



An Coimisiún um Chaidreamh san Áit Oibre
Workplace Relations Commission

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To:
LGMA
FÓRSA

Our Ref: C-162123-17

Parties: LGMA/FÓRSA
Issue in Dispute: Matters arising in Local Authority Library Service

Dear All,

Following extensive conciliation between the parties under the auspices of the Workplace Relations Commission, I am making the proposal as set out in the attached document on the basis that it is the best that can be achieved in the circumstances and on the basis that it is being recommended for acceptance by both parties.

In the event of this proposal being rejected by either party it will be deemed to be withdrawn and without status.

Aoibheann Ní Shúilleabháin
Deputy Director of Conciliation
25 April, 2018

WRC PROPOSAL

AGREEMENT ON

LOCAL AUTHORITY LIBRARY SERVICES

The parties to this agreement are the Local Government Management Agency representing Local Authorities and FÓRSA Trade Union.

PREAMBLE

- The parties recognise that local authority libraries provide a key interface between the citizen and the local authority. The parties commit to encourage greater use of library services by local communities.
- The parties recognise that local authority libraries have contributed enormously to the educational and cultural development of individuals and communities throughout Ireland.
- The Local Government Management Agency commits to maintaining the service within its remit.
- The Local Government Management Agency commits to the development of the Libraries Ireland website to reflect its role as the Local Authority Libraries' Ireland website and enhance its local authority ethos.
- All further branding of the service shall reflect its local authority ethos.

[1] OUTSOURCING & PROCUREMENT

The parties commit to support the provisions of the Public Service Stability Agreement 2018 -2022.

The parties note the commitments on outsourcing and commit to their full implementation in relation to library Services including procurement and cataloguing.

Both FORSA and Management accept that EU and national procurement rules must be applied, and all efficiencies/economies of scale must be applied, however, in instances where EU and national procurement rules do not apply, purchases from local suppliers can be considered.

[2] LIBRARY STAFFING

The parties recognise that the successful operation of the local authority library service is dependent on the availability of a motivated and trained workforce. The parties recognise that great efforts have been undertaken by management and staff to maintain and develop the service.

Solely related to Library services and in respect of this agreement only, the parties commit to reviewing the staffing levels in each local library authority. In the first instance, this review shall consist of an engagement between the local authority representatives and FÓRSA branches locally on the specific Appropriate Staffing level required to undertake the necessary operation of local authority library services. Discussions at local level will have regard to the following principles: -

- i. The baseline for these discussions will reflect library service numbers at 2012 for professional and non-professional grades.

- [ii] In addition, the discussions should have regard to developments since 2012, including new libraries, Library Management System, My Open Library, Alternative Collaborative Approach, current population and other relevant matters.
- [iii] Under section 159 of the Local Government Act 2001, it is the Chief Executive of a Local Authority who is responsible for staffing and organisational arrangements necessary for carrying out the functions of the local authority which includes the Library Service.
- [iv] The discussions shall be concluded no later than 3 months after ratification of this agreement.
- {v} It remains the statutory function of the Minister with responsibility for Local Government to sanction the filling of any posts in a local authority and the outcome of this process will be subject to this sanction.

In the event that the parties cannot reach agreement on what is the appropriate staffing at local level, the parties commit to the use of the State's industrial relations machinery to resolve the matters. Should the matter be referred to the Labour Court both parties accept that the recommendation will be binding in accordance with the provisions of the Public Service Agreements.

[3.] MY OPEN LIBRARY

FÓRSA trade union views with grave concern proposals to implement "staffless libraries". The Union has fundamental concerns in relation to the effect of this service and how it may affect the quality and availability of local authority library services.

Notwithstanding the above, the union and its members will agree to the implementation of My Open Library on the following basis: -

- [i] Where Management fail to make reasonable efforts to maintain the appropriate staffing levels for a continuous period in excess of three months, it is open to FORSA to request the suspension of the My Open Library service in that library branch. Management will comply with this request until this matter is resolved.
- [ii] The new service will not encroach on the normal staffed opening hours of the library concerned.
- [iii] Management commit to not reducing staffing levels below those agreed in library workforce plans as per Section 6 below or closing any local authority library service branch specifically as a result of the introduction of My Open Library services.
- [iv] Management will not cause any reduction in library services for local authorities who do not wish to implement the My Open Library service.
- [v] Local union branches shall meet with local authority management every three months for an initial period of 18 months to consider all matters relating to My Open Library.
- [vi] A national review of the operation of the services shall be completed within 12 months of ratification of this agreement. This review to be a collaboration by the LGMA and FÓRSA according to agreed parameters. The current proposed 23 new sites and existing 3 pilot sites will not be expanded in this 12-month period. It is accepted by both parties that Management may proceed with the necessary planning and installation of equipment in branches for the future implementation of My Open Libraries in other branches in this 12-month period.
- [vii] Local authorities will undertake to extend to the union all relevant information in relation to the operation of the open libraries.
- [viii] Local authorities will engage with FÓRSA on a health and safety risk assessment where it is proposed to implement Open Library services. This will be overseen by the Health and Safety Officer in each local authority at least two weeks in advance of the opening of any

such facility. FORSA will be provided with a copy of this assessment in this time scale. Such Health and Safety risk assessment will include a specific review of any matters arising in relation to staff concerns regarding their entry to libraries at commencement of normal staffed opening hours and will include engagement with staff on an individual basis.

[4] **QUALIFICATIONS**

Qualifications for library staff are a matter for the appropriate Minister, which in this case is the Minister for Rural and Community Development.

Management will undertake to advise FORSA in advance in relation to all changes in qualifications.

Management confirms that the amendment of recently revised qualifications for professional grades in the library service does not preclude any qualifications which were previously deemed eligible.

Management confirms that it will apply the same qualifications for Library Assistant posts as apply to clerical officers.

Management confirms that Grade 5 non-professional library service posts will be filled by separate competition and that the role description would reflect the requirement to work evenings and/or Saturdays and that library experience would be beneficial. These posts would continue to be interchangeable with the main clerical/administrative structure of a local authority. The same rules and arrangements which apply to the movement of staff within a local authority will apply to the movement of staff to and from library services. Any movement of staff to and from the library service will have regard to the contracted hours of the relevant staff.

[5] **Filling of posts**

General

Library Workforce Plans will be submitted to the Department of Housing, Planning and Local Government within three months of ratification of this Agreement except in circumstances where agreement has not been reached at local level (as per Section 3 iii). Upon agreement of a Library Workforce Plan with the Department, the filling of posts arising from this workforce plan, on a once-off basis, can be filled, in the first instance, by competition confined to the local authority up to and including Senior Executive Librarian. Standard rules of recruitment will resume after this initial round of competitions. This once-off arrangement will not apply to County Librarian posts, however, on a similar once-off basis arising from this current workforce plan, where such posts have been filled on an acting arrangement for a period in excess of 24 months at the date of ratification of this agreement by the Department, of Housing, Planning and Local Government these will be filled by competition confined to the sector. Otherwise, they will be filled by open competition.

Library Assistants;

Local Authorities shall create two panels for filling of posts at Library Assistant level. One panel will be filled by way of open competition and the second by competition confined to existing branch librarians of the local authority. All posts arising at library assistant level will be filled on an alternating basis within the lifetime of these panels, the filling of the first post commencing with the confined panel.

[6] **WORK LIFE BALANCE**

Local authorities agree to commence negotiations in each Local Authority library service in relation to the operation of the full range of family friendly policies, including flexitime, as set out in paragraph 2.14 of the Public Service Stability Agreement 2018-2020. These discussions to conclude within a three-month timeframe. Where disagreements arise both parties agree to the use of the States industrial relations machinery. Should the matter be referred to the Labour Court both parties accept that the recommendation will be binding.

[7] ALTERNATIVE COLLABORATIVE APPROACH

Management confirms that it will not proceed with the shared services management structure proposed in MDELS.

Management confirms that each local authority library service will be led by a County Librarian.

FÓRSA commits to co-operate with Management's proposals on the "ALTERNATIVE COLLABORATIVE APPROACH" (appended to this agreement) on the firm understanding that each local authority library service will be led by its City/County Librarian.

It is accepted by both parties that the authority of Chief Executive to determine the structure and staffing of his/her library services applies within the Alternative Collaborative Approach. Following consultation with the City and County Librarian the Chief Executive has the authority to approve the annual workplan for his/her library services.