

# A charter for fairness

*Since taking up the post of ICTU general secretary this year, Patricia King has established a Congress campaign for fairness, ethics and respect in the workplace. NIAL SHANAHAN met with Patricia to explore the ICTU charter for fair conditions at work, and Patricia's views on the landscape for the Irish workforce as the country begins to emerge from economic catastrophe.*

"EVERY WORKER is entitled to enjoy fair pay and decent conditions; all workers should be entitled to negotiate collectively with their employer without fear, and every worker is entitled to be treated with respect." These were the words of Patricia King when it was announced she would succeed outgoing ICTU general secretary David Begg earlier this year.

Before becoming ICTU general secretary, Patricia was a full time official with SIPTU for over 25 years, representing workers in all areas of the economy, and played a leading role in the Irish Ferries dispute (2005/6) and in subsequent negotiations to establish the National Employment Rights Authority.

After taking up the post of general secretary, Patricia immediately set about a programme of work to pursue the principles she outlined, which has led to the development of the ICTU charter for fair conditions at work. The charter identifies the "key elements required to make Ireland the best place in which to work, live and raise a family" and is underpinned by the conviction that a strong economy cannot exist without a fair society.

## A Living Wage

*A living wage affords an individual sufficient income to achieve an agreed, acceptable minimum standard of living, taking account of the need for food, clothing, heating, accommodation, transport and other essential costs.* – Congress Charter for Fair Conditions at Work.

Patricia is one of two trade union representatives on the Low Pay Commission, who produced a minority report in July that argued that the Commission's proposed rise of 50c per hour to the minimum wage was inadequate. Patricia's approach was to aim for a Living Wage of €11.50 over the three year term of the Low Pay Commission, looking for a minimum wage of €10 per hour as a first step. The report maintained that, because of an anomaly in the PRSI system, a single adult working 39 hours a week could end up taking home less money after receiving the proposed rise.

Setting out her views on the issue of low pay, Patricia cautions against buying into the idea that pay recovery is widespread. "There is a misconception that if certain sections of the economy are now delivering pay increases that everything is fixed. We're a long way from that to be honest."

Patricia highlights the fact that some industries, like hotels, are moving into big profit, and it is quite affordable for them to pay people a better rate for the work that they do. "The nature of the work is very labour intensive. It amazes me that employers can't grasp how much is demanded of staff, and yet they don't estimate the value of that to be high."

"The other issue is the availability of staff. It doesn't take a lot to figure out that a big reason for this is that they won't pay their staff appropriately. In Dublin you can't get a hotel room and yet, for the most part, they're not going in to the JLCs (Joint Labour Committees) to agree a decent rate of pay."

"I've said it before that such employers should not be allowed to avail of the reduced VAT rate of 9%. Where did that reduced rate go? It was supposed to go to the customer but all of the evidence I've looked at suggests that it has in fact gone into the profit margins."

## Recovery

Patricia says the legacy of budgets during the years of crisis – which saw each euro increase in tax matched by a two euro cut in public spending – is a 'double whammy' for lower paid workers. "People on lower wages depend a great deal more on public services, so there is a double hit for those workers

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inherent in the pattern of tax increases and public spending cuts for them. They are suffering on the double, they are being denied public services that they can't afford to get anywhere else, unlike those who are much better off."

The conversation about recovery turns, inevitably, to the growing crisis in housing, about which Patricia is a very passionate advocate for releasing land through compulsory purchase, a model that's been proposed by the National Economic and Social Council (NESC).

"There are competing factors, such as developers holding on to land (see page 14), construction companies and their representatives determining what's affordable or not, and

local authorities who won't do anything unless they see the colour of the Government's money.

"All of these competing interests won't do anything as they are all holding out to see if they can get a better offer down the road. The NESC proposition is to have NAMA provide land in those cities with an urgent need, if necessary on a compulsory basis, and have them do an agreement with local authorities and construction companies so that affordable housing is built and rents capped within that scheme, purchase prices capped, construction companies get a guarantee on investment and there would be no shortage of the provision of the land that would be required."



"We need to get people in the establishment to accept that housing is a fundamental necessity for people. How many more children need to be living in hotels before it's acknowledged that we are in a housing emergency and we need to take measures to address that emergency? That's why we need to build houses using the compulsory purchase model, and why I fully support the NESC model," she says.

## Hours

*Every worker has the right to a regular contract of employment which provides security of hours and certainty of income. – Congress Charter for Fair Conditions at Work.*

Patricia says that the recent Dunnes Stores dispute shows how easy it is for employers to manipulate working hours. "Uncertainty over available paid hours of work means that you cannot determine many aspects of your life, some employers are assuming total control over that, and there is nothing to stop them from engaging in that type of behaviour."

Patricia explains that Congress is looking for an inclusion in the Organisation of Working Time Act that workers are entitled to know for a reasonable period what their hourly commitment will be. "That will give them certainty about their day to day life as well as their income. The next big step around this issue is the low hours report by the University of Limerick, commissioned by Minister Ged Nash, which is due to be published shortly."

## Respect and ethics

*Every worker is entitled to be treated with respect and dignity, as they go about their work. No one at work should be subjected to discrimination, harassment, bullying or any other form of abusive behaviour. – Congress Charter for Fair Conditions at Work.*

"The purpose of putting ethics on our charter is about taking the opportunity to have that conversation. There are highly

skilled people in the workplace who do not have the ability to deal with their colleagues in a respectful and dignified ways" Patricia explains.

"This may be regarded as 'fluffy' stuff and I have seen some senior people bristle when I talk about it, but it really does resonate with union members. I've seen it all too often. You can tell almost immediately when you enter the workplace whether or not that environment of mutual respect exists.

"We have been asking all TDs, senators and councillors to sign up to the charter. Our intention now is to meet with the management of every local authority in the country and talk to them about incorporating the charter. We'll also be talking to faith groups and corporate bodies and this is all part of a national conversation we've initiated about these values" she says.

Patricia says that ethics need to be put on the agenda. "If you look at what happened with Clerys, and what company law permitted. We need to have a change in the law which means that when the company directors go into a room to manipulate the legislation, they will do so in the knowledge that they can never be a company director again.

"The Clerys workers want their sacrifice to count for something. The directors contrived to profit from the closure, abandon the workers with nothing and have the state pick up the remaining costs. The law needs to change, we have to keep pursuing that, it's far too important not to" she says.

## Collective bargaining

*Every worker has the right to be represented without fear of victimisation and to have a union represent them in collective bargaining negotiations with their employer. – Congress Charter for Fair Conditions at Work.*

Patricia tells the story of a colleague who attended the International Trade Unions Congress about a year ago. "Around 164 countries were represented, with many, including European countries, talking about the attacks on collective agreements and bargaining rights. Ireland was the only country that could report that unions were negotiating the development of legislation for collective bargaining laws."

Patricia says that while the new legislation is not without its flaws, "The bit that makes you hopeful is the opportunities contained within it.

"It's much more robust than the 2004 act, it deals with a number of issues we raised. The establishment of the sectoral employment orders is a very positive piece of legislation, offering unions the opportunity to go out and organise substantially in economic sectors.

"There's now a pathway under the headings of remuneration, pensions and sick pay, to seek improvements for workers under those headings. The order then becomes the law of the land via the Oireachtas for the workers in that sector.

"It's something we never had before, and offers a unique opportunity for unions to go out and organise and build structures to win improvements for workers." When I ask Patricia if she's generally optimistic about the future, she is quick to respond that the collective bargaining legislation is 'where the hope lies.'

"It remains to be seen whether or not the movement rises to the challenge. If utilised correctly it offers the opportunity to organise workers to improve their terms and conditions. That has to be seen as a positive."

**For more on the charter visit: [ictu.ie/congresscharter/](http://ictu.ie/congresscharter/)** ●