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THE 'NEW UNION PROJECT'...

# A SAFE HARBOUR IN CHALLENGING TIMES?

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PULLOUT**



# What is the 'New Union Project'?

**The New Union project is a proposal to combine the strength of almost 90,000 members in five unions representing members in the public service as well as the commercial sector and state agencies, to better defend your interests at a time when union membership is falling and collective bargaining is under attack. The proposal to form a new, single, union from five existing unions will be put to the members of all five in ballots, when talks about details have been completed.**

## CPSU

The Civil Public & Services Union (CPSU) represents almost 12,000 members mainly in the Civil Service and a small number of Agencies and Semi-State and Private Sector Companies such as An Post and Eir. The core membership grade is the Clerical Officer but the union also represents the Staff Officer grade and a range of Departmental Grades such as Science and Arts Attendants in the museums and cultural institutions. The Union has a long and successful record of taking Equal Pay cases through the Irish Courts and in Europe. It seeks to protect and improve the pay and conditions of its members alongside the other unions involved in the New Union Project through the Civil Service General Council and ICTU Public Sector Committee.

A New Union offers the potential to harness the numerical and intellectual strength of the members, activists, officials and leaders of AHCPS, CPSU, IMPACT, PSEU, and VOA into one, single, union for the entire Civil Service, for some State bodies and as part of a broader Public Service organisation.

We must determine if it is possible to overcome existing divisions and barriers, to create strength through unity, in order to face the huge challenges coming down the tracks. These include public service pay and pension reviews and post Lansdowne Road talks. If re-

cent years have shown anything conclusively, it is that the existing fragmented nature of union organisation in the Public Service proved to be incapable of preventing attacks on pay and conditions.

It is recognised that there are fears that the project will generate loss of identity. However, a new single union would be a forceful entity at a time of uncertainty, change and diminishing trade union density. Sharing resources would allow us to face sophisticated and well resourced opponents with confidence.

Of course, doing nothing and leaving existing structures intact is an option and many members retain loyalty to their own organisations. That is understandable. However, given that existing structures proved not to be up to the challenges of recent years, it is incumbent on the leaderships of the five unions to explore alternatives to establish if something better can be created.

Optimism about the future requires that we harness the strength of members through unity and cohesion rather than to continue with fragmentation and inter-union disagreements.

A single union offers that potential. That is why the option is being explored.

## Why come together?

There are many reasons for doing nothing, for leaving well enough alone. Fears are genuinely held, such as the fear of loss of identity, loss of influence or even concern about a 'takeover'. But ask yourself, if we were starting out today, would we create the 19 different 'independent republics' that make up the public services committee of ICTU?

Faced with the challenge presented by public service management, a single united organisation on our side would make for a more equal contest at a time that is still fraught with uncertainty.

Consider this: the UK has 46 unions for a

# AHCPS

SINCE 1943, the AHCPS has provided effective negotiation, representation and back-up services to senior civil servants and managers in the commercial and non-commercial State sector in Ireland. Our members are key policy influencers and public service providers who have made a major contribution to Irish life and administrative, economic and social development since the foundation of the State.



population of 60 million, while Ireland also has 46 unions for a mere 6 million, North and South. Moreover, trade union density, down below 20% in the private sector, has noticeably started to slip back from the average highs of 80% that pertained in the public sector for decades.

Four of the five unions in this project are, themselves, the result of various mergers. Indeed, the largest union in the country, SIPTU, is the result of a merger of two large unions in 1990.

Of more direct relevance is NIPSA in Northern Ireland, which is comparable in its membership to what is proposed in this project. Similarly, in the UK, the union structure that was inherited in Ireland, and is still reflected in our current structures, has been transformed by the creation of large, merged unions such as PCS and Unison.

Of even more interest, perhaps, is the influence and strength of VerDi in Germany which, as a large union speaking for Public Servants, is a major force in that society.

That is what this project is aiming to achieve for our Public Servants.

The recent crisis has inevitably taken its toll on rock solid levels of membership. While the recruitment embargo has ended, there is no sign that overall numbers will jump dramatically. No matter how hard we try, the truth is that give or take a few thousand here and

there, there will always be a finite number of public servants. This means we won't be able to boost recruitment in each of our individual unions by the sort of numbers we are going to need.

The New Union would have both a national and regional presence, greater financial resources, would share and pool information and enhance available legal resources. The combination would give us a strong united voice, while retaining the identity of historic categories and groups that value rightly their status in the different unions today.

## What are the benefits of unity?

All grades across the five unions would be in one single union with the shared knowledge base and expertise that would mean. There would need to be some changes in union structures in the civil service and state agencies. The existing branch model and divisions in health, local government, education and municipal, within IMPACT currently, would be retained.

Remember, no one sector could have a majority or a dominant voice in the New Union; this simply won't be possible under the rules of the plan that is under consideration.

A single voice where necessary, but a union that understands and respects the identities that make up the whole.

Better, more focused communications do not mean drowning out 'local' voices or proud branches and divisions. In fact, the structures being considered would help to get these voices a hearing both in the media and across the negotiating table. A central, professional, expert-led, communications channel of information up and down the new organisation, which connects with the membership and reflects its concerns at the centre, is needed in

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today's challenging communications environment.

The combined financial resources of five unions would be one of the very obvious benefits of unity. Such financial muscle is not to be sneezed at, in terms of the fighting fund that would be available for possible industrial and legal challenges, and to help ensure that members get the best deal on larger scale benefit schemes.

Size does matter when it comes to financial strength. Deeper pockets, with the finances managed prudently, wouldn't go unnoticed on the other side of the bargaining table. A new combined union won't be a pushover for anyone.

## Are there downsides? Are there alternatives?

There is no doubt that it can be argued that an available alternative would be a closer alliance of existing unions, short of the creation of a new, single, union. This would allow existing unions to retain identity. However, the very fact of separate identities and different sources of decision-making act as a barrier to greater unity. The fragmentation of unions in the Public Service is not only due to the number of unions, but to the fact that each union acts independently.

There is, in fact, a high degree of federation in the existing Staff Panel structures and they operate well in terms of co-operation on a range of business. Nonetheless, the Staff Panel structure was incapable of forging any degree of unity in response to the attacks on public servants' conditions in recent years and there is no reason to believe that this will change in the future as we face new challenges.



## IMPACT

IMPACT represents close to 60,000 members working in hundreds of public service occupations, grades and professions in health, local government, education, the civil service, and voluntary and community organisations. IMPACT also represent members in commercial and non-commercial semi-state organisations and in private companies in aviation and telecommunications. The profile of IMPACT membership is professional, technical and support staff in the civil service, administrative, professional, technical and manual grades in local government, administrative, therapist, professional, technical and care staff in health, administrative and schools based staff in education. IMPACT represents pilots and cabin crew in aviation.

Equally, some may argue that not all of the unions in this project have enough in common to enable the creation of a new, single, union capable of acting with cohesion, while being truly representative of all interests. Those of this view argue that a project involving some, but not all, of the unions concerned would work more effectively. Leaving aside the fact that there is unlikely to be agreement about which unions make up this 'optimal' number, this option might have the effect of reducing the number of unions but, in return for a loss of identity, it cannot offer the advantages of a single Civil Service union, which this project presents, along with the advantages of a single union for administrative Public Servants with common or similar terms and conditions. However, if a union or unions drop out of this process, the other unions may proceed, leaving open the opportunity for unions to opt back in.

It is also worth observing that, given the differences between the various unions, anything short of a project that does not involve all unions in the Civil Service within a broader Public Service organisation stands little chance of being agreed.

Protecting the ethos that exists within our respective unions, reassuring those who may fear losing status and allaying the fears of staff members, is vital. That is why the project will include proposals for an independent Ombudsman to address complaints by individuals or groups.

Fear is understandable, but when such local concerns are set side-by-side with the huge challenges we face today, we must face reality or - to put it plainly and bluntly - face being run over by powerful forces. These forces have gathered strength over the past decade.

## A call to action...

Before turning to the 'nuts and bolts' of these proposals, it is worth remembering that this proposed 'coming together' of trade unions was strongly recommended by the ICTU's Report of the Commission on the Irish Trade Union Movement in 2013. The Commission's report was strongly backed by affiliated unions in Belfast that same year.

Essentially, the report suggests that the 'writing is on the wall' if things are left unchanged; but it foresees a brighter future if we act now. The report states:

"Ireland is not a significant player in Europe but we have to make our own bit of history in our own time. We must build a strong, vibrant and effective trade union movement to articulate and progress the rights of workers at a time when these rights are being oppressed to a degree unprecedented in modern times. Because this is beyond the lived experience of this generation of leaders there is a natural in-

clination to embrace an incremental approach. That is not likely to be an adequate response. Something bolder is called for."

Members don't have to go back very far to recall the siren voices that blamed public servants for the crisis. These critics demanded nothing less than our emasculation. They haven't gone very far, and when they return - as they surely will - we must beat them back with a united front, one with almost 90,000 members backed by staunch activists, officials and leaders that can and will face down the enemies of trade unionism and those who attack the very notion of public service.

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## PSEU

The Public Service Executive Union, (PSEU), represents staff in all Government Departments and some commercial and non-commercial State agencies. The union represents staff mainly in the executive, junior and middle management grades in these organisations. The union has more than 40 branches for the c.10,000 members. Grades represented include; Executive Officer; Higher Executive Officer; Administrative Officer; Third Secretary, (Dept. of Foreign Affairs); Junior and Senior Clerk in the Houses of the Oireachtas. The non-Civil Service bodies in which the union has members include, Eir; An Post; National Lottery Ireland; IMMA; Sports Council; Food Safety Authority; Irish Aviation Authority; Comms. of Irish Lights; Health and Safety Authority; Injuries Board; National Concert Hall; Obair; Food Safety Promotion Board and Ordnance Survey.



# Proposed structures

It is envisaged that the New Union conference would have a ceiling of 750 delegates, with delegations based on an agreed percentage of union membership in each branch. Branches could opt to send a lesser number without diminishing their voting strength at conference. There would be a guarantee that each branch would have at least one delegate, and where this might happen there would also be facility for an observer to attend with that Branch delegate.

## National Executive Committee

It is proposed that the overall size of the NEC should be no more than 27 or 28 seats, with one union president and four vice-presidents (or other officers). There would be provisions to ensure that these represented all five sectors. It is suggested that there be six seats for the Civil Service Division and six for the Health Division, four for the Local Government/Municipal Divisions, three for the Education Division and three for the State Agencies/Private Services Division. This could

be reviewed over time.

A temporary arrangement would allow for ten civil servants on the NEC – elected by the Divisional Executive. These and divisional arrangements would be scaled back on a pro rata basis in the event of any of the unions participating in these talks deciding not to proceed at this time. All of these ‘ordinary’ NEC members would also sit on their respective Divisional Executives. The position of immediate past president and question of time limits would be a policy matter to be determined by the New Union.

## Civil Service

All current branches would be retained at the outset, while there would be a facility to encourage relevant mergers. A difficulty does arise regarding the number of Civil Service Branches from existing unions. How to structure a manageable Divisional Conference and Executive would be a challenge. It is envisaged there would be around 400 delegates to such a conference, using the existing Civil Service Staff Panel arrangements as the model. Branches from the former unions would attend conference based on their proportion of membership in each government department.

There would need to be an exception for multi-departmental branches and any branches not accommodated via staff panel route, and a facility to delegate issues to sub-groups with officers.

## Civil Service Executive

Conference would elect executive members from the following constituencies – former AHCPs, former CPSU, former IMPACT, former PSEU, former VOA. Over time an open constituency would be created, with the intention that this would become the norm over time.

At the first divisional conference, there would be guaranteed seats for each of the constituencies. At second and third divisional conferences, these numbers would incrementally change to allow for the development of an open constituency.

The chair and vice chair will be elected by full divisional conference, but no more than

one from any constituency. These arrangements would be for a period of six years (three biennial conferences), but reviewed before year four (2nd conference).

## Services and Agencies

AHCPS, CPSU, IMPACT and PSEU have members in state agencies and enterprises. These unions, generally, have separate existing branches in each of these bodies. IMPACT has an additional 'State Enterprises No. 1' Branch, which is a catch-all for a number of smaller employments.

It is intended that all existing branches be left intact in a new organisation, with a provision that in dealing with an individual employer, where there is more than one branch, issues would have to be fed through the 'staff panel within the same organisation'.

As the overall membership and number of

branches in this sector is much smaller than in the Civil Service, all existing branches could be directly represented at a Divisional Conference. To ensure representation from all former unions, there would be 18 DEC seats for 6 years.

## Equivalent Grade Committees

There would be equivalent Grade Committee for Clerical Grades; for Executive Grades (4 to 7); for AP/PO Grades (8 and 9); and a committee for Veterinary grades. It is intended that they all meet in seminars during the first year of the New Union. The Grade Committees will ensure greater coordination and consultation for members with similar pay and conditions issues across the Divisions of the New Union. It is envisaged these Grade Committees will play a core role in advising the New Union on pay related matters, in particular assisting in the development of pay negotiating strategies, which reflect the pressure and demands on all members within the organisation relative to their grade.

## Other issues, subscriptions

Issues that must be carefully managed include existing offices and assets.

Service delivery standards have to be maintained where they are satisfactory – and improved where they are not.

The New Union will have a service level contract between Head Office and members. This will give guarantees of service. Individual members who are unhappy with levels of service will have access to an independent Ombudsman.

Likewise, it is also recognised that groups of members have to be given access to an independent Ombudsman, if they feel that their particular interests/identity are not recognised adequately within a new organisation.

IT systems, legal services, membership benefit schemes – including new scheme and union subscriptions – will require detailed planning and discussion to secure maximum value for the New Union.

## VOA

The VOA represents veterinary practitioners registered with the Veterinary Council of Ireland who are employees of a Department of State, including those on approved career breaks or secondment. For over 60 years the VOA has provided effective negotiation, representation and back-up services to the veterinary practitioners employed in the State Veterinary Service. The VOA aims to protect and promote the interests of members, to maintain and improve the conditions of their employment, and to provide and maintain such services for the benefit of members as may be approved from time to time.



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Staffing concerns and issues arising will have to be managed in line with the standards we expect of the best employers.

The Standing Orders Committee must come from all backgrounds.

On the very important issue of subscriptions, there will need to be agreement on minimum and maximum rates. The existing union rates can act as a guide. In some cases rates are already closely aligned. After making provision for that element of the CPSU subscription that funds the dental and optical benefit scheme, effectively CPSU and IMPACT members pay the same, as do PSEU members on the maximum of the HEO. The guiding principle will be to ensure that nobody has an increase in existing subscriptions.

## A democratic decision made by members

A final decision on participation in this project will be taken by the members of each of the 5 participating unions. It is recognised that not all may choose to participate. That would be unfortunate but the value of this project is such that all unions are agreeable to

keep open the possibility of any union that opts out of the process being permitted to re enter at a later stage. If necessary, the representative structures being proposed can be adjusted 'pro rata', if one or more unions drop out of the project, with the proviso that they will be re adjusted to facilitate the return of any unions in this situation, should they decide to re join the project subsequently. Decisions to join, leave or re join are matters for the members of each union to make.

## So what happens next?

Agreed communications like this one are planned in the lead up to any final discussions or decisions on this important project.

The general secretaries and finance officials will meet to discuss issues like subscriptions and benefits. There will be further meetings involving senior elected representatives of all the unions, such as the various Presidents, Vice-Presidents, Chairpersons and Executive Committees. A paper will be prepared for union conferences in 2016, where a report and debate will be held to discuss progress on the project.

**Remember**, you the members, will have the final say in a **democratic ballot**.

