



The 'New Union' project

CONFERENCE PAPER

What is the 'New Union Project'?

The New Union project is a proposal to combine the strength of over 80,000 members in three 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 three existing unions will be put to the members of all three in ballots, when talks about details have been completed, leaving open the possibility of involving more unions, should they wish to join at a later stage.

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.

This proposal is a response to the challenges facing the members of the unions concerned. Since the 1980s right across the developed world, there have been sustained attacks on workers and their organisations. As a consequence, the share of wealth generated by economic activity enjoyed by workers has diminished. To some extent, the constant growth in the developed world has hidden the consequences of this. Wealth has increased and workers' living standards have increased but not at anything like the same rate.

While growth continued, workers were shielded from this subtle mis-allocation. We have seen in this country, however, that the moment there was a setback to growth, the price was paid by workers, not by those whose greed caused the downturn. The Irish economy grew significantly from the 1980s and brought improvements in the living standards of most workers. However, the instant that there was a downturn, public servants, in particular, and workers in general, were singled out for income cuts.

In very difficult circumstances, the public service unions sought to ameliorate the situation for members and defensive agreements were made. However, these did not prevent the cuts in the provision of public services; they did not prevent cuts in the income of the people who provide them and they did not prevent the demonisation of public servants amongst the media, and in some political quarters.

In those circumstances, it is necessary to look at union organisation itself and to ask if the way that we are organised currently is the best that we can do? Is it in the interests of public servants that union organisation is fragmented when we deal with one employer? Is our method of organisation a barrier to an effective voice on behalf of Public Servants in promoting the value of public services and the people who provide them. Most importantly, will a new stronger organisation leave us better placed to protect our members against further attacks on their pay and conditions and, indeed, help to ensure restoration of services and income?

A New Union offers the potential to harness the numerical and intellectual strength of the members, activists, officials and leaders of CPSU, IMPACT and PSEU, into one, single, union for the majority of the 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. 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 employers 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 participating 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 new larger, stronger and more effective 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. One of these is that the existing unions have their own histories and identities and there may be a desire to retain what currently exists. Genuinely held fears such as the 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? Obviously, the answer is 'no' but the challenge is in determining if the histories and sense of identity can be merged to create a new narrative and new prospects.

Faced with the challenge presented by public service management, a more 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 population of 60 million, while Ireland also has 46 unions for a mere six 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. Fortunately, union density levels in Ireland, North and South, remain considerably higher than in Great Britain.

The 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 similar in its spread of membership to what is proposed in this project. Also, 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 ver.di 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 ultimately for our public servants. As a first step, three unions are still participating in the project. There remains the possibility of the two smaller unions, who have dropped out, re-joining at some stage, should they wish to do so.

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

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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.

What are the benefits of unity?

The purpose of this project is to create something better for all members.

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. The New Union will be the predominant public service union.

All members will be transferred with their existing branches and the union will have divisional structures for the various sectors. Within this framework, all grades across the three unions would be in one single union with the shared knowledge base and expertise that would mean. There would need to be new integrated union structures in the civil service and state agencies. The existing branch model and divisions in health, local government, education and municipal 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.

The New Union will have a single voice where necessary, but will be a union that understands and respects the identities that make up the whole. The New Union will be structured on the basis that all voices must have an opportunity to be heard and any fears addressed. Therefore, the interests of specific groups will not be ignored or disregarded.

Better, more focused communications do not



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.

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 today's challenging communications environment.

The combined financial resources would be one of the very obvious benefits of unity. Such financial muscle is not disregarded easily, 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 are downsides to any organisation and there are usually alternatives. However, there are reasons why this project is being pursued, rather than some of the alternatives.

It may be argued that a viable alternative would be a closer alliance of existing unions, short of the creation of a new, single union that contains three existing unions. This would allow existing unions to retain identity and would permit greater cooperation. However, crises over the years have shown that fragmentation on the union side and the absence of a predominant union only assists the employers in the balance of forces. The very fact of separate identities and different sources of decision making often acts 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 cooperation on a range of business. Nonetheless, the Staff Panel structure was not the relevant forum for 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 will change in the future as we face new challenges. The problem is that when groups of members face challenges, the issues become a problem for the union concerned rather than for the entire group. This project will provide greater protection for groups in such circumstances by creating a new predominant union that can put its full weight behind members.

The decision of the AHCPs and VOA to disengage from this project means that the inten-

tion of trying to form a single union for all staff who are in similar and related grades in the public service and beyond will not be realised immediately. However, this project is a first step in that direction and the option for those unions to re-join the project will remain.

The fact that the two smallest unions have chosen not to continue in the project at this time highlights the difficulties in creating a stand-alone predominant civil service union outside of a broader project to encompass staff across the public service – and beyond – with common or similar conditions.

The pooling of sovereignty, that is a consequence of any new union of the type being

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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, generates concerns about ethos and identity. Therefore, it is necessary to reassure and to allay fears. That is why the project will include proposals for an independent ombudsman to address complaints by individuals or groups.

Change often generates fear. However, local concerns have to be set aside by the huge challenges that face us. We need to equip members through a strong and more unified structure to avoid them being run over by powerful forces, who have gathered strength in the past decade.

It would be untrue to suggest that the problems that members face will go away just because of organisational change. Nor would it be true to suggest that the outcome of this project will ensure unity of response among public servants to the challenges that we face. However, a new union, as proposed, will offer more unity, better resources and improved focus. These will build on existing organisational strengths. Of all the alternatives, greater organisational unity would seem to represent the best arrangement to protect members.

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 inclination 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 over 80,000 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.

The new union will have an overarching narrative of defending its members in public discourse, rebutting unwarranted criticisms and advancing their interests through industrial relations, lobbying and campaigning.

Proposed Structures

Each of the divisions of the new union will be autonomous in respect of matters exclusive to that sector. By way of example, the civil service division would determine policy on civil service matters as will other divisions in respect of their divisional issues. In addition to the divisional structure, provision will be made for equivalent grade committees across the union (described below). All members will belong to branches which will continue to be the key unit of organisation. Union representative structures will be constructed from this foundation.

All branches will be entitled to attend appropriate conferences, submit motions and elect executives. The national union conference will determine policy, including policy on approaches to industrial relations priorities, for the entire union and divisional conferences will determine these policies for the individual sectors.

To facilitate this, the conferences will meet biennially, with the national conference meeting one year and each of the divisional conferences meeting during the following year. 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.

Improved service

The New Union will have regional offices. It will have a dedicated communications unit; a training unit; a research capacity; expanded legal services and improved IT services.

As it is agreed that it is only worth creating a new union if services and supports to members are protected and enhanced, service delivery standards will be maintained at a minimum and improved where necessary.

The New Union will have a service level contract between head office and members. This will give guarantees of service. Individual members or groups 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.

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.

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Civil Service Executive

Conference would elect executive members from the following constituencies – former CPSU, former IMPACT, former PSEU. 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 two vice chairs 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 (second conference).

Services and Agencies

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 em-

ployer, 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 divisional executive seats for six years.

Standing Orders

The Standing Orders Committee will come from all backgrounds.

Equivalent Grade Committees

There would be equivalent grade committees for clerical grades; for executive grades (4 to 7); and a committee for any other interested grades. It is intended that they all meet in seminars during the first year of the New Union. The grade committees will ensure greater co-ordination and consultation for members with similar pay and conditions issues across the divisions of the New Union.

It is envisaged that these grade committees will play a core role in advising the New Union on pay and 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. These committees will be an important addition in giving members in the same grades across the union an opportunity to advance their interests through greater unity and focus in respect of common issues.

Subscriptions

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.



Membership Benefits

The size and purchasing power of the new union will facilitate the exploration of new and/or enhanced membership benefit schemes, the details of which are being explored currently.

A democratic decision to be made by members

A final decision on participation in this project will be taken by the members of the CPSU, IMPACT and PSEU. It is anticipated that this decision will take place in 2017. The option of the others re-joining the project will be kept open, should they choose to do so, at any point.

In the meantime, work on developing the proposal will continue.

This work is taking place because it creates a possibility of establishing a new, strong, organisation that will be better than the three existing unions. If it is not possible to create something better then members will not agree to join the project, so in exploring this option every effort will be made to build a new predominant union that is capable of reflecting the wishes and needs of members and that has the strength, unity of purpose and means of protecting and enhancing work terms and conditions in an ever increasingly hostile climate.



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.

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**.



Notes

