service.

"The review is important," noted Fórsa Industrial Relations Officer Donna Mooney. "There are different blended working policies across the civil service and, while most of them have a lot in common, there are some that are huge outliers." She continued: "If you look at departments that don't allow for flexi-time accrual when working from home, for example, they stand to be at a huge disadvantage as staff are

going to leave for areas that allow this.

"Why would you stay working in a department that doesn't allow for flexi accrual when you could do more or less the same job for the same pay in another department that does allow it? Staff will leave. I'd expect to see large increases in requests for mobility transfers out of these departments. When you see a big department, such as Revenue, trying to fully embrace the blended-working model and make it work, you'd think that the model should be applicable everywhere. But not everywhere has learned from the areas where it's been successfully embraced."

She added: "The review will hopefully call out these anomalies and will put us in a position to be able to address it. Otherwise we risk having a two-tier civil service, one half with better, family-friendly initiatives than others."



IRO Donna Mooney

Picture: Roman Bozhko at Unsplash



## Dept of Foreign Affairs

# Union voices concern over direct recruitment

Fórsa has raised concerns with the Department of Foreign Affairs over plans to fill a vacancy in the London Embassy through direct local recruitment rather than by appointing a civil service EO or HEO to the role.

The direct local appointment of a local member of staff would effectively mean that the role was not being carried out by a civil servant and someone outside of the purview of civil service employment law and pay deals.

Noting the concerns, Fórsa Assistant General Secretary Des Fagan sought, and received,



CONCERNS RAISED London Embassy

the sanction of the Fórsa Civil Service Divisional Executive Committee to ballot for industrial action on the matter, if needed.

**Tailte Éireann**

Clárúchán, Luacháil, Suirbhéireacht  
Registration, Valuation, Surveying

## New dept formed

On March 1st, Ordnance Survey Ireland, the Valuation Office and the Property Registration Authority of Ireland merged to form Tailte Éireann, the new government property organisation.

Fórsa and management jointly agreed to the appointment of Joe McDermott to chair an ongoing industrial relations engagement committee that will enable issues of concern to be raised and resolved.

Issues on the agenda for resolution include the application of civil service standards to former OSI staff, the OSI being a public service body prior to March 1st, harmonisation of blended working practices, higher scales approaches, and the setting up of a permanent industrial relations council to name – but a few.

# Working for you on all platforms...

@forsa\_union
f
Fórsa Trade Union
Fórsa trade union
forsa\_union

FÓRSA.ie

## Department of Social Protection

# Work-to-rule ballot for Sligo CWS hub

As CSQ goes to press, sanction for a protective ballot on work-to-rule, up to and including strike action, affecting members in the Community Welfare Service hub in Sligo, has been unanimously approved by the Civil Service Divisional Executive Committee.

The ballot will be used where management move to unilaterally downgrade work from HEO to EO grade.

Assistant General Secretary Paul MacSweeney said: "Fórsa

has told management that we don't support the downgrading of work carried out by our HEO Community Welfare Officers (CWOs) to EOs.

"We emphasised to them that we expect DSP to comply with the collective agreement on the transfer of CWOs to DSP which recognised CWO work, including designated person work, as HEO-graded work.

"Designated person work is covered by legislation, and while

the HEO/CWO grade is not specified, this work has been carried out by the CWO grade for many decades," he added.

DSP has claimed such work is appropriate to the EO grade and that provision exists to allocate the work accordingly.

Meanwhile, Fórsa has informed DSP that the exclusion of any of its reps from the consultation/negotiation process will undermine stable industrial relations.

Both the department and Fórsa

have indicated that they remain open to further discussions on the issue.

Separately, Fórsa has pointed out to CWOs that there is no onus on them to cover out-of-hours attendance in the absence of an on-call allowance.

MacSweeney told CSQ: "We have advised members not to complete a role profile form which has not been agreed with Fórsa and includes a liability for extra attendance."

## Unions raise desk booking issue with DSP

Fórsa and AHCPs have told DSP that desk booking is not appropriate for members who exclusively work in the office.

The department had moved to introduce desk booking as, under the blended working scheme, blended working staff are no longer guaranteed a dedicated workstation.

Assistant General Secretary Paul MacSweeney said: "We are awaiting a revised proposal which will indefinitely block-book desks for our members who are not on a blended work pattern."



Meanwhile, the union has informed the department that it does not support its members signing in on a desk booking

app when they already sign in under the flexible working hours system.

Staff with a reasonable accommodation in place will not be required to share

workstations. DSP said desk booking was being implemented both to consolidate office space and reduce the department's carbon footprint.

## Call concerns

Fórsa has raised health and safety concerns with senior management over video call appointments with customers.

AGS Paul MacSweeney told CSQ: "We have sought a protocol on the use of the new system, and we're awaiting a formal response from management."

Meanwhile, an app to record all work activities and attendance at appointments where the customer doesn't turn up has been put on hold pending further discussions.

## Individual assessments call on blended working

Fórsa has asked for an individual assessment of roles and staff – rather than a blanket restriction on blended working – in certain areas to be put in place.

AGS Paul MacSweeney told CSQ: "This is because there are members in certain back office functions with a proven track record of working from home who have recently had their remoted working days reduced for blended working in 2023."

Currently access to blended working varies from one to four days across DSP depending on whether the function is back office or

customer facing.

Some 61% of DSP staff have been approved for blended working with 1% denied. Of the 4,241 staff carrying out blended working, 987 are working remotely one day per week, 1,260 two days per week, 1,015 three days per week, and 973 working remotely four days per week.

A small number of staff are working five days per week remotely on the basis of reasonable accommodation.

Fórsa has welcomed that the blanket restriction on blended working available to our members in Community Welfare Service will be reviewed in the near future.



WORK CALL AGS Paul MacSweeney

## More staff needed for 'under pressure' ICs

Fórsa has called for additional staff for Intreo Centres (ICs) due to the "extreme pressure" faced by members working there. The additional footfall at ICs relates to a combination of the cost-of-living and refugee crises.

AGS Paul MacSweeney said: "We have named a number of ICs that are under extreme pressure and where staffing needs to be prioritised.

"DSP has received sanction for more staff relating to the Ukrainian refugee crisis and additional CWS staff, but this increased staffing is not adequate to deal with the workload faced by our members on the frontline in a number of ICs.

"Fórsa will continue to pursue this matter on behalf of members," he added.



## News

# RSA drivers instructed to test only in vehicles with valid NCT

Fórsa has instructed driver testers at the Road Safety Authority (RSA) that they should conduct a driving test only in vehicles with valid NCT certification.

Fórsa represents driver testers at the Road Safety Authority (RSA). The union has instructed testers that from Monday, 27th March, they should conduct a driving test only in vehicles with valid NCT.

The union continues to seek a reversion to the requirement that cars presented by a customer for a driving test require a valid NCT certificate, a requirement temporarily suspended due to delays caused by Covid. The RSA has continued to instruct driver testers to waive this requirement if a car presented



for a test does not have a valid NCT certificate. The union has advised the RSA that the instruction has been issued due to serious health

and safety concern for the union's driver tester members.

Fórsa has been raising the NCT issue with the RSA since Novem-

ber 2022, and the matter remains unresolved despite a number of engagements over the four-month period.

# Fórsa join with other unions in serving pay claims in community and voluntary sector

The three unions representing staff working in community and voluntary sector agencies funded by the HSE - Fórsa, the INMO and SIPTU - have confirmed that they've served fresh pay claims on a number of employers in the sector.

The unions have also welcomed confirmation that Department of Children, Equality, Disability, Integration and Youth and the Department of Health will join HSE at the future WRC process.

Unions served the new claims in the context of an ongoing dispute about pay terms in HSE-funded agencies providing health and care services.

Employees in community and voluntary sector agencies funded by the HSE are on lesser terms and conditions than their HSE counterparts. Despite the services being funded by the State, health professional, clinical, clerical and administrative grades are paid less. The Minister for Health acknowledged in the Dáil last



Picture: Mandate

October that the Government is the "main and often sole funder" of these organisations, and that its funding affects the ability of agencies to improve pay and

conditions. The Department of Children, Equality, Disability, Integration and Youth, and the Department of Health, confirmed they would attend the Workplace

Relations Commission (WRC) along with the HSE, in anticipated conciliation talks on the issue.

The departments confirmed their intention to attend at a meeting of the National Joint Council, the main industrial relations forum for the health service, comprising representatives from management and trade unions.

Until 2008, workers in these agencies received pay increases under national wage agreements. At the onset of the financial crisis they were subject to FEMPI pay cuts in line with the same cuts applied to public sector pay.

Unions secured limited pay restoration measures in 2019 but pay in these agencies remains significantly behind, and no formal mechanism for collective pay bargaining exists for workers in the sector. The unions have said they remain available to engage with the departments and the HSE under the auspices of the WRC, and are hopeful of an imminent conciliation meeting.

# Answers out of the box on Incremental Credit and Sick Leave in the civil service



Picture: Towfiq Barbhuiya at Unsplash

In recent years, some civil service departments have linked incremental pay scale progression to sick leave limits. **Róisín McKane** spoke with CSQ Editor **Seán Carabini** to answer questions on this emerging practice...

**Q: Is there a link between incremental credit and sick leave?**

**A:** There is a vague reference in the incremental pay circular that mentions sick leave, but there is nothing in any of the sick leave circulars that mention increments. The incremental pay circular, 9/1987, mentions 'attendance'. While this can include sick leave, it is not limited to it.

For longer term sick leave, there may be an argument in some circumstances that performance has been affected. But to simply reach normal sick leave limits – there should be no link to incremental pay.

**Q: What, then, is 'attendance'?**

**A:** 'Attendance' includes looking at your overall attendance pattern. On the review form in the incremental credit form, it lists sick leave and punctuality as two of the areas for review out of

seven overall areas for review (including performance, work output, etc).

**Q: What should I do if my increment has been halted due to simply reaching basic sick leave limits?**

**A:** If you have reached basic sick leave limits and find your increment is being halted as a result, by all means challenge it.

The increments circular has a weakness in that it has no appeal mechanism built into it.

**Q: How does a person find out if their increment is being deferred?**

**A:** They should receive notification about their increment being halted from the NSSO, even though the decision is made by their own HR. If they are notified only after an increment is halted, that in itself is a ground of appeal. This notification should include a

notification of how long the increment will be deferred – usually three, six, nine or 12 months.

**Q: If the increment is deferred, will this become their new incremental date?**

**A:** Usually no, though there are some circumstances where this may happen in the circular.

**Q: Is it possible to appeal an incremental deferral due to sick leave?**

**A:** Yes. The Civil Service Grievance Procedure, outlined in Department of Finance Circular 11/2001, is the mechanism that can be used.

Under it, a member can ask their HR to informally review the decision to halt the increment. If the informal route does not work, members can go down the formal route and insist that the matter be referred under the circular to the Civil Service Mediator to consider

the case. Fórsa can provide guidance to members on how to do this.

**Q: Is mediation the only option?**

**A:** Currently, yes. Civil Service workers are excluded from taking many types of grievance to the WRC for adjudication. If we had access, this wouldn't be a problem.

Under the Civil Service Disciplinary Code, withholding an increment is listed as a disciplinary sanction.

We have written to the Disciplinary Appeals Board to clarify whether or not they will accept incremental pay sanction appeals linked to sick leave.

They have clarified to us, however, that this issue does not fall under their remit.

This is another very real reason that demonstrates why Fórsa is trying to seek access to the WRC for civil service grievances.

## WRC & Labour Court access...

# Fórsa will not be found wanting... not acting on this is no longer an option

### Éamonn Donnelly

Fórsa Deputy General Secretary

Fórsa is continuing with its campaign to allow civil service workers to have access to the same dispute resolution mechanisms as all other workers in the state.

At present, civil service workers are excluded from taking cases under both the 1969 and 1990 industrial relations acts.

This means that you, as a civil service worker, unless it is an equality issue, cannot refer a case for adjudication on:

- Grievances;
- Bullying;
- Harassment;
- Victimisation;
- Contravention of the Health, Safety and

Welfare at Work Act (with the exception of penalisation).

The last major reform of dispute resolution procedures for civil servants was carried out in 1950 with the introduction of the Civil Service Conciliation and Arbitration Scheme. It hasn't changed much since, meaning that we have to use a 1920s industrial relations model to solve problems in 2023.

In 2022, Fórsa presented the Department of Public Expenditure, National Development Plan Delivery and Reform with a detailed proposal of how civil service industrial relations could transition to the WRC.

As yet, there has been no clear commitment from them that they are in favour of allowing civil service workers access to the WRC. We have also informed them that without such a

commitment in advance of our conference, we will have no choice but to withdraw from the Conciliation and Arbitration Scheme, thereby collapsing it.

Members should note that, if we do have to take this drastic step, we have planned a contingency. But not taking such drastic action is also not an option. Civil service workers are being denied basic rights and it cannot continue.

We will keep members informed about this matter as it develops. If the department give us a commitment that they are in favour of the move, we will work with them to address and negotiate on any obstacles that present itself. Fórsa will not be found wanting in such a situation. Not acting on this is no longer an option.



**FÓRSA**

**Join a trade union that wins**

*We are Ireland's newest and fastest-growing union with over 80,000 members*

*When you join Fórsa, you join a trade union that fights for its members every day.*

*We are the largest union in the public sector, with a strong and vibrant membership across the semi-state, private and community/voluntary sectors.*

*Joining online takes less than five minutes - Scan the QR code below...*



## Obituary

### Brian Hanniffy

## A decent man whose activism shone brightly

It was with great sadness and shock that I learned of the passing of Brian Hanniffy in early January. Brian was a long-serving secretary to the Fórsa Executive Grades branch in the Department of Foreign Affairs and someone I'd come to know well in recent years.

An outstanding trade union activist, Brian had an uncanny knack for being able to see through the smokescreen to understand what was really going on with an issue.

He knew the history to each and every issue that arose during my time working with him. He was also like a human Rolodex with the number of contacts he had. No matter what the issue,



OUTSTANDING ACTIVIST Brian Hanniffy

Brian knew who to call.

I looked after the Department of Foreign Affairs Branches during the lockdown and it was during this period that his work for his members really shined brightly. There were – quite literally – scores of members who were in difficulty with their working-from-home situation that he helped.

When he had to elevate those cases to me to take over, he didn't lose sight of them and was in contact with me several times each week to go through the list of cases to see where things stood.

Brian was very down to earth and could bring you down too if he thought you were flying too high for your own good. I'll miss his common-sense take on the world and I'll mourn the fact that, in him, Fórsa has lost someone that epitomises what we are all about: a very decent man trying to make the workplace a more decent place to be.

I'll miss you, Brian, and will lift a quiet pint to your memory at our conference later this year.

**Seán Carabini**



# Keeping you in the loop

@forsa\_union  Fórsa Trade Union   
forsa\_union  @forsaunion  Fórsa trade union 

# FÓRSA.ie



**CONTRACT OF EMPLOYMENT** Fórsa is calling on the government to follow other EU countries in reducing the current 12-month probationary period for new starts

# Fórsa: cut probation period for new start civil servants

In December, Statutory instrument SI 686/2022 formally transcribed the EU Directive on Transparent and Predictable Working Conditions into Irish law. The directive strengthens employment law principles for new employees on a number of fronts by specifying the information that an employer must provide to an employee on joining.

The directive also strengthens the rights of a worker during their probationary period. "Probation is one of the most precarious times in a worker's career," said Fórsa Assistant General Secretary Seán Carabini.

"The employer holds all the chips, as it were, and can terminate an employment with much more ease than they can post-probation. The new directive is a very welcome development. Anything to make the workplace less precarious for workers has to be welcomed."

The directive reduces probationary periods generally to no more than six months. However, in relation to public sector probation, it states that: "...the probationary period of a public servant shall not exceed 12 months."

Carabini said: "We need to continue to exert pressure on this point. Ireland is significantly out of line with some of our EU neighbours. A three or six-month probationary period is the norm in many EU countries. Ireland's typical

**The new directive is a very welcome development. Anything to make the workplace less precarious for workers has to be welcomed**

12-month probationary period is an unwelcome anomaly.

"While the directive resolves the matter for many working in the private sector, there is a need to reduce it significantly in the public sector and reserve 12-month probationary periods for only very extraordinary circumstances."

Fórsa has therefore lodged a claim with the Department of Public Expenditure and Reform to have probationary periods for all civil service workers reduced to six months.

"The claim has been lodged," he added. "We've not yet had a discussion on it, but I'd be very surprised and disappointed if the government didn't agree to this claim. The government can't step in and stop multinational companies based here from laying off

staff. But they can set a standard in their own workplaces." Carabini continued: "The union has a long history of trying to campaign to make probation for civil service workers less precarious. In 2015, we managed to negotiate the introduction of an appeal system for new joiner civil service workers who are not being made permanent."

"That was significant and something that doesn't exist in other sectors. We need to press on. The most important thing now is that new civil service workers join Fórsa. The more new civil service workers that we represent, the greater our strength in being able to resolve this. If a new worker joins your workplace, send them on the application form. We cannot win it without them."

Meanwhile, Fórsa Director of Training Fiona Dunne has announced a virtual 'lunch and learn' event on surviving civil service probation.

She told CSQ: "We plan to host this at the end of June. Check the website for more details. It will be a good learning exercise for us too to see what questions are asked. Hosting this is a further demonstration of our commitment to minimising the precarious nature of that first year as a civil service worker."



**PROBATION 'LUNCH & LEARN'** Fiona Dunne

# Badge of honour ...who can join Fórsa?

Often, we get queries about who can and can't join Fórsa in the civil service. To eradicate doubt, we've prepared a quick FAQ list compiled by CSQ Assistant Editor **Róisín McKane** to answer the most commonly-asked questions.

## **Q: Can probationers join Fórsa?**

**A:** Yes. In fact, probation is arguably the most-precarious time in a civil service worker's career. The union is seeking to make a number of advances for probationers, including getting the term of probation reduced to six months. In order to have the best chance at effecting this change, we need probationers to join.

If you are new to the service, join. If you have a new staff member in your area, tell them to join. In recent years, the union has won the right for probationers to appeal the outcome of an unsatisfactory probation.

A probationer will need the expertise of the union in managing their way through difficult situations such as this. Probationers not only can join, they absolutely should join.

## **Q: Can students on placement join Fórsa?**

**A:** Yes. A number of departments allow student placements in the civil service. During their placement, these students are civil service workers. However, there is always a risk that they will be asked to either take on too



Picture: Sandwell Council (CC BY-SA 2.0)

much work or will be asked to take on work that requires a permanent member of staff to undertake.

The more students on placement that join Fórsa, the better protection we will be able

to offer that class of worker.

## **Q: Can contract staff join Fórsa?**

**A:** Yes. Staff employed in the civil service on temporary contracts can join Fórsa.

**Fórsa represents all general service workers up to and including the grades of HEO and AO. We represent professional and technical staff all the way through their promotion hierarchy. We represent staff in these categories that are temporary as well as full time. We are keen to dispel the myth that only established civil servants can be represented by Fórsa.**

**Quite often, it is staff with more precarious contracts that require union support. However, unless they know they can join, they will not be able to seek the support needed.**

**We therefore ask all members to support new joiners, contract, placement and temporary civil service workers that they are all welcome. In order to continue advocating for their needs, we need them to join.**

Additionally, Fórsa has the expertise to assist with difficulties arising from multiple contract extensions, difficulties on incremental pay progression for multi-year contracts, and advocating for contract civil servants to become fully-established workers depending on the circumstances.

## **Q: Can TCOs join Fórsa?**

**A:** Temporary Clerical Officers can – and should – join Fórsa. Fórsa can advise TCOs facing difficulties with probation issues, with workload issues, disciplinary matters and, most importantly, on those issues related to contracts that are renewed time and time again.

## In conversation...

We spoke with anti-far right activists **Amy Moran** and **Dylan Archibald**, who are also Fórsa organisers, about their experiences of working to counter the far right in local communities.

# Migrants & refugees are our allies not our enemies

### Q: How and why is the anti-immigrant sentiment manifesting in communities?

**Dylan:** It's the manipulation of working class communities. I've seen it on social media and how it manifests slowly with family members and friends. It's not plain anti-immigrant language, but it is twisting it to get people to blame their hardships on certain groups.

**Amy:** I think there's deficiencies in the state that are being manipulated by the far right. In my experience, being from the inner city, whenever I bring up housing there's a perception that certain people are skipping the queue. I think it's being manipulated into something emotional. People are worried and it's being directed towards migrants and refugees.

### Q: What issues are being used by the far right?

**Dylan:** You find the housing crisis being a big issue in predominantly working class areas. Working class areas are where you find people that need to worry about access to public services – healthcare, access to third level education, housing – it's where you're going to find people who are angry and you can very easily whip that up into a frenzy.

I heard Joe Mulhall talk at the solidarity conference talking about his experience of it in Britain with the National Front in the late



1990s. Britain First were out canvassing door to door. You have to counter-organise against them or else you risk being stuck in an echo chamber.

**Amy:** I'm from East Wall. You can't get a GP appointment for love nor money for weeks. You have multi-nationals coming in and buying up land so you've ex-council houses being sold for over half a million. That's not right. People from the area aren't able to continue living there because of the affordability issue and that there's no social housing.

It's perceived that there's limited resources to begin with and now we're competing with even more people for the same resources. That gets people's backs up. People are already feeling under pressure.

There is a lack of democracy in people's lives. People don't have democracy in the workplaces. It's a very individualistic culture. Added to that, people who live in social housing don't have democracy.

They're not really included in the conversation about what that social housing should be or engaged with on the conditions in which they live. People are disempowered and it breeds that contention.

### What's the role of unions on this?

**Dylan:** Trade unions are the largest civic society group you can get in this country. But it's not just about



...I think there's deficiencies in the state that are being manipulated by the far right. In my experience, being from the inner city, whenever I bring up housing there's a perception that certain people are skipping the queue...

Continued on page 26



**UNITED AGAINST RACISM** Tens of thousands of people, including these Fórsa members, joined the 'Ireland for All Rally' through Dublin city centre on 18th February

Picture: Conor Kavanagh, ICTU

## Not our enemies...

From page 25

the workplace. It has genuine weight to pull elsewhere. Look at the 1980s and the solidarity that was shown with the anti-apartheid movement. You can change your workplace and as part of that, work for the general good of everyone. It sounds very utopian, but you can actually help people when they need it. It is possible. It can be done.

**Amy:** If you take the movement as a vehicle for the advancement of working people, people have more in common with migrants and refugees – who are potential workers – than they realise. They're our allies, not our enemies.

CSQ ONLINE Spring 2023

## What can Fórsa members do to help?

**Dylan:** One of the main issues other than a general public services crisis is a lack of understanding on how international protection works – what an asylum seeker is, what a refugee is. They're two different things. And added to that, how the European Union works and how people flow to and from countries and what we sign up to.

If you go to any of the far-right demos and have a conversation about the difference between a refugee and an asylum seeker, they probably won't know what the difference is. The best thing you can do is talk to people and go through the system with them. It's a total

lack of understanding and lack of communication.

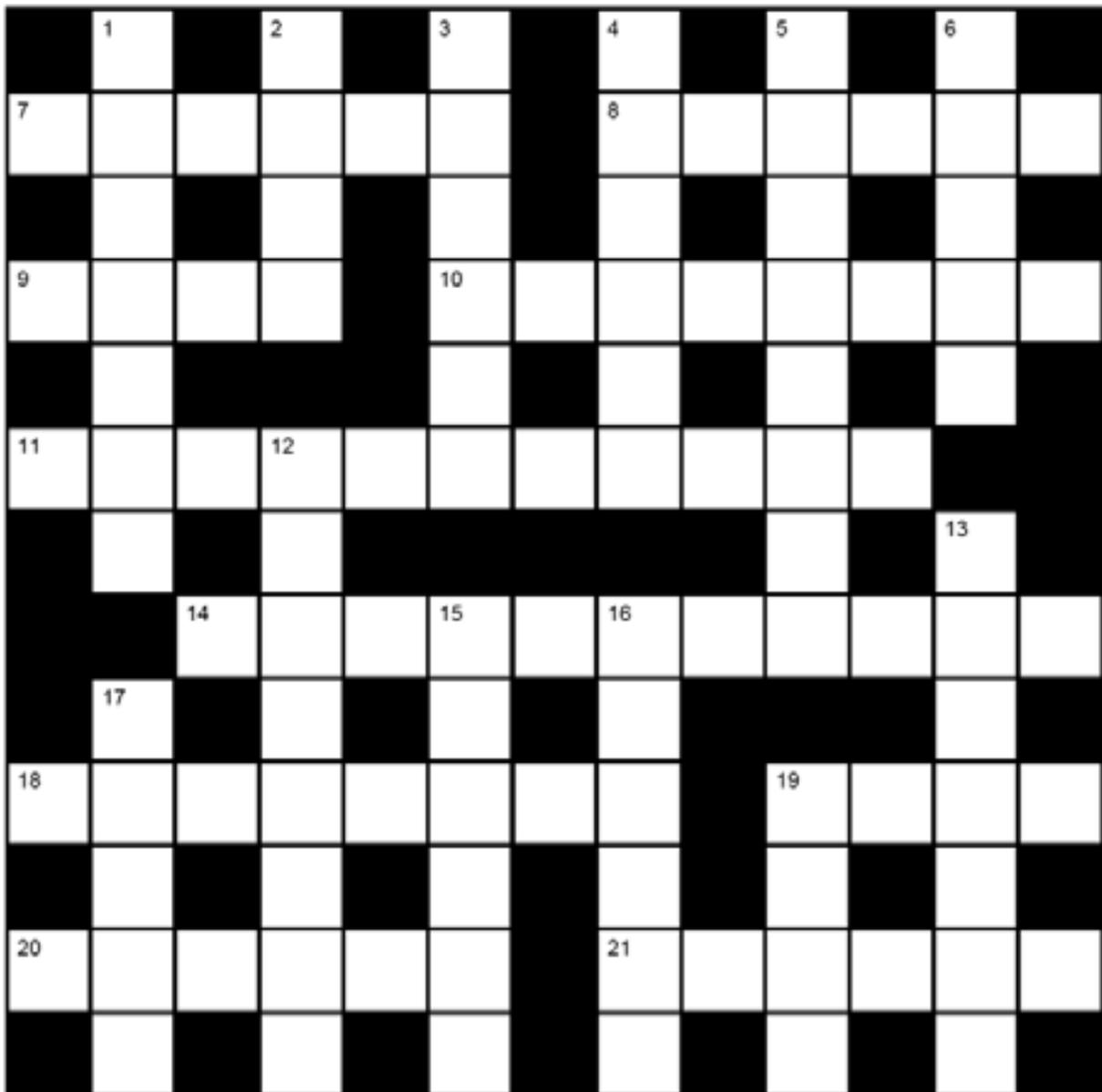
**Amy:** The best thing members can do is to advocate for better public services. It's about advocating for public services to be delivered by public servants in the public interest.

Also, just try to welcome people where it's possible. I know from my experience of talking to migrants that if everyone talked to people in direct provision centres, they'd realise that they're people just like them. When people speak against them, don't let it go unchallenged. Speak up.

Amy Moran and Dylan Archibald were in conversation with CSQ Editor Seán Carabini

# Crossword

As **CSQ** is currently being published **online only**, we have decided to end the competitive element to the crossword as it is more difficult to track returned entries to Head Office. However, the crossword will continue to run in **CSQ**.



Crossword set by Peter Connaughton

## Across

- 7. This after Channel and before Vision (6)
- 8. 12 down had this calling (6)
- 9. See 6 down (4)
- 10. Congregation, crowd or gallery (8)
- 11. Multi award winning Dublin band (9, 1, 1)
- 14. President of Ireland - (1945 - 1959) (4, 1, 6)
- 18. This stadium is home to The Hoops (8)
- 19. And 20 across - Australian-born Connacht and Ireland rugby player (4)
- 20. See 19 across (6)
- 21. Root vegetable used in salads (6)

## Down

- 1. River crossed by Julius Caesar that started civil war in Rome (7)
- 2. South American civilisation (4)
- 3. It turns red litmus paper blue (6)
- 4. The furniture polish for Jack Nicholson (6)
- 5. A double this is open to two interpretations (8)
- 6. This and 9 across - The good Life, in Italy (5)
- 12. English punk and new wave band, active from 1976 to 1986 (3, 5)
- 13. Blood sugar (7)
- 15. Japanese city - host of the 1998 Winter Olympic Games (6)
- 16. Armpits - You would be busy if you were up to yours (6)
- 17. Caledonian, Panama, alimentary...(5)
- 19. Vespa riding enemies of Rockers in 1960's England (4)

## CROSSWORD SOLUTIONS CSQ Winter 2022

ACROSS: 7. Novena; 8. Camera; 9. Cats; 10. Cardigan; 11. Drum and Bass; 14. Queuing; 18. Sake; 20. Staten; 21. Upshot  
 DOWN: 1. Conakry; 2. Jets; 3. Cancun; 4. Scarab; 5. Amritsar; 6. Orban; 12. Mosquito; 13. Wicklow; 15. Onions; 16. Magnum; 17. Punts; 19. Susi