



Case Statement on **Pension Scheme for CE Supervisors**



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Key Community Roles

The Community Employment (CE) Scheme is designed to help disadvantaged people or those in long-term unemployment to gain work in the local community as a stepping stone to regular work.

Currently there are 25,000 people engaged in the CE Scheme providing much-needed community services such as creches, meals on wheels, upkeep of community halls, GAA and soccer pitches, Tidy Towns support and maintenance of green areas.

Critical to the success of the CE Scheme are the 1,250 Supervisors and Assistant Supervisors who manage the local projects on a day-to-day basis and lead the delivery of services by the participants. In addition, they mentor, identify and source relevant training for the participants which is crucial to their ability to find work. In terms of progression into employment, some CE Schemes have success rates as high as 75%.

2008 Labour Court Recommendation

Almost 10 years ago, the unions representing the CE Supervisors – IMPACT and SIPTU – took a case to the Labour Court seeking the provision of a pension scheme for the Supervisors. After hearing both sides, the Court recommended that an agreed pension scheme should be introduced for the Supervisors and Assistant Supervisors to be funded by FAS, as the then recognised funding agency.

Not surprisingly, the workers concerned had a reasonable expectation of having a pension in place by now – almost 250 have since retired without having any pension provided. This year between 30 and 40 Supervisors will retire – and the same number next year – in the almost certainty that they will not have a pension in place. Instead they will have to rely on the Old Age Pension with their incomes declining from around €700 per week to €200.

Again, it's important to reiterate that this is despite the fact that it's almost 10 years since the Labour Court recommended that this issue be sorted.

Impact of the Downturn

After the Labour Court issued its Recommendation in 2008, a scoping exercise was conducted by FAS and this identified the number of people due to retire between 2010 and 2017 and a figure of €3.3 million per year was agreed to be provided to cover their pensions. In this context, FAS set aside an initial capital sum of €10 million to get the pension scheme up and running and to cover the period 2009 to 2011.

However, the economic crash had just hit Ireland and this capital sum was then used for other purposes and the union side accepted that the Government side was not in a position at that time to address the issue.

Whilst Ireland's economic fortunes have greatly improved, the CE Supervisors and their unions recognise the ongoing tightness of the country's fiscal situation. In this context, the union side are open to the CE Supervisors making a contribution to their pensions – despite the fact that the original understanding was that the pensions would be provided on a non-contributory basis.

While the CE Supervisors have remained extremely patient with Government since 2008 because of the difficult economic conditions, it's unlikely that their patience will last much longer.

Lansdowne Road Agreement

In 2015, during the Lansdowne Road Agreement (LRA) negotiations, the unions raised the issue of pensions for CE Supervisors and the matter was addressed by the Chair of the negotiation process, LRC CEO, Kieran Mulvey, in a note to the overall agreement.

In that note, Mr Mulvey committed both sides to the LRA to setting up a High Level Forum to deal with the issue of pensions for CE Supervisors and other matters relating to the community and voluntary sector.

Frustrating Process

Despite these commitments, the CE Supervisors have experienced incredible frustration with the extreme slowness in getting the High Level Forum up and running in the first place. While the LRA was agreed in 2015, the Forum has only met four times in the two years since then.

At its first meeting in October 2015, the then Minister for Public Expenditure and Reform, Brendan Howlin TD, identified three key issues for the High Level Forum to address:

- Pensions for the majority of CE Supervisors;
- Arrangements for those close to retirement;
- Treatment of those who had retired between 2008 – when the Labour Court decided they should have a pension – and 2015.

Despite then Minister Howlin's clear identification of these priorities, much of the time at the High Level Forum's three meetings since October 2015 has been consumed with sorting out serial disagreements on the Forum's terms of reference. Its most recent meeting, on 7 April last, broke down because the union side felt that they were being stonewalled in trying to progress the implementation of the Labour Court's Recommendation on the pensions issue.

Need Your Support

The matter was raised by the unions again in the context of the negotiations on public sector pay earlier this year. Both DPER and Minister Donohoe have committed to completing a new scoping exercise by the end of October 2017 to establish the costs of implementing the Labour Court Recommendation and the implications in terms of setting a precedent for the State funding pensions for people employed by the voluntary sector.

While, Government has committed to completing this scoping exercise, there is still no formal commitment to implement the Labour Court Recommendation nearly 10 years after it issued – despite the flexibility shown during the crash and the willingness of the CE Supervisors to make a contribution to their pension pots. In fact, Minister Donohoe stated in a recent letter to former Minister, Sean Canney TD, that *‘state organisations are not the employer of the CE Supervisors concerned and that it is not possible for the State to provide funding for such a (pension) scheme’*. Strangely, some State bodies – a number of local authorities – are in fact providing pensions to a small number of CE Supervisors.

It’s somewhat ironic that the Government which has on numerous occasions laid great store by the need for unions to accept and adhere to Labour Court Recommendations is itself refusing to commit to implementing this particular Recommendation. Indeed, as recently as November last year, Minister Donohoe and the Tánaiste, Frances Fitzgerald TD, issued a joint statement following the Labour Court’s Recommendation in relation to the Garda Associations reiterating *‘the Government’s long-standing respect for the rulings of the Labour Court as the independent industrial relations body of last resort in the State’*. Unfortunately, the same respect does not seem to be being applied to this case.

Ultimately, the implementation of the 2008 Labour Court Recommendation is a political decision and the 1,250 workers concerned – who have been waiting patiently for nearly 10 years for justice on this issue – need your support.

IMPACT

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