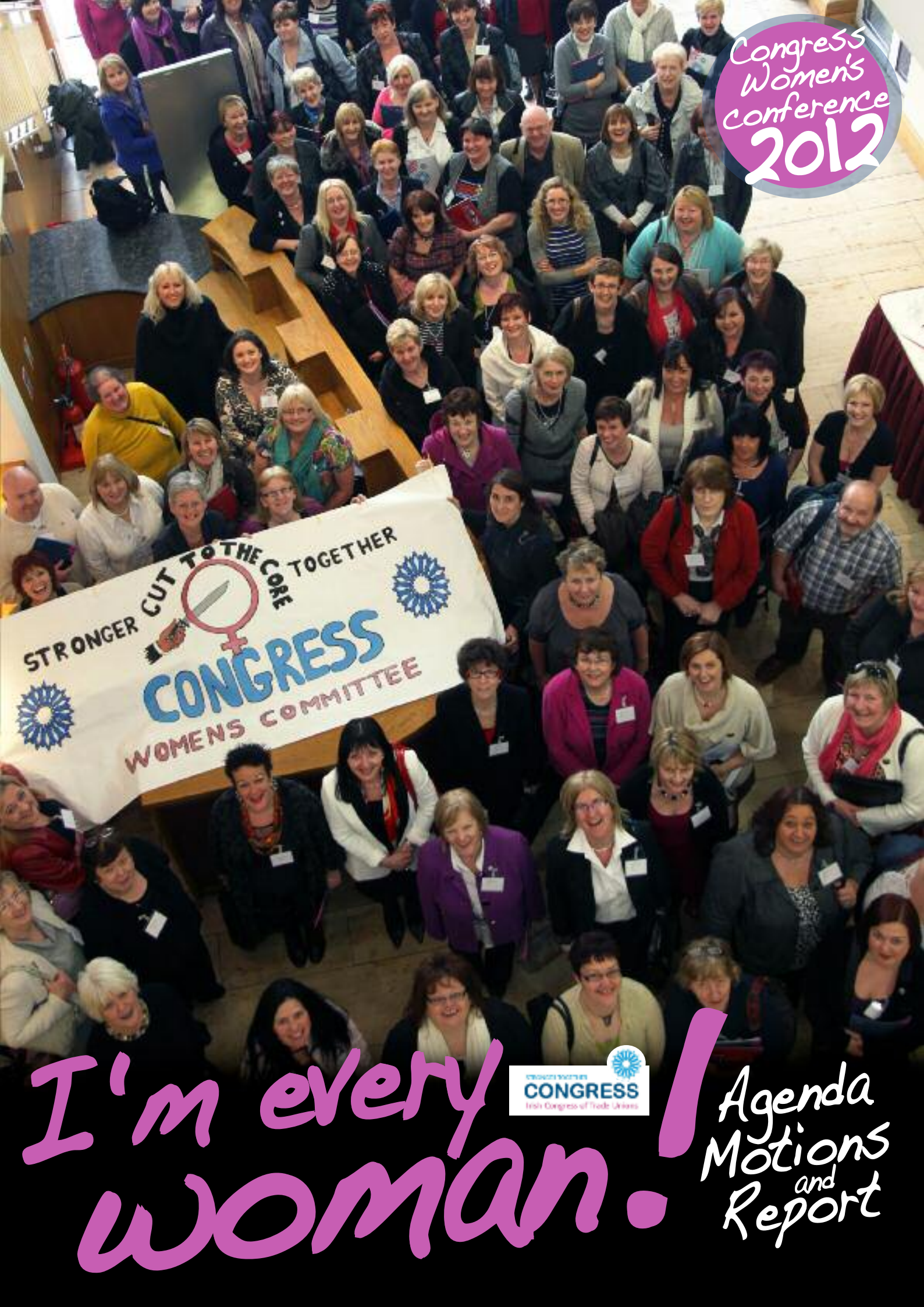


Congress
Women's
conference
2012



I'm every
woman.



Agenda
Motions
and
Report



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March for the Alternative image © Rod Leon



Irish Congress of Trade Unions Women's Conference March 2012

Belfast Declaration

We the Sisters of the Irish Congress of Trade Unions – an organisation that straddles political, social, religious and community differences on this island in a way that no other social organisation does – pledge to:

- ***Strive for full equality in civil society in Ireland, North and South, and to oppose discrimination on all grounds.***
- ***Lead by example in the call to union members to drive change and to promote the right to organise and collectively bargain.***
- ***Win hearts and minds for the objectives of the movement by connecting with union members, unorganised workers and civil society.***
- ***Develop a vision of social and economic rights with the citizens of this island for A Better Fairer Way.***

I'm every woman!



*Teamsters railway
worker in front of
steam locomotive 1941*

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*Teamsters
member on the
production line
at a Mallomars
factory 1950s*



Congress Women's Conference 2012

*'Bearing the brunt, leading the response:
Women and the economic crisis'*

Waterfront Hall, Belfast
1st/2nd March, 2012

Programme

6.30pm – 9pm Wednesday 29th February 2012 –

Pre Conference Reception and Buffet in Belfast City Hall.
Welcome by Deputy Lord Mayor of Belfast,
Councillor Ruth Patterson (tbc)

Thursday 1st March

10.00 Registration and Tea/Coffee

Session 1 Opening Session

11.00 Welcome and Introduction –

Carol O'Brien & Theresa Devenney, Joint Women's Committee Chairs

Margaret Browne, Chair of Conference Arrangements Committee

Lord Mayor of Belfast, Councillor Niall Ó'Donnghaile

Paddy Mackel, Belfast Trades Council

11.15 Opening Address: Avril Hall-Callaghan, Chair of the NIC ICTU

11.30 Keynote Address: Sally Anne Kinahan, Assistant General Secretary, ICTU

Session 2 Women in Unions

12.00 Motions on Women in Unions

EC Report

Appropriate Sections/Paragraphs

Report of Women's Committees

Appropriate Sections/Paragraphs

Voting on Motions and Agree Sections of Reports

Guest Speaker: 'Gender and the Capitalist Crisis'

Sylvia Walby OBE FRSA AcSS, Distinguished Professor of Sociology and UNESCO Chair in Gender Research, Department of Sociology, Bowland North, Lancaster University

13.00 Lunch

Justice for Colombia Fringe Meeting

Review of Irish Aid White Paper - 'Gender Equality and Decent Work' Fringe Meeting

Session 3 Women and Work

14.30 Motions on Women and Work

Guest Speaker: Supporting Women through the PETAL Programme

Michelle Morris, Equality Commission for NI

EC Report

Appropriate Sections/Paragraphs

Report of Women's Committees

Appropriate Sections/Paragraphs

Voting on Motions and Agree Sections of Reports

15.45 Coffee Break

16.00 Session 3 resumes

16.30 Economic crisis and the restructuring of wage setting mechanisms for vulnerable workers in Ireland, Guest Speaker: Dr Michelle O'Sullivan, Department of Personnel and Employment Relations, University of Limerick

17.30 End of Day 1

18.00 – 20.00

Fringe Meeting at Belfast Barge (next to Waterfront Hall)

"Lagan Lassies and Life" by Teresa Moriarty. Buffet and refreshments will be served.

Friday 2nd March

Session 4 Responding to Organising Challenges

09.30 Organising women in difficult times

Andy Snoddy, Organiseringsssekretariatet, 3F DK (Denmark)

Session 5 Women and Society

10.15 Motions on Women and Society

EC Report

Appropriate Sections/Paragraphs

Report of Women's Committees

Appropriate Sections/Paragraphs

Voting on Motions and Agree Sections of Reports



11.15 President of Ireland, Michael D Higgins

Introducing the President Patricia King, Congress Vice President

Vote of thanks to the President David Begg, Congress General Secretary

11.40 Bread and Roses Rendition

11.45 Mingling Opportunity

12.00 Close of Conference

*Aircraft construction
worker adjusts her
make-up 1944*



Proposed Motions for Women's Conference 2012

Women in Unions

Motion 1

Women in Trade Union Leadership Roles

Conference notes the ETUC resource guide "From Membership to Leadership: Advancing Women in Trade Unions" which addresses gender balance in Trade Union decision making roles.

Ten measures that Trade Unions can adapt to achieve gender balanced representation are identified in the resource guide. One in particular refers to preparing women for decision making and leadership roles. In that regard, training and mentoring for women can play a very important part in dealing with this need. Several initiatives have been put in place to provide training such as The Women at Work Skillnet, LIFT, and the Petal programme. Mentoring has also been identified in these initiatives, and could be developed more within the Trade Union movement. Accordingly, mentoring may be of great assistance in addressing the continued deficit of women in leadership Union roles if given a more strategic focus.

Therefore conference seeks that congress renews its efforts to address this deficit through developing mentoring and other targeted measures as required.

Communications Workers' Union

Motion 2

Women's Representation within unions

Conference notes the challenges in organising and engaging trade union members outlined in "A Call to Action", presented at the 2011 BDC in Killarney. As 2012, marks the 100th anniversary of the election of women leaders, such as Catherine Mahon as President of INTO, and Cissy Cahalan as President of the Irish Drapers Assistant Association (now Mandate), Conference calls on Congress and individual unions to

- Reaffirm their commitment to ensuring that women are effectively organised and represented in trade unions;
- Examine their practices and procedures to ensure that lay activist and paid official and elected roles are attractive and accessible to women, and those with caring responsibilities; and
- Ensure that all union activities are organised in a way that enables the widest possible participation of women and those with caring responsibilities.

Irish National Teachers' Organisation

Motion 3

Integration of Women

This Conference notes that a recommendation of "A Call to Action" - the Report of the Commission on the Irish Trade Union Movement is that increasing the level of density of trade unions in the Republic of Ireland and in Northern Ireland in terms of numbers of members and quality of union organisation is the key objective.

This Conference also notes the recommendation in "A Call to Action" regarding the integration of women in unions.

Conference calls on the Executive Council to identify successful strategic organising models for women workers and to formulate and mount campaigns aimed at organising working women into unions.

Further, the Executive Council should take the necessary steps to enhance the capacity of affiliates to identify and develop women leaders at workplace level and at all representative and decision-making levels in unions.

In tandem, Conference congratulates Congress on the publication of "I Came Here For..." and "Towards a Strategy for the Inclusion of Migrant Workers in Trade Unions." These publications will assist affiliates in adopting best practice in bringing about the integration of migrant women workers in union membership. The Executive Council should build upon this work and enhance the capacity of affiliates to identify and develop migrant women as workplace leaders and as leaders and decision makers in unions.

SIPTU

Motion 4

Supporting work of the Women's Committee

Conference recognises that the ICTU Women's Committee is uniquely placed to play a key role in the campaign for a Better Fairer Way with specific focus on women, for example:

- To highlight the impact of welfare benefits cuts and public service cuts on women at work and within wider society;
- To challenge the funding attacks on women's organisations in both jurisdictions;
- To press the equality enforcement agencies and human rights commissions, North and South, to challenge the discrimination, adverse impact and denial of rights being faced by many women at work and in society as a consequence of government and public decision-making and the discriminatory and exploitative actions of some employers, and
- To contribute to the unionisation and organisation of women workers across Ireland.

Conference therefore calls on the Executive Council and Northern Ireland Committee to:

- encourage all affiliates to support the work of the Women's Committee by participating in the Committee, and supporting and resourcing its work programmes and initiatives
- promote its recommendations at policy-making levels with government and public bodies,
- incorporate its recommendations in collective bargaining with employers,
- implement its recommendations in trade union initiatives on the organisation and participation of women members and
- develop our campaign with women in local communities.

UNISON

Motion 5

Human rights and equality impact assessment

Conference notes the work and activities of the Trade Union Commission to date.

Conferences notes that Congress straddles political, social, religious and community differences on this Island in a way that no other social organisation does.

Conference notes Congress has a vital role in bringing together the strength of Trade Unions into a formidable social and economic power with a tremendous capacity to mobilise support for its actions.

Conference notes the recommendation to formulate a new strategic plan to win hearts and minds for the objectives of the movement outlined in Article ii of the existing Constitution of Congress.

Conference notes that 51% of members affiliated to Congress are women.

To this end this Conference calls for an independent human rights and equality impact assessment to be carried out on all changes to the Congress Constitution and any strategic plans associated with those changes. Conference is particularly keen to highlight the impact on women.

Conference believes that this will be a positive step in supporting Congress objectives:

- To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.
- To strive for full equality in Ireland and to oppose discrimination on any such grounds as race, colour, nationality, or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.

Women's Committee (NI)

Motion 6

Equality and the Trade Union Commission

Conference notes the work and activities of the Trade Union Commission to date, and accepts the need for radical reforms of the way we do our business. We welcome the broad thrust of "A Call to Action", including many positive equality elements contained in the report agreed at the Congress BDC in July 2011:

- Reinforcement of the aim of the movement "to build an Irish economy that provides decent work and fulfilling lives for all its citizens".
- Acknowledgment of the increasing inequalities within and between countries exacerbated by the crisis;
- Acknowledgement of meetings and conferences/seminars of the Women's Committee;
- Acknowledgement of a strong trade union movement and need to strengthen in terms of membership, participation etc..
- Identification of need to find innovative ways to enhance the role of women and to attract young people into membership;
- The formation of a Strategic Organising Group that needs to ensure voice of women, youth, immigrants and minority groups are heard;
- The need for a short statement which would set out a vision of society and economics based on social solidarity and fairness;
- Formulation of new strategic plan and a review of Constitution of Congress.

Continued p14

Conferences notes that Congress straddles political, social, religious and community differences on this Island in a way that no other social organisation does.

Conference notes that Congress has a vital role in bringing together the strength of Trade Unions into a formidable social and economic power with a tremendous capacity to mobilise support for its actions.

Conference notes that 51% of members affiliated to Congress are women.

Conference notes the current Congress objectives:

"To ensure full equality in all aspects of employment opportunity and to oppose discrimination on any such grounds as race, colour, nationality or ethnic or national origins, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community.

To strive for full equality in Ireland and to oppose discrimination on any such grounds as race, colour, nationality, or ethnic or national origin, politics, religion, sex, age, disability, marital status, family status, sexual orientation, membership of the Traveller Community".

Conference notes that Equality is about creating a fairer society where everyone can participate and has the opportunity to fulfil their potential and where no one is denied opportunities because of irrelevant differences.

Conference condemns any attempt at an EU or governmental level to use the current economic crisis to attack hard won achievements in the areas of pay, working conditions and social protection or to weaken those institutions which seek to champion and progress equality and human rights.

Conference reaffirms the ambition of Congress and the Trade Union movement to achieve full equality on the Island of Ireland, and notes the necessity for unions to organise around the equality agenda both at the level of the workplace and nationally in order to protect and advance economic and social rights.

Conference notes that to realise its aims, the Trade Union movement must be committed to the strategy of mainstreaming equality and ensure that its strategies and plans are relevant and sensitive to the experiences of different groups. Conference also acknowledges the need for specialist expertise relevant to a range of groups, including women, people with disabilities, ethnic minorities and lesbian, gay, bisexual and transgender people. Conference therefore calls for a commitment to the mainstreaming of equality – "the systematic integration of an equality perspective into the everyday work of trade unions, involving policy makers across all trade union departments, as well as equality specialists and external partners" - in all of our work."

Conference reasserts that Equality be specifically named and be a fundamental part of any new Congress plan and constitution. To this end this conference calls for a human rights and equality impact assessment to be carried out on all changes to the Congress Constitution and any strategic plans associated with those changes. Conference is particularly keen to highlight the impact on women.

Conference affirms the current process agreed by Congress equality related committees to draw up an equality action plan for submission to the Executive Council that will detail the organising case for trade union engagement with equality issues and how such a planned and systematic approach will help strengthen and renew the trade union movement into the future.

Women's Committee ROI

Women & Workplace

Motion 7

Restoring Pay Parity

ICTU Women's Conference calls on ICTU to acknowledge that the recently imposed salary cuts of up to 14%, in tandem with the reduced pension benefits for new entrants to the wider public service impact disproportionately on young and / or females at the start of their career and should be one element in any campaign to restore parity between different employees.

ASTI

Motion 8

Women and Mental Health

ESBOA calls upon this conference to ask Congress to recognise the importance of addressing depression and various mental health problems in the workplace. According to AWARE, women are three to four times more likely to experience depression and anxiety than men. This can be partly explained by women's continuing economic and social inequality. Women are more likely to live in poverty as the work they do is unpaid and undervalued. Women are also more likely than men to undertake unpaid work at home including taking primary responsibility for childcare and aging parents.

At a time when women's unemployment is at a 23 year high and women are shouldering the burden of all the budgetary cuts in this deep economic recession, they are coming under increasing personal, financial and social pressure. It is now becoming more difficult to negotiate hours that fit with caring responsibilities as staffing budgets have been cut and employers look to members to change established working patterns to suit the needs of the business. Working options such as work life balance, flexitime, job sharing and part-time arrangements are becoming increasingly difficult to negotiate.

Financially women are also feeling pressurised as opportunities to work beyond core hours are limited and social security payments and supports have been cut or withdrawn.

Therefore Conference calls on Congress for:

1. A programme on mental health awareness in the workplace and to develop a strategic approach to this issue to be adopted by affiliated trade unions.
2. Unions to ensure their work on mental health acknowledges the work issues and the needs of women workers.

Electricity Supply Board Officers' Association

Motion 9

Campaign to restore the JLC system

Mandate calls on conference to condemn outright the outrageous campaign of misinformation waged by vested employer interest groups in retail, hotels, restaurants and other service sectors against the decency threshold which is the Joint Labour Committees System in the Republic of Ireland. The employers attack was characterised by falsely portraying service workers as somehow a privileged group receiving vast sums of earnings through the payment of overtime, Sunday premium and shift allowance in addition to their basic hourly rate, and in so doing making businesses unsustainable and leading to job losses.

Nothing could be further from the truth. Recent research for the University of Limerick has shown that over 300,000 private sector workers earn less than €10.86 per hour (including all additional payments) and that the level of overtime working is on average less than one hour per week per worker. The sad reality is that Ireland is a deeply unequal society where the work of service workers, predominantly women in JLC sectors is undervalued and underpaid.

This conference commends the fight for decent jobs and a decent living wage and calls on all unions and their members to vigorously support a campaign to restore the JLC system.

MANDATE

Motion 10

Pensions Act

This conference condemns the actions of the Government of the Republic of Ireland in amending the Pensions Act to enable employers to steal benefits from pensioners.

Conference calls on the Congress Executive to organise a campaign of resistance against this larceny and to reverse the scandalous actions of the Republic of Ireland Government.

NUJ

Women & Society

Motion 11

Welfare Reform Bill

Motion from the Belfast and District Trades Council for the ICTU Women's Conference

Conference opposes the introduction of the Welfare Reform Bill by the UK Government. The changes being made will fall heavily on the shoulders of many women who have to manage the household budget. In particular, we oppose the introduction of the Universal Benefit, the proposals to charge single parents for using the Child Support Agency and the benefit cap on the Child Benefit.

Belfast District Trades Council

Motion 12

Gender sensitive response to crisis

Conference notes the adverse impact on women's lives by the decisions taken by the governments of these islands to deal with the global financial crisis.

Women tend to be harder hit by spending and benefit cuts because women use public services more intensively than men- they use them to meet their own needs, which are greater than those of men, because of pregnancy, longer life expectancy and lower earnings and assets.

Women also use public services more intensively than men to assist them in managing care responsibilities, especially those that provide care services, for children, for elderly people and for sick or disabled people.

Women are also the ones who are likely to pick up the extra unpaid work that cuts in public services will entail for families.

Low income mothers, who are the managers and shock-absorbers of poverty, will be among the main losers.

We cannot permit our achievements in equality to be sacrificed for economic expediency.

Conference calls on the Congress Women's Committee and affiliates to act locally and globally to strengthen our partnerships, relationships and networks to ensure government policy responses to the economic crisis take account of gender equality perspectives.

CWU (UK)

Motion 13

Strategy for women's employment

"The Government's savage austerity programme is hitting women hard: cuts to their jobs, cuts to the benefits and services supporting women's everyday lives, and a growing likelihood that women will be the ones left 'filling the gaps' as public services are withdrawn.

This triple jeopardy is turning back time on women's equality. It is pushing women out of the workforce, driving down women's incomes and undermining women's hard won rights to protection from violence and access to justice.

Women on average earn less, own less and are more likely to work and retire in poverty than men. They can ill afford to bear the brunt of these cuts. It is those who have the least to lose – women who are unemployed or on low incomes, pregnant women, families, single mothers and pensioners, victims of sexual, domestic or other violence – who will suffer most.

We call on Congress to put pressure on the Government to urgently develop and implement a strategy for women's employment. We also call for a review of policy on work, welfare, pensions, health, childcare and justice that considers how the cumulative impact of these policies affects women's daily lives and addresses the inequalities identified.

NIPSA

Motion 14

Sex Trafficking

The TEEU welcomes the support & development that have been achieved since our original motion was passed at the Biennial Women's Conference in Belfast, 5th-6th March 2010. However, while discussions are taking place on the necessary changes in legislation, resistance is in evidence from many quarters. Therefore, conference resolves that the TU movement should redouble its efforts in winning support for this important campaign, as the human trafficking and the exploitation of adults and children in the "sex industry" is contrary to basic human rights and in contravention of ILO Conventions.

Technical, Engineering and Electrical Union (TEEU)

Motion 15

Investment in Education

Current Government policies are creating an unequal society by targeting the most vulnerable students. Congress calls on the policy makers in both jurisdictions to commit to targeted investment in Education in order to:

- Promote, encourage and sustain economic recovery
- Promote equality of opportunity for all.

TUI

Motion 16

Austerity having detrimental impact on Women's health

This conference notes the devastating impact of our governments cost cutting to services which primarily impact on women's health. It calls on ICTU to lobby both governments in Ireland to take steps to ensure that the economic downturn is not used as a justification to undermine a women's right to proper healthcare.

To date we are experiencing cuts to funding for:

- Domestic and sexual violence organisations
- Provision of caesarean sections
- Maternity services
- Changes to the Health & Social Care Bill
- Mental Health provision
- Welfare reform

It is difficult to envisage how such huge cuts to the Health budgets won't have a devastating effect on the lives of those most in need of a Public Health Service, women and children.

Conference calls on the ICTU to engage in a campaign involving all affiliated unions to shame our governments into providing effective Health provision for women and put a stop to this continued attack on women's basic rights to Health.

UNITE

Motion 17

Pension benefits for women workers

The Congress women's conference calls on the ICTU Executive to devise a strategy to improve the pension benefits for women workers, taking into account some women's reduced workplace attachment due to childcare and other caring responsibilities.

Irish Nurses & Midwives Organisation

Motion 18

Review of the White Paper on Irish Aid

Irish Aid is the Government's programme of assistance to the poorest people in the world. It is Ireland's contribution to the fight against global poverty and a practical expression of our values as a nation.

Ireland's White Paper on Irish Aid was published by the Government in September 2006. A statement of Government policy, the White Paper places the cause of development at the heart of Ireland's foreign policy and articulates the guiding principles of the aid programme. Conference notes the Review of the White Paper on Irish Aid, one of the commitments contained in the Programme for Government.

Conference notes Irish Aid's practical support for decent work through its support of the International Labour Organisation and our Development Education work.

Conference notes that Gender equality is a policy priority for Irish Aid as outlined in the White Paper and Irish Aid's 'Gender Equality Policy' (2004) which aims to support the achievement of gender equality as an essential component of sustainable human development, in particular to

- Advance equal rights for women and men,
- Eliminate gender inequalities in access to, control of, and benefit from services;
- Support women's equal participation with men in political and economic decision making.

Conference calls on Congress and Affiliated Trade Unions to engage with the consultation process and to make the case that our goals of decent work, living wages, workplaces free of discrimination, child and forced labour, decent public services and the promotion of equality and justice can make a big contribution to eliminating poverty when won. This is the ultimate aim of the millennium development goals. Any revision of the White Paper should emphasise the important contribution of decent work and gender equality to these goals.

Cork Council of Trade Unions



Laundry workers were among the first Teamsters women 1912

Executive Council Report – March 2010 to February 2012

- 1. Introduction**
- 2. Women in Trade Unions**
- 3. Women in the Workplace**
- 4. Women in Society**
- 5. Appendix A: Report Motions from 2010 Conference**
- 6. Members of the Women's Committee**

1. Introduction

It has been a challenging time since we last came together for our Women's Conference in 2010. Unions around the world have continued to have some successes:

- Improving the lives of thousands of young women by recruiting them into the movement;
- Working intensively with Arab women to help them get their voice heard;
- Contributing strongly to a new ILO Convention on domestic workers and drawing attention to the overrepresentation of women in precarious forms of work;
- Women taking the lead in challenging redundancies and closures in the retail industry;
- Women to the forefront of the protests and organisations against cuts to public services, jobs and pensions.

But of course, we continue to be engulfed by the economic crisis and its devastating impact on workers. Women and men all over the world share a strong feeling of injustice, the injustice of a system that serves the interests of a few and leaves ever growing numbers out in the cold. Any hopes of a window of opportunity in 2008 when the absurdity of the financial system came to light, have since faded as nearly four years later, the paradigm remains the same and workers are asked to pay the bill and trade unions considered a nuisance. Young people are disillusioned and women, as usual, suffer most. They are the biggest losers to the cuts in public services and social provisions. In the Global Report on Equality at Work 2011, the International Labour Office (ILO) noted that in spite of continuous positive advances in anti-discrimination legislation, the global economic and social crisis has led to a higher risk of discrimination against certain groups such as migrant labour.

"Economically adverse times are a breeding ground for discrimination at work and in society more broadly. We see this with the rise of populist solutions", said ILO Director-General Juan Somavia, adding that "this threatens painstaking achievements of several decades".

The report, entitled "Equality at work: The continuing challenge", cites equality bodies which receive increased numbers of complaints, showing that workplace discrimination has become more varied, and discrimination on multiple grounds is becoming the rule rather than the exception.

A report for International Women's Day (2011) by the International Trade Union Confederation shows the second wave of the global crisis is hurting Women. Women are facing higher unemployment, underemployment and reduced working hours as a second wave of the global economic crisis impacts female employment. The report, "Living With Economic Insecurity: Women in Precarious Work" shows that while the initial impact of the crisis was equally detrimental to men and women, increasing numbers of women are now either losing their jobs or being forced into more precarious, temporary, and informal forms of work. Globally the official unemployment rate for women of 7% masks a harsher reality, with a massive increase in the numbers of "working poor", those, mainly women, whose jobs do not provide enough to meet basic needs.

The TUC is also highlighting the disproportionate effect that the global economic crisis has had on women all over the world. It has affected women in the developed world very differently to how it has affected women in developing countries, but in the north and the south it is women who are bearing the brunt. We heard stories from women all around Ireland at our Women's seminar in Cork in 2011 which bore witness to these facts. 'Bearing the brunt, leading the response: Women and the global economic crisis', a collection of stories, articles and case studies from individuals, unions and NGOs provides inspiring reading.

In this report we make reference to two specific, recently published pieces of work in Northern Ireland, Women in Northern Ireland, produced by the Northern Ireland Statistics and Research Agency, (Department of Finance and Personnel), which provides factual figure where women are in society and 'The Northern Ireland Economy: Women on the Edge?' which involved Congress Women's Committee working with our partners in the women's sector and the Women's Resource and Development Agency (WRDA), www.wrda.net. It is a comprehensive analysis of the impact of the financial crisis on women. The gender analysis of the budget carried out by TASC in the Republic provides similar evidence there.

We cannot but be inspired by the struggles of women from all around the globe and hope that this conference reinvigorates all of our efforts to actively pursue women's rights in society, in our workplaces and within our trade unions.

We are delighted and honoured that our work is being granted recognition by the presence of the President of Ireland, Michael D Higgins, at our conference and hope that you have a productive and enjoyable few days in Belfast, celebrate our successes, set our agenda for the future and return to your unions and workplaces feeling renewed and empowered to further success.

The following is a report on the work of Congress and the Women's Committee in pursuit of our objectives for a fairer and more equal society – a Better Fairer Way – since we last met.

2. Women in Trade Unions

The results of the first equality audit, contained in the report of the Executive Council to the 2010 Women's conference showed that:

- In terms of paid staff, a significant gender divide at the higher levels, with a higher percentage of men occupying the higher roles, and a higher percentage of women occupying administration positions. In general there is a 60-30 split between men and women – with this pattern being replicated at the level of officials. The administrative positions have a majority of 85% women; however at the levels above official, this is reversed.

- This pattern is replicated in the statistical information on trade union membership and elected officials, with a higher percentage of men in highest position of president, however at the level of shop steward, there gender divide is more equally split between men and women.

- In relation to shop stewards, there are slightly more women active than men, however, at the more senior level of National Executive, this is reversed. At the level of vice president there is a more even split between men and women, however, at the level of president the divide is 78-22. Then Congress President, Jack O'Connor, welcomed the fact that we now have these findings, recognised the challenges they pose for us as a movement, and committed Congress and the movement to continue to progress our commitment to achieving gender equality in our programmes and structures. This means developing strategies and putting in place actions to improve the progression of women to senior official and leadership roles across the trade union movement ; developing and converting women's activism into meaningful opportunities to participate effectively in steering and leading the movement. Congress will repeat the audit in 2012.

Congress, affiliates and the Women's committee continued to engage on the issue of women within trade unions, including:

the 2010 ETUC project "From membership to leadership: advancing women in trade unions" which makes a strong case for a renewed and strategic approach to achieving gender balance in decision-making and leadership structures, as a basis for union democracy and for realising gender equality at societal, economic and political levels. A resource guide has also been published to spread good practices cases (including from Ireland North and South) collected via this project and to support affiliates' efforts to achieve gender balance.

ETUC Ten Point Plan

1. Make the argument for gender balance as a core union priority.
2. Actively promote gender equality at all levels of the organisation through gender mainstreaming.
3. Introduce statutory rule changes on gender balance.
4. Prepare women for decision-making and leadership roles.
5. Engage men to build a consensus for balanced gender representation.
6. Address the image and culture of unions.
7. Build union organisation so that women's activism, involvement decision-making roles exists at all levels of the union.
8. Ensure that trade union organisations promote gender diversity through their own internal human resources.
9. Provide gender disaggregated data.
10. Take a strategic approach and develop concrete actions plans to improve gender balance

The Women at Work Skillnet, established in 2008, continued to provide customised training programmes for vulnerable groups of women involved in the retail, financial services, communications and healthcare sectors, at no cost to the participants. This was achieved through the investment of matched funds by Congress and each Union representing those groups of women workers. The aim of the network is to up skill, re-skill and develop the personal confidence levels of women through training and networking in order to develop their business skills base, to assist them in making their careers a success and enhance organisational competitiveness. This ultimately optimises their contribution to the labour market and the economy. Women at Work Skillnet is spearheaded by five Trade Unions, Mandate, CWU, IBOA INMO and SIPTU together and Congress.

There is a powerful shared ethos within the Women at Work Skillnet that all participants should feel empowered to know that they can make a difference and will commit themselves to enhance their opportunities in their working lives. Women at Work Skillnet has established a level of trust and cohesiveness that has resulted in members sharing facilities, equipment and training events,

and a number of collaborative training opportunities and effective networking for members have resulted. Among these was a major Women in Leadership Programme specifically designed for Women in Trade Unions which had the following aims

- To grow and develop the cadre of women leaders within Irish trade unions
- To strengthen capacity among women leaders to influence at a strategic level within their own Union and the movement in general
- To build on the positive outcomes of the earlier EU funded LIFT Programme and to increase the network of women trade union leaders in Ireland.

Congress has subsequently applied successfully for a trade union skillnets programme for trade union education and training which includes a major equality component, including Women and Leadership.

Progressive Equality Training and Learning – PETAL

Launched in 2010 the PETAL Programme proved highly popular and successful with union representatives. The 2011/2 programme was expanded and launched with a wide range of activities and learning opportunities. PETAL aims to develop greater awareness and expertise on equality issues among trade union representatives and officials. Speakers at the launch included Peter Bunting Congress AGS, and Evelyn Collins Equality Commission Northern Ireland Chief Executive. Ms Collins commented:

"The Equality Commission welcomes this opportunity to work in partnership with the Northern Ireland Committee of the Irish Congress of Trade Unions on the latest PETAL training programme. Addressing equality issues in the workplace is a crucial part of the Commission's work to promote equality of opportunity for all.

"We devote considerable resources to providing advice and guidance on employment equality matters through our Employment Development Division, as well as advising and assisting potential complainants on issues of discrimination.

"The contributors to this programme have a wealth of experience and knowledge in their fields and I trust that all those who participate will find it of real value in the important task of trade union representation".

Peter Bunting, Assistant General Secretary, ICTU, added:

"When recession strikes the economy, there are always calls for tough measures. Invariably these measures tend to be tougher on the already weak and vulnerable, rather than the secure and comfortable. Essential rights and protections are treated as luxuries that we can no longer afford.

"That is why we hear so much about the evils of the Human Rights Act and Health and Safety, usually from people with a strong material interest in undermining such basic protections for all working people.

"Initiatives like the PETAL Programme are needed now, more than ever. Those who take part in this programme will learn skills and knowledge which will benefit not only the direct participants, but also their co-workers. This is an education exercise whose real results will not be measured in Grades of A-D, but in the long term welfare of their workplaces, with benefits accruing to both employers and employees. It is an empirical fact that happy workplaces, where workers are treated with dignity and respect, are more productive leading to greater financial benefits for all.

"The PETAL programme is not about participants as passive consumers, but as active citizens. The recession we are in is no excuse to stop campaigning for safer workplaces and greater equality, despite the Nay-Sayers. On the contrary, this time of economic crisis and its real causes ought to make us more determined to advance the interests and agenda of working people and their families. We in the trade union movement must treat the present crisis as an opportunity to re-invigorate our commitment to equality, diversity and solidarity. PETAL is a vital component of that commitment. Be part of it."

National Women's Strategy and Women in decision making

A Sub-Committee was established by the NWS Monitoring Committee to advance Objective 14 of the National Women's Strategy "To increase the number of women in decision-making positions in Ireland". Congress played an active part in its work. The work of the Sub-Committee focused on the five key areas of decision-making promoted by the European Union and the Council of Europe - Management roles in Private and Public Sector employment (including trade unions), Corporate Boards, State Boards, Politics, the Diplomatic Service and the Judiciary. The Sub-Committee met on nine occasions in late 2010/2011 to examine the relevant literature in each of these areas of decision-making and to hear evidence from a number of expert speakers.

A Report on the five areas of decision-making examined by the Sub-Committee, along with a series of recommendations on how to increase the representation of women in each of these areas, has been finalised at the level of the Sub-Committee and will be submitted to Government for approval and publication in spring 2012.

The need for the work is graphically illustrated by the 2011 CSO report on men and women in Ireland, which shows that women are under-represented in decision-making structures at both national and regional levels. In 2011, only 15.1% of TDs in Dáil Éireann were women, while they accounted for just over a third of members of State Boards, less than a fifth of members of local authorities and just over a third of the membership of Vocational Education Committees. The average representation in national parliaments for EU countries was nearly a quarter in 2011

Women in Leadership in the Trade Union movement:

It is very important that we have women role models in leadership positions throughout the movement and there have been very positive developments in this regard during the period.

The second International Trade Union Confederation Congress concluded in June 2010 with the election of Sharan Burrow as General Secretary of the ITUC. Ms Burrow, the first woman General Secretary for the ITUC later participated at the Congress BDC in Killarney in 2011.

The ETUC also elected a woman General Secretary, Bernadette Segol, in May 2011. Ms Segol also addressed the 2011 Congress BDC.

In April 2011, the NUJ elected its first woman General Secretary, Michelle Stanistreet, who took up her new role in July 2011.

They join a number of women in leadership roles across the movement including:

Patricia King is Vice President of Congress and Vice President of SIPTU, one of the three most senior full-time officials in the union and deals with industrial policy; Under a rule introduced at the centenary conference of the Union in 2009 each gender must be represented at national officer level from 2012.

Sally Anne Kinahan is Assistant General Secretary of Congress.

Sheila Nunan is General Secretary of the INTO and on the General Purposes Committee of Congress.

Pamela Dooley (UNISON); Avril Hall - Callaghan (UTU) and Chair of NICICTU; Patricia McKeown (UNISON) and former Congress President; Maria Morgan (NIPSA); Phil Ni Sheaghda (INMO); Louise O'Donnell (IMPACT); and Marie Sherlock (SIPTU) are all on the Congress Executive Council.



Congress Women's Committee:

The Women's Committee is one of the longest standing formal committees of Congress and continues to provide an opportunity for women in the movement to meet and discuss union agenda through a gender lens. The committee was reconstituted in 2010 (Full list Appendix B) and the following were elected Officers of the Committee:

- Carol O'Brien (UNITE), Chairperson;
- Maire Mulcahy (ASTI), Vice Chair;
- Margaret Browne (IBOA), Secretary.
- Taryn Trainor, UNITE, Chairperson;
- Theresa Devenney (ATL), Vice Chairperson;
- Teresa Graham (NASUWT) Secretary.



Sadly missed: Liz Mulvey

It is with great sadness that we report the passing of our Committee member, Liz Mulvey (CPSU) who died in 2011.

The major initiatives during the period were the organisation of a national conference in 2010 and a seminar in 2011. The conference was held in Belfast and themed "Building Equality into Recovery". Nearly 200 trade union delegates and guests attended. Congress President Jack O'Connor addressed the conference and there were a number of guest speakers including:

- Diana Holland, Chair of the ITUC World Women's Committee;
- Eileen Lavery, Head of Strategic Enforcement, Equality Commission, Northern Ireland;
- Monica O Connor, co-author of Trafficking for Sexual Exploitation Report for Immigrant Council of Ireland;
- Hella Alikuru, IUF Africa Regional Coordinator and visiting Ireland for Fairtrade Fortnight;

There was also a showing of a DVD outlining the history of the Women Worker's Union of Ireland. A report on actions in relation to the motions passed at the conference is contained in Appendix A. The seminar in 2011 in Cork focused on the effects of the crisis on Women and the development of a trade union response. The conference had presentations from the United States and Colombia and also focused on Ireland's first examination of its human rights performance under the Universal Periodic Review. Congress Women's Committee and the Trade Union Friends of Palestine also celebrated International Women's day in 2011, linking up live, through satellite with Lana Naem Ragheb Shaheen-Dghish, a woman journalist in Gaza.

The Committee also hosted the Council of the Isles Women's Committees in Derry in November 2010 where more than 60 Women Trade Union Leaders vowed to continue to resist senseless and unjust Austerity Measures throughout the UK and Ireland. Delegates heard how austerity budgets being implemented in England, Wales, Scotland, Northern Ireland and the Republic of Ireland were affecting women disproportionately and how this was also bad for the economy and our society.

The event was preceded by presentations to graduates of the PETAL and Women in Leadership programmes in the Guildhall. Deputy First Minister Martin McGuinness was guest speaker and made the presentations.

In the introduction to the report of the Council of the Isles, Congress Equality Officer, Pauline Buchanan reflected on the achievements:

"The Women's Council of the Isles has the reputation of being an exceptional and invaluable networking opportunity for women in the trade union movement, community and broader women's movement. I am delighted the event in Derry has lived up to the high standards expected.

"As our community continues on the journey of transformation from conflict it was particularly pleasing to host the event in the historic City of Derry. Those who attended the event in the Guildhall or took a "Walk on the Walls" heard of the strong link with the city in the struggle for rights – Women's Rights, Civil Rights and Human Rights. Ours is a true global economy based on the commodities of equality and justice, based on the needs of the workers of the globe. One which challenges exploitation and inequality – not because it is financially profitable but because it is morally correct.

"We must be judged by what we love and care for and not what we have and what we own.

The challenges we face cannot be lessened stalled or minimised because of what has been labelled an economic downturn. This financial eruption is not part of nature or the needs of the planet.

"It was not created by: Lone parents struggling on a minimum wage, or workers on Job Seekers Allowance trying to secure employment, or house holders trying to keep a roof over their head, or pensioners fighting fuel poverty.

"It was man made – no apology for using that politically incorrect term – banker made – driven by greed and ignorant to the needs of those who are now required to bail out and rescue a discredited system of politics and finance.

"We need to address the current and new challenges by every means possible. The history of the trade union and womens movements tell us the politics, justice and legal systems of these islands can not be relied upon on their own to deliver fairness."

The Committee published a revised set of guidelines for trade unions in order to assist women at work who are experiencing domestic violence. The workplace can play a key role on raising awareness about domestic abuse. We know for many women work is a place of safety where they may confide in others about their experiences and where they can access help.

In May 2010, about 30 people, including 10 members of the Executive Council of Congress, attended a roundtable discussion hosted by the Women's Committee at Liberty Hall. The purpose of the event was for members of the Executive Council, and key representatives of other Congress Committees to meet with members of the Women's Committee to explore common issues of concern and to assess how we can work better together into the future.

Chaired by Sally Anne Kinahan, speakers included:

Susan McKay, Director of the National Women's Council;

Patricia King, Congress Vice President.

Clare Treacy and Taryn Trainor (then Joint Chairs of the Committee) also gave short overviews of the activities of the Committee. This was followed by a discussion on the best way forward.

The Committee have continued this work by engaging with the Trade Union Commission, including meetings with Philip Bowyer of UNI, who also attended Women's Committee events. The Committee also participated in the formulation of a submission to the Trade Union Commission which made the case that trade union engagement with the broad equality agenda is not only the right thing to do but also provides us with many opportunities to recruit and organise new members; to further the Irish Trade Union Movement's desire to act in a more collective way; and further assist in better positioning of the Irish Trade Union Movement. They called for further collaboration on recruitment materials aimed specifically at women workers and that loudly proclaim advantages of union membership. The Women's Committee seeks trade union 'buy in' and commitment to plan for this on the basis that programmes which embrace the needs of women workers may assist recruitment and a programme that is actively and visibly worked on may well emphasise the relevance of trade unions and engender greater participation.

Suggestions from members of the Women's Committee as to how individual unions can advance these goals include

- Equality proofing all policies, procedures and agreements – proposed in some unions, adopted in others.
- Training and capacity building.
- Review own structures to see that they are 'fit for purpose'.

- Increasing participation rates amongst lay members so that they are part of the lobby.
- Common message in publications.
- Positive media messaging.
- Inviting members to indicate areas of interest and areas within which they might wish to participate and not confining membership engagement to traditional offices and roles.
- Common motion at AGMs which could give focus to specific dimension of equality

Members of the Women's Committee continue to represent Congress on various bodies., and have input to a high level within Government on issues crucial to women.

NIWEP – The Committee has been represented by Maria Morgan (NIPSA) and latterly Vivien Holding (CWU). NIWEP co-ordinated meetings around the Northern Ireland Inquiry – Call for Written Evidence on UN Security Council Resolution 1325. Members of the Women's Committee attended the meetings and had substantial input. The committee endorsed the submission made by NIWEP and also made a submission on the topic. The committee are updated on the NIWEP meetings on a regular basis.

Domestic Violence Partnership (DVP) – Three members of the committee sit on various working groups of this body. Margaret McKee (Unison), Geraldine Alexander (NIPSA) and Taryn Trainer (Unite). The partnership has a wide range of participants, the aim is to develop a comprehensive package of support and care for those affected by domestic violence. Further aims of the group are also to develop strategies around prevention, education and better policies in the workplace, through public services and schools. The committee are updated on a regular basis on the work being carried out.

DVP also recently ran a seminar on their work for Trade Unionists, the seminar was very well attended and the feedback excellent. Training has now been included in the PETAL programme on domestic violence, this training is facilitated by Women's Aid.

The Chair of the committee Taryn Trainer also met with the Justice Minister and raised questions around Legal Aid and the payment around non molestation orders.

Trafficking – The committee continue to work with partners around this issue. A major piece of research by the Anti Trafficking Monitoring Group 'Wrong Kind of Victim – An analysis of UK measures to protect Trafficked Persons' took place in 2010. Members of the committee attended meetings with the researchers. Amnesty and Congress then launched the research as a joint venture.

The committee will continue to work on this topic and are in discussion with Amnesty regarding further research to be carried out in NI.

Congress Jobs and Services Committee – The committee are represented by the Chair Taryn Trainer.

Congress Equality and Human Rights Committee – The committee are represented by the Chair Taryn Trainer.

Bill of Rights – The committee made a submission to the consultation 'A Bill of Rights For NI: Next Steps'. In the response the committee made clear the need for a strong and inclusive Bill of Rights for women, in particular it was highlighted that we would pursue vigorously social and economic rights.

The committee are pleased that the Bill of Rights training facilitated by the Human Rights Consortium is included in the PETAL programme.

ETUC Women's Committee – The committee continue to be updated on the ETUC Women's Committee programme of work. The committee have a direct input to the work via the Officer

Pauline Buchanan on sits on the ETUC Committee.

Women and Leadership – This topic remains a priority for the committee. The accredited Women and Leadership training has proved to be very popular. The committee are pleased that three eight week programmes will be run this year.

Members of the committee also participated in training with women from cross community groups. The training took place in Letterkenny with 30 women attending. The event was run in partnership with North Antrim Community Focus.

OFMdFM Gender Advisory Panel – The committee are represented on this committee by the Officer Pauline Buchanan. Topics recently discussed include Programme for Government, S.75, Gender Equality Action Plans, Strengthening Women's Voices in Government and sexual orientation.

International Women's Day – The committee continue to host the event and as recorded in the report, have hosted a number of international speakers and performers over the last 2 years. Plans for the 2012 event are under way.

Council of the Isles – The committee continue to be well represented, following the meeting in Derry a further meeting took place in 2011 in Edinburgh, topics included Women and the Budget Cuts, Trafficking, Women and Equality Toolkit and Women and Education. The committee were hosted at the Scottish Parliament and met a number of women SNP's. The 2012 meeting will take place in Wales.

The Women's Committee at Congress BDC 2011

Margaret Browne, Secretary of the Congress Women's Committee addressed delegates at BDC 2011 in Killarney. Margaret Browne addressed the delegates at the BDC in Killarney, July 2011. In a wide ranging speech, she outlined the work of the Committee supported by Congress Equality Officers, David Joyce and Pauline Buchanan. In particular she highlighted the Committee's support and actions in support of the Turn Off the Red Light campaign which seeks to highlight the trafficking of women into Ireland for sexual exploitation and to campaign for legislation to criminalise those who buy sex from these vulnerable women. Her speech attracted the attention of a visiting observer, Michael D Higgins, who was then campaigning to become Ireland's next president. The Committee stayed in touch with Mr Higgins throughout the campaign and also wrote to congratulate him on his election in November 2011. We are delighted that now President Higgins has agreed to address this conference on 2nd March 2012.

Turn off the Red Light Campaign

As a result of a motion passed at our conference in 2010, we eagerly took up work on this issue since then. Denise Charlton (CEO of Immigrant Council of Ireland) met with trade union leaders and was keynote speaker at TEEU BDC in November 2010. Eamon Devoy, General Secretary of the TEEU and David Begg Congress General Secretary were among the main speakers at the "Irish Men Call For An End To Sex Trafficking And Sexual Exploitation" meeting at Buswells Hotel in February 2011. Sister Stanislaus Kennedy also addressed the ICTU Conference in July 2011 in Killarney. Unions have been in frequent contact with the campaign about progressing the necessary changes to the legislation. Unions have also made substantial financial contributions to the TORL Campaign. Margaret Browne, Secretary to the Women's Committee represents the Committee on the campaign steering group.

Members of the Committee attended the Seanad debate in October 2011. Subsequently, the Minister for Justice released the Departmental report that was written after the Departmental study trip to Sweden in Sept 2010. TORL have described it as "a poorly written piece, quoting a lot of critical comments on the Swedish law". TORL have expressed concern that a report of this quality

has informed the Minister's response. They are happy that the Minister has committed to a time frame and developments of a legal frame.

The campaign is working presently to provide legal analysis/proposals to be included in the Consultation submission to include:

- proposed draft offence text
- considerations on strict/absolute liability
- equality of parties before law
- proposed penalties
- taking away mobile phones and websites

The 100th Anniversary of International Women's Day was marked in 2011 and the Committee disseminated widely the story of "The fire that changed everything"

What established the modern celebration of International Women's Day in history, was the fire at the Triangle Shirtwaist Factory in New York on 25 March 1911 that killed 146 young women workers, most of whom were immigrants. From the ashes of that tragic event, the pursuit of social justice for women and men ignited that day continues to be felt around the world 100 years on. We drew parallels between that struggle and the Davenport Hotel dispute and greatly welcomed the Labour Court ruling which saw all five staff reinstated to their jobs on the €8.65 per hour rate of pay and repaid monies lost as a result of the dispute, particularly "coming as it does on the eve of International Women's Day.

Margaret Browne also delivered a message of Solidarity to an international event held in the TUC in London that week

The National Women's Council of Ireland also launched its Women's Charter for Equality on International Women's Day. Congress President Jack O'Connor Congress President, Jack O'Connor at ICTU Joint Women's Committee Seminar was among the speakers in European Union House, where he made the case for equality being good for all in society.

Congress also marked the event with our Women's Seminar in Cork and with an event linking up electronically with Ms Lana Naem Ragheb Shaheen-Dghishwomen, - a Palestinian women who is Correspondent for Nile News Channel, Director of English News Department, Palestine Broadcasting Corporation, P.N.A. The Gaza Strip, and Producer for RAI TV, Italian Television who gave an account of present day life in Gaza.

In Belfast the committee joined the Women's TEC march to the Belfast City Hall which attracted around 500 women, some local and some from as far away as the Congo, making it a truly international affair!. Later the committee were hosted by Dawn Purvis MLA in the Long Gallery at Stormont, where speakers including Dot Kirby NUJ, Pamela Dooley Unison and Lynn Carville - Women's Resource Development Agency, spoke on topics women and intellectual disability, women and privatisation and women and the cuts. This was followed by a wonderful performance by actress Vinie Burrows, who was stunning in her performance of a portrayal of child trafficking.

Historical adoption of the Domestic Workers Convention

The Women's Committee joined Congress Irish Congress of Trade Unions in calling on the Government to take a "global lead" on workers rights by becoming the first to ratify a new landmark treaty that gives protection to domestic workers. The treaty has been widely welcomed around the world. The International Trade Union Confederation welcomed the adoption of the Domestic Workers Convention and Recommendation by the International Labour Organisation, but called on the ILO to ensure governments around the world were put on notice about protecting the millions of people in the domestic work sphere. The Committee is part of the ITUC (International Trade Union Organisation) "12 by 12" campaign in cooperation with other organisations worldwide, for rights and protection of domestic workers. We participated in the postcard to MEPs to ratify the ILO Convention C189 - Decent work for domestic workers.

About the Convention: The Convention gives the millions of domestic workers around the world the same rights as other workers. Until now, most domestic workers belonged to what is called the informal economy. Once ratified, this Convention has the potential to take millions of workers

out of the shadow economy and formalise their employment. The Convention, first and foremost, recognises the right of domestic workers to organise in unions, which is still forbidden in many countries. This change should allow them to negotiate and improve their working conditions.

European Visit

Members of the committee participate in a delegation to Belgium which involved a very busy schedule undertaken with women and community activists drawn from the Womens Rural Network, North Antrim Community Focus and a Women into Politics grouping drawn from trade union activists and community representatives from the border counties. Each of the groups had an individual programme which overlapped with visits to the European Parliament and the Northern Ireland Office.

The sessions conducted during the trip included.

- *Development of European Union* – The session explored the development of Europe post the 2nd World War conflict, the motivation of the six founding states and the development to date including the contemporary issues of migration within Europe
- *Tour of the European Parliament - European Parliament Secretariat*. This exercise was a conducted tour of the Parliament with explanations of the physical arrangements for accommodating the numbers of elected MEPs, the administration and secretariat.
- *How European policy is made - European Parliament Secretariat*. A very detailed explanation of the politics of the various political groupings within the parliament, the committee structure with guidance on how to get your issues on the agenda.
- *What's current in Europe - Bairbre deBruin MEP*. Bairbre provided an initial overview on what was current in Europe and in response to questions dealt in detail with a broad spectrum of issues and introduced the group to her team in Europe with an open invite to seek their assistance at any time.
- *Networking Event* – Delegates met collectively with all of the participants from the Rural Network, NACF, Congress and Border Communities to discuss the current activities of the groups, the interests of the individuals within the groups and how they could effectively network and collaborate together in the future.
- *Northern Ireland's Place in Europe - Noel Griffin - NIO Brussels, OFM/DFMNI Office*. The visit to the NIO in Brussels took place the week before the official opening by the first and Deputy First Ministers of the NI Assembly. Noel gave a summary of the work of the office in Brussels emphasising the ability of the NIO to utilise with their Irish counterpart the European interest in Irish affairs to maximise their influences.
- *Tour of Fort Breendonk*. Fort Breendonk is located close to the A12 Brussels-Antwerp road and was used during the Second World War as an interrogation centre, forced labour camp, prison, transit camp and deportation centre. For this reason Fort Breendonk has been described as one of the worst camps in all of Europe. In 1947 Fort Breendonk was declared to be a national memorial, recognising the suffering and cruelty that had been inflicted on the prisoners during World War II. The fort is now a well-preserved example of the camps operated by Nazi Germany during WW II and is used as an educational and learning resource promoting rights and conflict resolution.
- *Rights in post conflict communities* – The session was conducted at Fort Breendonk following the tour and challenged perceptions of rights and responsibilities during periods of conflict and the manner in which communities need to identify the nature of the relationship between them in a post conflict environment.
- *Cultural Tour Brussels* – Time was built into the programme to permit participants to explore the culture, political and social life of Brussels.

More info at: <http://www.ictu.ie/equality/gender.html>





I'm every woman!

3. Women in the Workplace

According to the recently released CSO report on men and women in Ireland 2011, Women are more likely to have a third-level qualification than men. Over half of women aged between 25 and 35 have a third-level qualification compared with less than four out of ten men. Boys are more likely to leave school early, and girls do better than boys at second level. Yet, Irish women work fewer hours, earn less and are under-represented in the Oireachtas and in local and regional authorities. Men have a higher rate of employment, but also a far higher rate of unemployment. Men are more likely to be in the labour force and those looking after home/family are overwhelmingly female. Women in Ireland have a higher fertility rate than women from any other EU country. Most workers in the Health and Education sectors are women while most workers in Agriculture, Construction and Transport are men. Headline findings include:

Education: The early school leavers rate among women aged 18-24 in 2010 was 8.4%, which was much lower than the male rate of 12.6%. In 2011 more girls obtained an A or B on the honours paper in the Leaving Certificate exams in English, Irish, French, Biology, Chemistry, Art and Music while more boys obtained an A or B on the honours paper in Maths, Physics, Construction studies and Engineering. Men accounted for nearly five-sixths of third-level graduates in Engineering, manufacturing and construction and 57% of graduates in Science, while women accounted for 82% of graduates in Health and welfare, 74% in Education and 63% in Arts and humanities. Women are more likely to have a third-level qualification, with over half (53%) of women aged 25-34 having a third-level qualification compared with nearly four out of ten men (39%) in this age group

Employment: The employment rate for men in Ireland stood at about 75% over recent years, but in 2009 it plummeted to 67.3%, decreased sharply in 2010 to 64.5% and dropped again to 63.3% in 2011. The EU target rate for women in employment is 60% by 2010, a target that was met by Ireland in 2007 and 2008, but not in 2009, 2010 or 2011, when the rate had fallen to 56%. In 2011 46.7% of those in employment were women. Men worked an average of 39.4 hours a week in 2011 compared with 30.6 for women and married men worked longer hours than married women, with nearly half (44.5%) of married men working for 40 hours or more a week compared with only 14.7% of married women.

Unemployment: The unemployment rate for men in Ireland was about 5% in recent years but in 2009 it increased dramatically to 15.1% and has increased over the last two years to stand at 17.5% in 2011. The unemployment rate for women, which stood at about 4% over the last few years, also increased sharply in 2009 to 8.1% and has risen over the last two years to 10.4% in 2011. For the 20-24 age group, about a third of men and just over a fifth of women were unemployed in 2011

Principal Economic Status: Men were more likely to be in the labour force than women in Ireland in 2011, with just under seven out of ten men aged over 15 at work or unemployed while a little over half of women were in the labour force. More than half a million women in 2011 were looking after home/family compared with only 9,600 men (Table 3.1).

Occupations: There were 851,300 women and 970,000 men employed in Ireland in 2011. Nearly a quarter of women (23.7%) in employment were in professional occupations and just over a fifth (20.9%) in administrative and secretarial occupations. Nearly a quarter of men (24.7%) in employment in 2011 were in skilled trades occupations while 15% were employed in professional occupations (Table 2.7).

Economic sectors: The Education and Health sectors employed the highest proportions of women in 2010 with women accounting for more than 4 out of 5 people at work in the Health sector and nearly three quarters of those in Education. The sectors with the highest proportions of men in 2010 were Construction, Agriculture and Transport. In primary education, 85% of teachers are women. And in second-level education, 63% of teachers are women. Despite this, women are not well represented at senior level positions: only 36% of medical and dental consultants are women, 53% of primary school managers, and 41% of second-level school managers (Tables 2.8, 4.6, 4.8 and 5.14).

Income: The report shows that women's income in 2009 was around 73% of men's income. After adjusting for the longer hours worked by men, women's hourly earnings were around 94% of men's (Table 3.3).

With Unemployment rising towards 15%, job losses have been in almost all sectors, including:

public sector, retail and hotels, banking and insurance. Statistics show continuing increases in unemployment with December 2011 figures showing the total number of persons unemployed at 314,700, with male unemployment at 206,200 and female unemployment at 108,600. The figures also confirm the very worrying and dangerous trend, with long-term unemployment rising to 56.3% from 47% in 2010. Male unemployment is increasing at a rate of +7.6% and female unemployment increasing by +21.9%. In such a climate, protecting and building on workplace rights is very challenging.

Attacks on Minimum Wage

Perhaps among the most shameful developments during the period was the vote in parliament to cut the Minimum Wage from €8.65 to €7.65. This decision by the previous Government to take €40 per week from the pockets of the working poor saw them go below a threshold of decency that we had established in this society. There was no economic, social, political or moral justification for the cut. It will not create one job or save the exchequer one cent. Congress launched a campaign with affiliate unions to ensure that those already in employment on the original minimum wage would not have their contracts changed to new lower level without agreement.

Five women directly affected (SIPTU members) took a very courageous stand and placed pickets on the O'Callaghan Davenport hotel for several days in February. Grazyna Ziemer from Poland and Regina Balciuniene, Ingrida Balciuniene, Jolita Valusiene and Raisa Jonaitiene from Lithuania worked at the Davenport hotel cleaning rooms and corridors and changing linen for between four and six years. In January, they were asked by management at the hotel to sign a new contract or face being taken off the work roster. No copies of the contract either in English or their own languages were given to them. When they refused to sign they were taken off the payroll. SIPTU served strike notice on the hotel operator on 9th February and the five gained widespread public support for their pickets. The case attracted much media attention and ended up in The Labour Court which recommended that the five women in dispute with the operators of the Davenport Hotel in Dublin after refusing to accept a cut in their minimum wage should be reinstated and that their previous pay rates be restored.

This was a great outcome for the workers concerned and for the trade union movement. The five women displayed real courage in resisting severe pressure from their employer to take a cut in their minimum wage level. The Court also recommended that the five accommodation staff be paid all the monies they would have earned had they not been removed from the work roster in early February. In a major vindication of their position the Court also recommended that the five women should be included on the duty roster that was due to take effect in the following days. In its finding the Labour Court also said that it could not support the submission of the hotel operator, Persian Properties, that the reduction in hourly pay from €8.65 to €7.79 was necessary to sustain jobs, as the company had not provided any trading or financial information to back up its claim. Hopefully, their success will serve to demonstrate to other employers of similar disposition the resolve of the trade union movement to protect and defend the interests of low paid workers.

Congress warmly welcomed the Labour Court ruling on the Davenport Hotel dispute and said the ruling was particularly welcome and appropriate "coming as it does on the eve of International Women's Day, and making the point that it sends a clear message to workers all across the economy, especially those in lower paid employment - your best protection lies in joining a union".

The Davenport strikers had only become aware that their employer could not cut their pay without their consent on foot of an information campaign organised by Congress.

The case also sent a clear message to workers all across the economy, especially those in lower paid employment that your best protection lies in joining a union. The behaviour of the hotelier in question also underscores the value of the Fair Hotels Campaign which encourages consumers to choose hotels that treat staff fairly and recognise their right to collective bargaining.

Attacks on Joint Labour Committees and Registered Employment Agreements

The incoming Government pledged to reverse the cut in the Minimum Wage and stop other employers acting in this manner. This was later implemented. However, fears that this was done while trying to alter other arrangements to fix wages (such as Joint Labour Committees and attacks on Registered Employment Agreements) later came to pass. Some industry groups such as

fast food chains (part of the Quick Service Food Alliance) mounted a legal challenge to the JLC (Joint Labour Committee) system which sets minimum wages and conditions for workers in the restaurant and catering industry. This is an issue of particular importance for women as women are twice as likely as men to be covered by JLC rates accounting for 19% of women working in the private sector and 9% men. Women make up 63% of workers in the JLC range while making up 44% of the employed labour force. Young workers, service/manual workers, part-time workers (three times more likely) and non-Irish nationals (twice as likely) are all more likely to be covered by JLCs.

The 2011 Feeney judgment, which found the JLC/ERO system to be unconstitutional, left many people in a state of insecurity about their conditions of employment. Congress continually made the point that cutting the wages of the lowest paid would contribute absolutely nothing to the prospects for economic recovery. In fact, the reverse is the case because it would serve to undermine purchasing power in our declining domestic economy. While acknowledging a justification for reform and modernisation of the mechanisms the trade union movement has been vigorously resisting any attempt to dismantle them as they are critical to the minimal conditions enjoyed by the most vulnerable workers, many of whom are women. Congress made these points strongly to Minister Bruton when a Congress delegation met with him about his proposed changes in 2011. Congress demanded that The Government act quickly to enact substantive legislation – in line with the Industrial Relations (Amendment) Bill, 2009 – to restore the constitutionality of the JLC system.

Following the High Court ruling, the Minister for Jobs, Enterprise and Innovation Richard Bruton later proposed reforms to the Joint Labour Committee and Registered Employment Agreement wage settling mechanisms. He claimed that the changes “will reinstate a robust system of protection for workers in these sectors in the aftermath of the recent High Court ruling”.

In December 2011, The Minister for Jobs, Enterprise and Innovation, Richard Bruton TD, published the Industrial Relations (Amendment) (No. 3) Bill 2011 to implement reforms to the Joint Labour Committee and Registered Employment Agreement wage setting mechanisms.

The Bill, when enacted, will implement the programme of reforms to the JLC/REA systems agreed by Government in July. It will radically overhaul the system “so as to make it fairer and more responsive to changing economic circumstances and labour market conditions”. The principal measures in the legislation include:

- JLCs will have the power to set a basic adult rate and two additional higher rates, based on length of service in the sector or enterprise concerned as well as the standards and skills recognised for the sector concerned
- JLCs will no longer set Sunday premium rates. In order to recognise the special status of Sunday working a statutory Code of Practice will be prepared by the LRC following submissions from employers and trade unions. This Code will provide guidance to both parties in the sectors covering EROs on the compensatory arrangements, including such additional amounts as are reasonable, for Sunday working and on the procedure to apply in the event of disputes concerning the varying entitlements to Sunday working
- Companies will be able to derogate from EROs and REAs in cases of financial difficulty. For this to occur, the Labour Court must satisfy itself that specified criteria have been met. Such derogation will be granted, for a limited period, in cases of proven economic difficulty, following consultation with the employees.
- In setting rates, JLCs will have to take into account a series of economic and industrial relations factors
- The burden of compliance and record-keeping requirements for employers in these sectors will be reduced
- Providing for Ministerial involvement in the supervision of JLCs and in the making of orders to vary or revoke EROs
- Providing for use of civil remedies rather than an exclusive reliance on criminal sanctions.
- The constitutionality of EROs and REAs will be restored through inclusion of robust principles and policies

The Minister also announced his intention to proceed with a series of complementary reforms to

the JLC/REA systems which can be implemented without the need for legislative change, including:

- Reducing the number of JLCs from 13 to 6
- Standardising benefits such as overtime through a nationally agreed protocol or Code of Practice, through the normal process of consultation with the employers and trade union interests

Congress continues to make the point that any proposed legislation must provide maximum protection for low paid workers. In responding to the Bill, Congress acknowledged that the Bill provides the necessary framework to address the deficiencies identified in the high court judgement and also made the following points:

- That comparing wages in other states is an excessive requirement and can be misleading;
- There is a need to provide workers with a right to information, independent advice and protection for workers seeking it;
- Need to provide an Amicus Curia role for trade unions and employer organisations as parties to the agreement;
- Workers should be protected from victimisation at all stages in the process;
- Consultation should not be used to undermine collective bargaining;
- The need for reinforcement of investigation and enforcement mechanisms.

The trade union movement will continue to campaign for legislation which will ensure a reasonable reward for the most vulnerable workers, many of whom are women (women are twice as likely to be covered by JLC rates). Also, while many workers affected will have contracts of employment insulating them against arbitrary changes by unscrupulous employers, the experience after the reduction in the Minimum Wage suggests that some employers will try it on. Trade Unions will fight such exploitation as we fought the Davenport Hotel but currently a cloud of uncertainty overhangs an important public law protection of sixty years standing that acted to protect the most vulnerable cohort of workers in the middle of an economic depression.

Equal pay for agency workers

Congress welcomed the coming into force of the Agency Workers Directive in December 2011, saying that it "brings an end to the days of exploiting workers based on how they are employed." It marked a milestone in the battle for equality in the workplace, with workers employed through an agency now entitled to the same pay as other workers in the same employment. Congress had made it clear to both the Minister for Enterprise, Richard Bruton and employer representatives that they would not consent or agree to any measures that would undermine the rights of agency workers.

It is, however, a matter of deep concern that the Northern Ireland Assembly was intent on imposing an agreement that had been reached between unions and employers in the UK, with regard to agency workers. Congress believes that any such agreement is contrary to the purpose of the Agency Workers Directive and sought legal advice with a view to mounting a challenge to the intention to impose this serious disadvantage on agency workers in Northern Ireland.

The Government in the Republic subsequently produced the Protection of Employees (Temporary Agency Work) Bill 2011.

Congress has consistently argued for improvements to the rights of agency workers. In summary, from the trade unions' point of view it is essential that the legislation should:

- Provide agency workers with a right to genuine equal treatment and equal pay, including allowances, bonuses, and redundancy pay;
- Close loopholes which would allow unscrupulous employers and agencies to avoid the law and to undercut reputable firms.
- Enable effective enforcement and provide for realistic remedies and dissuasive sanctions on employers and agencies that choose to ignore workers' rights.

We are not convinced that the Bill meets these basic objectives. It is in the interests of employers, agencies, agency workers and their trade union representatives that the legislation would im-

plement the Directive effectively and lawfully. This would reduce the risk of future litigation or infringement proceedings. One issue of particular concern relates to Section 8 – protection of existing equality rights. This provides that existing employment equality rights are replaced by the equality rights in the Bill. Our concern is that this section of the Bill might operate to worsen existing equality rights, and provide for equality avoidance especially in the application of the Swedish Derogation and at the recruitment phase. If so, this will constitute a breach of the Directive as Article 5 (1) which requires respect for existing equality rights and a breach of equality rights enshrined in the EU Treaty (TFEU). Congress has recommended that the section be referred to the Equality Authority for them to clarify the equality impact of this provision.

Workplace Leave Schemes

Congress continues to seek a focus on improving the various leave schemes for workers, including seeking a review of the leaves (Maternity, Parental, and Paternity) as they operate in Ireland to include consideration of:

- a) the introduction of a statutory entitlement to flexible working arrangements for workers;
- b) a statutory entitlement to paternity leave;
- c) extended paid maternity leave and paid parental leave and transposition of the COUNCIL DIRECTIVE 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC
- d) learning leave for low-skilled workers

The current Parental Leave Directive has facilitated contact with the Department of Justice and Equality which has now commenced the transposition of the Parental Leave Directive. They have indicated that “However given the Government’s very heavy legislative agenda it will not be possible to meet the deadline of 8 March 2012 as required by the Directive”. Article 3(1) of the Directive requires Member States to complete transposition by the 8th March 2012, or within a period of one additional year. The additional period of one year is available in cases where there are particular difficulties in transposition and Ireland will be informing the Commission that it will be unable to comply with the 2012 deadline but will be in a position to comply with the 2013 deadline. The Directive will be transposed in legislation being prepared within the Department of Justice and Equality to consolidate all family leave type legislation into one single Family Leave Bill. Draft Heads have been prepared and cross cutting issues are being discussed with D/JEI at present.

The Parental Leave Revised Framework Agreement on parental leave – in which Congress played a very active role as part of the ETUC negotiating group, introduces the following main changes:

- an increase from 3 to 4 months;
- the extra month being non-transferable between parents. It is hoped that this non-transferable period will encourage men to take parental leave and encourage a more equal sharing of family responsibilities between men and women.
- the right to request flexible working arrangements upon return from leave.
- Requires Member States to assess the need to adjust the conditions for access and modalities of application of parental leave to the needs of parents of children with a disability or a long-term illness. Parental leave is available up until a child is 8 years old. Currently under Irish legislation the parents of a child with a disability can take parental leave up until the child is 16.
- Provides for an assessment of the needs for additional measures to address the specific needs of adoptive parents.

All matters regarding income in relation to this agreement are for consideration and determination by Member States and/or social partners according to national law, collective agreements and/or practice.

In 2011, Congress wrote to all Irish MEPs regarding the Revision of Directive 92/85/EEC (Pregnant Workers Directive) on the introduction of measures to encourage improvements in the health of pregnant workers and workers who have recently given birth or are breastfeeding. We expressed concern about the continued stalling of the process of revision of this Directive in the European

Parliament. Congress is of the opinion that the Pregnant workers Directive must be seen as an important part of a much broader package of necessary measures in the area of reconciliation of work and family life, which should include childcare and eldercare, paid parental leave, a stronger role for fathers in childrearing, flexible working arrangements for men and women, etc. Congress and Trade Unions across Europe described the outcome of the vote on the Maternity Protection Directive in the European Parliament on 20 October 2010 as mixed. MEPs voted positively on the Estrela report on "Improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding". The maternity protection dossier then passed into the hands of the Council, where European Governments, including Ireland, have their say. At the European Council on 6th December 2010, "A very large majority of ministers considered that the amendments adopted by the European Parliament at first reading, notably the requested extension of the minimum maternity leave to 20 weeks on full pay, did not constitute an appropriate basis for negotiations". The Belgian Presidency concluded that the Commission's original proposal aiming to extend the minimum length of maternity leave from 14 to 18 weeks could be a more acceptable basis for a compromise than the European Parliament's amendments.

The ETUC wrote to the Belgian Presidency making the following points:

- For the European trade union movement the revision of the Pregnancy Workers' Directive is crucial to improve the situation of working women around Europe, especially when it comes to their health and safety during pregnancy or after childbirth, and should also properly protect their unborn and newly born children. These are indispensable pre-conditions for the reconciliation of work and family life, which is of key importance for a sustainable economic, social and demographic development of the EU and its Member States.
- Concerning the length of maternity leave, the ETUC is of the opinion that the revised Directive should provide for a leave period of at least 18 weeks, as proposed by the European Commission. This period of leave, according to clear evidence of the ILO and reputable academic research, is necessary for a proper physical recovery of the woman after pregnancy and giving birth. Already in 2000, the ETUC, together with the EP, underlined the need for this EU Directive to be brought into line with the ILO Recommendations (191) on this issue. According to the ETUC, the need for sufficiently long maternity leave should not be confused with the need to provide the other parent (father/partner) with the opportunity to bond with the new born child (preferably by offering a period of paternity leave around the birth of the child) and opportunities for both parents to share the caring responsibilities for their children at a later stage (by way of parental leave and flexible working arrangements).
- We are therefore opposed to suggestions that the minimum period of maternity leave provided to women giving birth, established at EU level, could be shortened in favour of transferring a part of this leave to the father or the life-partner. On the contrary, we strongly believe that maternity protection and maternity leave for women in relation to their role as child bearers must be clearly distinguished from leave and other facilities for parents for the purpose of care.
- The ETUC has repeatedly called on the European Commission to take further initiatives to promote the role of fathers and to support work-life balance for men and women with a broader package of measures, including a specific legislative proposal on paternity leave. Consequently, the ETUC is not in favour of dealing with paternity leave within the scope of the revision of the maternity protection directive.
- We are also against the introduction of a 'passerelle clause' that would negatively impact on the period of leave provided to the mother to recover after pregnancy. In ETUC's views this kind of provision would reinforce the confusion on the main objective of the maternity leave (which is meant to improve health and safety conditions and also to foster equal opportunities) and other period and form of leaves (which on the contrary aim at a more equal division of care responsibilities). Furthermore the wording of passerelle clause as currently proposed in the EP opinion would create uncertainties concerning the transposition in those countries where the maternity leave is currently lower than 18 weeks.
- The current proposals outlined in the EP opinion would also have a negative impact the level of the payment for pregnant workers or mothers during the leave. Any payment lower than the normal salary during the maternity leave period has a detrimental effect on women, and would penalise them for the biological role of being mothers, not only when having children, but also in the long run (influence on social security and pension rights etc.). ETUC consequently recommends ensuring payment of full salary or equivalent to 100 % of the last monthly salary during the minimum duration of the leave of 18 weeks, in order to guarantee that women do not suffer from any





*Teamster women
working for the
Union Pacific
Railroad
early 1900s*

disadvantage because they have given birth.

- In an era in which Europe has a bigger interest than ever in maintaining or indeed increasing birth-rates as well as ensuring an increased labour market participation of women, it is essential to safeguard income and employment security of pregnant women and women who have recently given birth to ensure a sustainable future. Key to this is changing mindsets, and looking at the payment of maternity leave as an investment and not as a burden.
- ETUC also firmly believes that maternity leave cannot be regarded as a privilege for women but as a necessity to strengthen health and safety and to achieve genuine equality between women and men at work and in the society. We therefore call on you, in your capacity as a key institution of the European Union, to do everything in your power to promote a compromise in the Council along the above mentioned lines in order to make progress during the forthcoming EU Polish Presidency agenda”.

There has been little progress on the matter since then.

Congress organised a briefing for trade unions on these issues in May 2010 which included inputs from the ETUC and the Department of Justice. We also participated in an ETUC seminar on issues in relation to the transposition of the Directive in February 2011. Currently we are developing a briefing for trade unions on these developments.

The need for reform was highlighted by the June 2011 publication of: “Pregnancy at Work: A National Survey” which was produced by the HSE's Crisis Pregnancy Programme and the Equality Authority. Congress used the opportunity to publically state that evidence of continuing discrimination against a significant number of working women was clear proof of the need to reform our systems of parental leave to ensure equality of opportunity. The report concludes that a “significant minority” of pregnant women at work experience problems, with up to 30% of women reporting “unfair treatment”. This included loss of bonuses, denial of promotions and dismissal. Congress Equality Officer David Joyce said: “The report is welcome as it provides clear evidence that discrimination is alive and well in the Irish workplace and provides us with an opportunity to finally end these practices.

“It is also clear from the findings that women who have had a positive experience cite protective factors such as the existence of an equality policy, and flexible working arrangements - all of which are more likely to be present in unionised workplaces,” Mr Joyce pointed out.

He said that with imaginative reform of Ireland's 'leave system' we could promote equality of opportunity and this could take place with the transposition of the EU Parental Leave Directive.

“Previous studies have shown that gender imbalance in employment is harmful to both men and women and to the economy as a whole. Gender equality offers an innovative and tangible tool for expediting economic recovery and for generating a new era of sustainable prosperity. Reorganising our system of leaves can contribute to this and unleash a wave of creativity and productivity in Irish workplaces,” Mr Joyce said.

Trade unions continued to work to ensure maternity rights were respected during the period. In August 2010 a SIPTU member won a €100,000 award at the Equality Tribunal. During her employment as General Manager at the hotel between 2003 and 2007, Denise Batt was told she was the preferred candidate for a new job as joint manager of the Parnell Square hotel and a new Comfort Inn Hotel to be opened nearby. Soon before her return to work after maternity leave, in February 2007, she was informed that she was to be given a less important management role. When she objected she was promised she would retain the position as general manager. When she returned to work in March 2007 she discovered that another employee was also working as general manager and had been appointed to the same role in the new hotel. Denise Batt complained to the Equality Tribunal that she had not been given the opportunity to apply for the new position and the Tribunal found in her favour. The Equality Tribunal found that she was victimised by the employer by the manner of communication with her when she was ill and by the pressure on her to waive her legal rights. It found that she was discriminated against for promotion on gender grounds and by the refusal to grant her parental leave. It awarded her damages of €100,000.

Section 37 of the Employment Equality Act

Congress continued to promote its position regarding the repeal of Section 37(1) of the Employment Equality Act. Congress deplores the continued existence of the exemption related to religious schools and institutions as contained in Section 37(1) of the Employment Equality Acts.

This is viewed by many workers as potentially threatening in view of their lifestyle or living circumstances. We have long held the view that there is no necessity or justification for having a double protection for religious institutions as contained in both Sections 16 and 37 of the Acts. During the period we met with two Ministers with responsibility for Equality to make the case for change. Minister Mary White expressed some interest in a code of practice but nothing ever emerged. We also met with Minister Kathleen Lynch to assess the commitment to the government pledge that "People of non-faith or minority religious backgrounds and publically identified LGBT people should not be deterred from training or taking up employment as teachers in the State". We are awaiting developments in the area.

The INTO, ASTI and TUI ensured a focus on the issue during Ireland's examination of its human rights record in the October 2011 Universal Periodic Review and it is among a range of issues that the Government is considering action on. We used the opportunity of the meeting with Minister Lynch to raise a number of equality related concerns, including:

- Reorganisation of our Equality Infrastructure..
- The provisions to implement Civil Partnership within the tax codes and follow through on the commitment to equal marriage rights for same sex couples
- Gender Equality – welcoming announcement re 30 per cent gender quota political parties will have to implement in order to avoid financial penalties;
- Review of the leaves – including the transposition of the Parental leave Directive;
- The national disability strategy – in particular the employment of people with disabilities. Employment is a critical issue for people with disabilities. The finalisation and implementation of the proposed Comprehensive Employment Strategy for people with disabilities in order to:
 - increase the participation of people with disabilities in the workplace (by addressing the diversity of circumstances, needs and abilities of people with disabilities); and
 - enhance the operation and effectiveness of the range of FÁS supports and services for facilitating increased participation of disabled workers in the open labour market.

In general, Congress continued to make the case that greater workplace equality could aid our economic recovery and help ensure that we create a more sustainable growth model in the years to come. Speaking at the launch of a series of Congress workplace equality resources and guides in October 2011, Congress General Secretary David Begg said: "Those societies that prioritise equality across all spheres of social and economic life are more stable, less prone to crisis and more economically efficient, the Nordic countries being a fine example.

During the property and credit boom all the evidence suggests that Ireland became a more unequal place. And the evidence now is that the austerity drive has aggravated that inequality."

The materials were launched formally by the Minister for Disability, Equality, Mental Health & Older People, Kathleen Lynch TD, and include:

- resources for gay, lesbian, bisexual
- transgender workers and trade unions;
- revised disability code of practice for trade unions, to include mental health issues;
- guidance on taking an equality case
- and a study on developing an integration strategy for unions, in relation to migrant workers.

The resource guide for gay, lesbian and transgender workers was produced in association with the Gay & Lesbian Equality Network (GLEN) and the Transgender Equality Network Ireland (TENI).

Speaking at the launch, Davin Roche, Director of Workplace Diversity with GLEN, said:

"Equality in the workplace is a key issue for lesbian, gay, bisexual and transgender people. There has been enormous progress for lesbian and gay people in Ireland over the last 20 years. Congress and the trade union movement have played a very important role in supporting this work. The recent introduction of Civil Partnership continues this progress in bringing equality in the workplace in the area of pensions and workplace benefits for same sex couples. This guide provides very practical information for LGBT employees and trade unions on a range of LGBT workplace equality issues."

Addressing the difficulties faced by transgender workers, the Director of TENI, Broden Giambrone, said: "Everyone has the right to work with dignity, and we all benefit when there is respect and equal treatment. Unfortunately, transgender workers often face challenges in the workplace due

to high levels of prejudice and discrimination. This guide represents a positive step towards workplace equality by providing trade unions and managers with the tools and knowledge to support transgender workers."

Brian Merriman of the Equality Authority, which sponsored some of the publications, said:

"It is important to unions and employers the tools necessary to enable them to ensure statutory obligations to employees are fully met. We now know that engaging with employers on equality reduces the incidence of discrimination. Our Pregnancy at Work research, published this year in partnership with the Crisis Pregnancy Programme of the HSE, confirms that organisations with equality policies are less likely to discriminate against their pregnant workers. Other research shows that equality compliance produces a productivity dividend. We owe it to workers and their employers to do what we can to ensure that their workplaces take discrimination seriously and are properly equipped to tackle it. This welcome initiative with Congress makes an important contribution to improving equality compliance and the workplace experience for employees in challenging times".

A November 2011 report "Workplace Equality in the Recession? The Incidence and Impact of Equality Policies and Flexible Working" published by the ESRI / Equality Authority study looks at equality policies and flexible working arrangements in Irish workplaces. How prevalent are they? Do they have any benefits for workers and the organisations they work for? Has the recession changed the situation? The overall conclusion is that formal equality policies are associated with benefits for both employees and the organisations they work for. Also, not all flexible working arrangements promote work-life balance, and those that do may be associated with trade-offs in terms of rewards and autonomy.

Equality Tribunal

Congress also continued its work to deal with the issue of delays of up to 3 years at the Equality Tribunal. Members of the Equality Committee met with the newly appointed Director and his team in July 2010 to make our case and also raised the issue politically with the Minister making the case that the Tribunal should be equipped to deal with cases in a timely and professional manner, ending the current scandal of delays in getting cases heard and that this should also include the right to an oral hearing. Congress has produced a guide for trade unions on taking a case to the Tribunal and will be organising training in this area.

In July 2011, Richard Bruton, Minister for Jobs, Enterprise and Innovation, announced a major reform of the State's employment rights / workplace relations institutions. The overall objective of the reforms is to deliver a world-class workplace relations service and employment rights framework that serves the needs of employers and employees and provides maximum value for money.

The stated specific objectives include:

- Promoting maximum compliance with employment law
- Providing a single authoritative source of information on employment law
- Ensuring employers and employees understand their respective rights and obligations
- Providing access to services within a reasonable timeframe
- Simplifying access to and navigation of the employment dispute resolution processes
- Resolving grievances and disputes as close to the workplace as possible
- Resolving workplace grievances and disputes as early as possible after they arise
- Providing credible enforcement and an effective, risk based inspection regime
- Providing simple, accessible, independent, fair and timely adjudication
- Providing a simple, accessible, independent, fair and timely means of appeal

The reforms are driven by the need to improve customer service, in light of the acknowledged complexity, backlogs and delays in the resolution of grievances and disputes, provide greater value for taxpayers' money, in light of current fiscal constraints and rationalise institutions in light of the Government's public service reform agenda.

The Project envisages the development of a two tier ERIR structure by merging the activities of the National Employment Rights Authority, the Labour Relations Commission, the Equality Tribunal and the first instance functions of the Employment Appeals Tribunal into a new Body of First In-

stance. The appellate functions of the Employment Appeals Tribunal will be incorporated into an expanded Labour Court.

A new Website - <http://www.workplacerelations.ie/en/> - provides information on rights and obligations under employment, equality, equal status and industrial relations legislation and sets out the resolution and redress options available where disputes or potential contraventions arise.

Congress did a submission during the consultation on the changes and is in constant contact with the reform team to ensure a positive outcome for workers.

Trade Union Rights

It is our strong view that underpinning equality in society and workplaces is respect for trade union rights in Ireland. We are seeking a reformed legislative framework that will properly protect all workers so that they can organise in unions without fear of reprisal and have their right to collective bargaining properly respected in a manner consistent with our international obligations. Congress played an active role in Ireland's first examination of its human rights record at the UN (Universal Periodic Review) in October 2011, including a submission which made the following key points:

1. Ireland is failing to secure proper observance of:

- i. **The right to join trade unions and the right to collective bargaining:** Everyone has the right to form and to join trade unions for the protection of his interests (article 23.4); and
- ii. **The right to effective remedies:** Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law (article 8).

Conclusions

2. Ireland is a champion of human rights abroad yet fails to adequately promote and protect human rights at home. Trade union rights are fundamental human rights but the trade union-human rights of all 'workers' is not properly respected. On foot of a problematic interpretation of Freedom of Association by the Irish Supreme Court in *Ryanair*, anti trade union activity, once the preserve of a few anti-union companies is now becoming widespread, jeopardising the basic human right of workers to organise in trade unions for the protection of their interests.

3. Domestic legislation is needed to protect the trade union-human rights of workers in a manner consistent with (i) the Universal Declaration of Human Rights, (ii) recent rulings of the European Court of Human Rights in *Wilson*, *Demir* and *Enerjii* (iii) EU Charter of Fundamental Rights, (iv) obligations under International Labour Organisation Conventions to which Ireland is a party (v) the International Covenant on Economic, Social and Cultural Rights, (vi) the International Covenant on Civil and Political Rights and (vii) Council of Europe's Social Charter and (viii) the EU Charter of Fundamental Rights.

4. The ICTU welcomes the recognition of the new coalition Government that Ireland needs take action to properly protect trade union human rights. In their programme for *Towards Recovery* they pledge 'We will reform the current law on employees' right to engage in collective bargaining (the Industrial Relations (Amendment) Act 2001), so as to ensure compliance by the State with recent judgments of the European Court of Human Rights.'

5. Recommendation: Enact legislation to underpin the right of all workers to collective bargaining through their trade unions in line with the State's international commitment. This requires a legal framework that :-

- a. Ensures that the right of all 'workers' to Freedom of Association, the Right to Organise and Collective Bargaining is guaranteed and properly respected;
- b. Prohibits any adverse treatment, prejudicial act and any less favourable treatment arising from the exercise of these human/trade union rights;
- c. Provides for enhanced protection, that is available rapidly, and in a manner that guarantees to prevent any adverse treatment from occurring, by providing for injunctions along with dissuasive sanctions and improved redress;
- d. Safeguards against anti-union activity and prohibit 'interference' which includes the use of 'inducements' or other measures, policies, acts calculated to induce workers not to

- join or to give up their trade union membership or to not exercise their trade union rights including the right to collective bargaining;
- e. Provides a definition for 'collective bargaining', 'collective agreement' and 'collective action' in line with ECtHR and ILO standards;
- f. Sets out the legal obligations on parties to participate in collective bargaining and the facilities and arrangements to be put in place to ensure 'good faith' in the collective bargaining process;
- g. Establishes the parties to collective bargaining, in line with ILO definitions to ensure the rights of freelancers and safeguard against the use of non-union representatives to undermine the position of trade unions;
- h. Sets out the institutional machinery to facilitate negotiations and the settlement of disputes;
- i. Clarifies the legal effect of collective bargaining agreements and the extension of collective agreements;
- j. Re-establishes fair employment rules.

Collective bargaining appeared on a list of items to be considered by the Government of Ireland before the next hearing. Phase 2 of the hearing will happen on 15th March 2012 and we have also done a submission in advance of this hearing urging progress on the commitment in the programme for government. This will form part of the official documents for the Nineteenth Session of the UN Human Rights Council.

Women leading the fight back:

Women within the movement continued to play a major role in industrial disputes during the period, including:

- Vita Cortex workers in their ongoing campaign to secure their rightful redundancy entitlements. Congress has highlighted that the 32 Vita Cortex workers had been treated shamefully, but had shown "great courage and determination in very difficult circumstances. Their campaign has rightfully won widespread support among trade unions and the wider community. Their campaign has struck a chord because they are refusing to accept the imposition of a very obvious wrong. The Government cannot simply stand by and wring its hands in despair. "Like it or not, they are involved because of the role played by NAMA in this often murky affair. Citing legal niceties and technicalities just won't cut it. Remember NAMA is the same body that sees no difficulty in paying hundreds of thousands of euro annually to speculators who were central to crashing the economy, while 32 workers are denied what they are legally and morally entitled to. That is wrong, no matter how you dress it up. The Vita Cortex workers will have the support of Congress until there is a just resolution to this," General Secretary David Begg said.

- Joint Women's Committee Chair and UNITE activist, Carol O'Brien, played a very prominent role in the Unite members strike action at the EBS Building Society. Members at the financial institution voted in favour of taking action in anger at the withholding by the company of a 13th month payment in December 2011. This payment had been made in each of the last 45 years to all staff, but in 2011 was only paid to managerial staff who had the option to change the structure of their pay package some years ago. The same offer to change that structure was never made to staff, who presently earn an average salary of less than €30,000 per annum. More than 300 UNITE members took strike action during Christmas week and the dispute is ongoing.

- La Senza workers who occupied a Liffey Valley store to ensure that the company's Irish staff get paid proper redundancy and all outstanding monies owed. The Mandate Trade Union wrote to KPMG, the administrators to the La Senza chain of lingerie stores, seeking an urgent meeting and strongly criticising the appalling lack of communication with La Senza staff, who had been informed by KPMG that their employment was being terminated with immediate effect, upon arrival at work. The workers later decided to end the sit-in at the company's Liffey Valley store following receipt by MANDATE of a letter from La Senza's administrators KPMG, which satisfied the workers demands.

All of these examples show in a very clear way how important it is for workers to join a union and

work together to achieve a just outcome for themselves and their families.

In Northern Ireland the Statistics and Research Agency, (Department of Finance and Personnel), www.dfpni.gov.uk published Women in Northern Ireland - September 2011. The summary of that document confirms:

Employment Despite the recent economic downturn, women in Northern Ireland (NI) are experiencing historically high levels of employment – latest figures show that there were an estimated 378,000 women in employment in the period April - June 2011. This figure has increased by an estimated 66% compared with the equivalent estimate for 1984.

However, despite narrowing considerably in recent years the NI employment rate for those females aged 16-64, (63.3%) is still 2.0 percentage points lower than the rate in Great Britain (GB) (65.4%).

The female 16-64 employment rate (63.3%) in NI increased by 2.0 percentage points during the last year and this increase was greater than the corresponding rise in the male rate (1.2 percentage points to 72.3%). In contrast, the female employment rate in GB showed a slight fall over the year (-0.1 percentage points), whilst the male employment rate rose by 0.2 percentage points.

Women now comprise 47.2% of those aged 16-64 in employment in NI, which is slightly higher than the equivalent figure of 46.6% in GB.

There are notable gender differences in employment rates and in the nature of employment between the sexes in NI. Seventy-two per cent of males, aged 16-64, are in employment compared with 63% of females. This represents a narrowing of the gap between female employment rates and those of males compared to five years ago (61.7% for females and 74.5% for males).

Earnings (source: Annual Survey of Hours and Earnings)

The ratio between male and female full-time median hourly earnings excluding overtime has increased to 100.1% (from 96.3% in 2009). Both male and female hourly earnings were estimated at £10.9 in April 2010. Female full-time hourly earnings as a percentage of male hourly earnings continue to be higher in NI (100.1%), compared to the UK as a whole (89.8%).

Unemployment An estimated 23,000 women were unemployed in NI at April - June 2011, with an associated unemployment rate of 5.6%. The male unemployment rate is 8.7% and is 3.1 percentage points above the female unemployment rate. The gap between male and female unemployment rates has increased from the same period five years ago, when there was a 2.4 percentage point difference.

In July 2011, 17,100 females in Northern Ireland were claiming unemployment related benefits – this represented an increase of 3,200 during the last year. Females accounted for 84% of the annual increase in unemployed claimants during the year to July 2011. However, the number of female claimants continues to be considerably smaller than the number of male claimants (43,300). [Source: Claimant Count]

Economic Activity: In NI, a total of 401,000 women were economically active in April - June 2011 – an increase of 27,000 during the last year. However, the female working age economic activity rate here of 67.2% was 3.3 percentage points lower than that in GB (70.5%). At 67.2% the working age economic activity rate for NI females was 12.1 percentage points lower than that for NI males (79.3%). The difference in economic activity rate between males and females is less than that of five years ago when the difference was 15.1 percentage points.

Women, aged 16-64, with dependent children have a 9.1 percentage point higher economic activity rate than those without dependent children, compared to a 3.1 percentage point difference five years ago. The economic activity rate for women with no dependent children has increased by 2.4 percentage points during the last five years, while the rate for those with dependent children has increased by 8.4 percentage points.

Economic Inactivity: At April – June 2011 there were 191,000 women, aged 16-64, who were economically inactive in Northern Ireland, with a resulting inactivity rate of 32.8% (29.5% in GB). Fourteen per cent of these economically inactive women (27,000) wanted a job (22% in GB), but did not satisfy the criteria of availability for work and actively seeking work to be classified as un-

employed.

Childcare provision (source: Department of Health Social Services and Public Safety): In 2010 there were 48,623 day-care places for children aged under twelve in Northern Ireland. This was 3% higher than the level recorded in 2002.

Educational Standards (source: Department of Education): In 2009/10 girls left school with higher levels of academic qualifications than boys. 78% of girls left school with at least 5 GCSE grades A*-C, compared with 65% of boys. Similarly, 61% of girls left school with two or more A-levels, compared to 45% of boys.

Women in Politics and Public Life Results from the Local Government elections in May 2011 show that 23.5% of Councilors in Local Government Districts in Northern Ireland are women. [31% in England according to Census of local authority councilors 2008.]

Moyle District Council has the highest female representation, with seven out of 15 (46.7%) Councilors female.

Of the 26 Districts Councils in Northern Ireland, two have a female Mayor/Chair and a further four have a female Deputy Mayor/Deputy Chair as at August 2011.

Northern Ireland has four elected women MPs (representing 22% of the 18 NI MPs). In addition, two of the three Northern Ireland MEPs are female. [In GB 22% of MPs and 30% of MEPs are women.]

34% of public appointments in Northern Ireland are held by women. This compares with 15% in 1985, 23% in 1990 and 32% in 1995.

On the 118 publicly appointed bodies in Northern Ireland, 19 Chair and eight Deputy Chair posts are held by women.

Elections to the Northern Ireland Assembly took place on the 5 May 2011 - of the 108 elected 20 (19%) are women.

As at September 2011, three of the 13 Ministers in the Northern Ireland Executive are female.

Women in Business (source: Invest NI) In 2010 the female level of entrepreneurial activity in Northern Ireland was 3.3% compared to 9.6% for males.

4. Women and Society

The political changes in the UK Parliament and the Northern Ireland Assembly during 2010 and 2011 brought little cheer for those who wished to see a Better Fairer Way. The UK Women's Budget Group an independent, voluntary organisation which brings together individuals from academia, non-governmental organisations and trade unions has scrutinised the gender implications of the budgets of UK governments since the early 1990s.

They provided a gender impact assessment of the 2010 UK budget which summed up the different groups of women:

Women who are mothers: Child benefit is a universal benefit that is in the vast majority of cases paid to the mother - by freezing it for three years it will be cut in real terms. Child Tax Credit is mean-tested in relation to household income but is paid to whoever is nominated the main carer in the family, most often the woman. The reduction in Child Benefit and in Child Tax Credits for middle-income families therefore means a loss of independent income for women in those households, who may have a low or no income of their own, making them more reliant on their husbands. Further if child care subsidies through Working Tax Credit will also be cut, such women may be pushed out of the labour market. The increase in Child Tax Credit for low-income families boosts the income of mothers if they are nominated as the main carer. However, the extra £150 will quickly be absorbed by the rising costs associated with 20% VAT. New mothers' independent income will be hit by the scrapping of two one-off payments: the health in pregnancy

grant and the Sure Start maternity grant for second and subsequent children.

Lone parents (most of whom are women) are affected by the new requirement that they must look for work when their youngest child goes to school. For this policy to work it is essential that the government does not cut services for families, such as breakfast clubs, afterschool care and holiday play schemes provided by extended schools. However these services will be vulnerable due to the squeeze on local authority budgets. Cutting Housing Benefit by 10 per cent for people who have been claiming Job Seekers Allowance for more than 12 months will increase the housing insecurity of lone mothers and their children, who are over-represented among unemployed mothers. This will be exacerbated by extending the requirement to seek work to lone mothers when their youngest child starts school.

Women who are carers, many of whom themselves face poverty during their working lives and in retirement are also facing cuts in support. Because the eligibility criteria for the Disability Living Allowance (DLA) is to be tightened this will have a knock on effect on eligibility for Carers' Allowance, which is only available for those looking after someone in receipt of the middle or higher level of DLA or Attendance Allowance. As three quarters of Carers' Allowance recipients are women, this is yet another area in which women will bear the brunt of the budget cuts.

Women who are in paid employment: many will benefit from the raising of the personal income tax allowance but as women comprise about two-thirds of public sector workers large numbers will be affected by the two-year pay freeze for those earning over £21,000. The flat rate rise of £250 will not greatly compensate lower paid public sector workers given cuts in other benefits and the rise in VAT. The public expenditure cuts are also likely to mean that women are disproportionately represented among those who lose jobs.

Retired women: older women are poorer and live longer than men. Linking the rise in the basic state pension to earnings, CPI or 2.5 per cent, whichever is the greater, will boost the incomes of many older women. However, they will suffer from cuts to caring and other social services, upon which they are more reliant than men, and for longer.

Women with disabilities: women suffer mental health problems which are harder to demonstrate and so they are more likely to fail the new medical tests for DLA and get a reduction in the benefits. Women with disabilities will also suffer from cuts in the provision of public services.

Black and minority ethnic group women: these groups of women are more likely to live in poor households and will so be harder hit, on average, than white women. Women of Pakistani and Bangladeshi origin tend to have larger or extended families, so they will suffer from the capping of housing benefits for properties with more than three bedrooms, and will be hit by the decision to only pay the Sure Start maternity grant to the first child.

To sum up, on the whole women will be made worse off by the budget than men, as they rely on transfer payments, public services and public sector employment to a greater extent than men. However it is the poorest and most vulnerable women in society who will feel the cuts most acutely. This is not a gender-neutral budget. Nor it is a fair one.

Then initial budget prepared the ground for further attacks on disguised as Welfare Reform and Public Service Reform.

Women's Manifesto for 2011 Assembly Elections

In April the Womens Committee as part of the Women's ad hoc Policy group helped organise the launch of the 'Women's Manifesto – NI Assembly and Local Government Elections 2011'. The organisations involved in the launch of the Manifesto include the ICTU Womens Committee, the Women's Resource and Development Agency (WRDA), the Northern Ireland Rural Women's Network (NIRWN), Foyle Women's Information Network, Northern Ireland Women's Aid Federation, the Equality Commission for Northern Ireland.

The Women's Manifesto outlines the key policy issues the sector wants to see addressed during the period of the next mandate: issues in relation to the economy, childcare, women and decision-making, violence against women, education, health and the community women's sector. Two launch events were organised; one in the North West (in conjunction with Foyle Women's Information Network) and one in Belfast and both were well attended. The format for the events involved an introduction by a representative of the Equality Commission (Stella Burnside, Foyle and Bob Collins, Belfast), inputs from women's sector organisations on the seven key priority areas

outlined in the manifesto; presentations from representatives of the main political parties, and informal introduction of other women election candidates.

In the Autumn of 2011 Congress responded to consultations on Passported Benefits Under Universal Credit and The NI Welfare Reform Bill 2011 - Draft Equality Impact Assessment. This was supplemented with meetings with the Committee for Social Development on Welfare Reform. The comprehensive reports and documents are available on ictuni.org.

Congress advocates:

- A Social Security system that ensures everyone has a decent standard of living free from poverty;
- A Social Security system based on need not moral judgements;
- To end low pay and poverty wages which push people into the benefits system;
- A better and fairer way for all.

The Welfare Reform Bill does nothing for the most vulnerable in society and will lead to further deprivation for those in most need if it is implemented.

It was against this background tens of thousands of women public sector workers across Northern Ireland and hundreds of thousands across the UK took part in the largest action in a generation on November 30.

Teachers, nurses, classroom assistants, their friends and families joined civil servants and local authority workers to brave the cold, stand on picket lines and attend rallies during the day of action on pensions.

In her speech, health worker Stephanie Greenwood said: "We will not stand by while the millionaires steal our futures. We will not be accepting so called pension reform and we will not accept health and education cuts."

Calling on local politicians to "get a backbone", she added: "Remember how we voted you in. Remember there is no such thing as a safe seat. You will not rely on traditional patterns for much longer." If you are not prepared to defend the Welfare State, and the National Health Service we will ..."

Teacher Mary Cahillane told the crowd: "We want to teach, we want to educate our pupils but we want to do it for a living wage and for the pension that we were promised. "We don't want to work until we are 68. If I am working until I am 68, it won't be a case of the pupils forgetting their homework, it will be a case of me forgetting that I gave it to them!"

Congress Women's Committee worked with our partners in the women's sector and the Women's Resource and Development Agency (WRDA), www.wrda.net, in a comprehensive analysis of the impact of the financial crisis.

The report - *'The Northern Ireland Economy: Women on the Edge?' -* was initially conceived in response to the economic recession and subsequent downturn in 2009. The financial crisis loomed large in terms of media coverage but what was striking was the work sectors the media chose to focus attention on: construction and manufacturing. It appeared to be very much a 'mancession'. In other employment sectors where women predominated and were being affected, for example, retail, the media spotlight at that time was dim.

Notwithstanding the above, it became clear as work began on this project there was a need to ascertain women's position in the wider economy. While existing evidence points to the vulnerability of women generally in the paid labour market, the project delves deeper and looks at the economic position of particular groups of vulnerable women - young women, older women, migrant women and lone parents - the impact of the financial crisis and how any solutions are likely to affect them.

It was deemed equally important to examine the economic roles women play; where women's work is concentrated in the paid economy; women's different work patterns and how women juggle paid work with other/caring responsibilities. Of course, central to all of this was women's income, be it via wages, welfare benefits, credit or pensions. So the research examines women's position in terms of labour market participation and income both generally and in relation to impacts of the economic downturn. Overall, the report establishes a baseline for women's economic participation, the barriers and solutions, but each section can also be read as a standalone piece. Each section is accompanied by a series of recommendations

It has resulted in a seminal piece of research, with the following recommendations, which can now be employed to influence future decisions.

Summary of recommendations

Setting the Scene - Gender Impacts of Financial Crisis

- The Northern Ireland Executive and the lead Ministers should shape the response to the economic and financial crisis in a way which is sensitive to its differential impact on women and men and demonstrates commitment to gender equality, including a gender dimension in Northern Ireland's recovery plans. The UK Government should adopt the same approach at UK level.
- All Ministers, led by Ministers in the Office of the First and deputy First Minister, should ensure that proposed policies are subjected routinely to gender impact assessment.
- Departments and public bodies should ensure that all data is disaggregated by gender to improve monitoring and analysis of the gender impact of the economic and financial crisis and to facilitate the identification of measures to ameliorate adverse impacts. Recovery measures and economic development measures generally should be gender sensitive
- The Northern Ireland Executive as a whole, led by the Ministers for OFMDFM (responsibility for gender equality) and the Minister for Finance should adopt and lead all department and public bodies into adopting gender budgeting mechanisms to increase gender equality by correcting negative consequences of revenues and expenditures and improve governance and accountability.
- The gender dimension should be effectively mainstreamed in the work of every Northern Ireland department and public body. Gender equality responsibilities should not be minimised and those with responsibilities for gender equality should be effectively supported and resourced.
- Women's participation should be improved at all levels of decision-making, especially in the areas of budgets and in respect of governance arrangements for economic development and financial systems at Northern Ireland and UK level.
- Political parties should introduce special measures, backed up by political commitment and sustained action to bring forward more female politicians. Female politicians are needed in a greater critical mass to bring better understanding of the impacts of policies on women and to champion appropriate policies for women.
- The Northern Ireland Executive should recognise and provide support for the contribution that women's organisations play in addressing the financial/economic crisis and advancing women's rights and equality.
- The Equality Commission for Northern Ireland should monitor progress on gender equality across the public sector and identify and offer public opinion on where women are regressing due to the downturn and recovery measures that exclude and marginalise women. The Commission should avidly pursue cases where women are being discriminated against in public and private employment.
- The Northern Ireland Executive should take account of the findings and recommendations contained in this report on women in the economy and the impacts of the financial crisis.

Economy

- The Northern Ireland Executive should move speedily to adopt proposals to extend parental leave and flexible working in Northern Ireland, and DETI should provide support to the business sector to ensure businesses are prepared for implementation.
- The Minister and Department for Enterprise, Trade and Investment should give leadership in developing a business environment that facilitates the creation and growth of women-led companies and women's self-employment. They should ensure investment and enterprise development bodies develop effective initiatives and programmes to advance women's entrepreneurship, including among young women graduates. More female role models should be identified and profiled.
- The Executive and Minister for DETI should ensure that women-led businesses are identified to contribute to the specific elements of its economic growth strategy. Where necessary the Executive's delivery bodies should put high-level support and mentoring programmes in place to ensure that women entrepreneurs can be included. Greater awareness of what is available needs to be fostered. Innovative approaches should be taken to overcome the additional pressures on women so they can take up opportunities.

- The Executive should put a strategy in place to tackle the under-representation of women in the senior civil service. In particular, a cadre of senior women should be developed in enterprise, trade and investment not alone in the department but across public bodies in the economic field.
- Steps should be taken within political parties to appoint more women to senior office and to provide personal and professional development for women in their ranks to feed the supply chain to senior political office.
- The Minister for Enterprise, Trade and Investment should encourage corporate social responsibility initiatives on gender equality across the private sector.
- The Executive should require transparent pay arrangements and introduce mandatory pay audits for companies in Northern Ireland. The Ministers for DEL and DETI should encourage equal pay initiatives in the workplace and provide leadership for the annual European Equal Pay Day
- The First and deputy First Ministers and the Minister for DETI should implement Lord Davis' recommendations in relation to equal representation of women on the boards and in the senior management of private sector companies in Northern Ireland. It should establish a Northern Ireland steering group comprised of the public and private sector and gender experts to support the private sector in achieving this and to monitor and report annually on progress.
- The Northern Ireland Executive should ensure that 40% of appointments to public bodies are made from either gender. It should set a goal of reaching this target by 2013.

Employment

- The Executive should require transparent pay arrangements and introduce mandatory pay audits for companies' workforces in Northern Ireland. The Ministers for DEL and DETI should encourage equal pay initiatives in the workplace and provide leadership for the annual European Equal Pay Day. The departments should review the impact of part-time work and fixed-term contracts on equal pay.
- The Northern Ireland Executive should move speedily to adopt proposals to extend parental leave and flexible working in Northern Ireland, and DETI should provide support to the business sector to ensure businesses are prepared for implementation.
- The Northern Ireland Executive should significantly increase the provision of child daycare that fits with the working hours of parents. It should ensure that employment-related childcare is a core part of its childcare strategy and DEL and DETI should contribute to childcare developments. The Executive should appoint a lead Minister and department to drive the childcare strategy forward.
- Priority should be given within the childcare strategy to driving up the supply of high-quality, accessible daycare that supports parents to access the labour market and remain in employment. Funding should be allocated to expand daycare places. To further assist with this there should be dedicated business support from DETI and its agencies for private, voluntary and independent enterprises offering childcare.
- The Executive should gather and make available comprehensive childcare statistics at one central point and track the improvement in provision of child daycare that is suitable for working parents.
- The Executive should assess the gaps in entitlements to family-related leave, childcare and other challenges for those with caring responsibilities so they can address these and respond positively and immediately to future EU measures.
- All assistance should be provided to enable women to remain in the labour market and build up pension entitlements that are equal to men's. The Executive should ensure that policies on equal pay, flexible working and childcare are aligned with this goal.
- The Executive should monitor its policies to improve gender equality in the labour market and ensure these meet the requirements of the EU Employment Guidelines, amending policies where necessary.
- OFMDFM and DFP should finalise the Maintain the Code of Practice on Workforce Matters in Public Sector Contracts in Northern Ireland and reinforce their application through the Northern Ireland Procurement Guide.

Childcare for Employment

- The Northern Ireland Executive should establish a statutory obligation to deliver quality childcare that is flexible, affordable and accessible. It should agree a comprehensive childcare strategy which standardises access to childcare across rural and urban Northern Ireland as a matter of priority. The Executive should commit itself to work towards the goal of universal good quality, accessible and affordable childcare for all children up to the age of fourteen.
- Childcare services should be visibly integral to the Programme for Government from 2011 and permeate the plans for OFMdfM, DE, DHSSPS, DSD, DEL and DETI who should pool budgets to create a common childcare fund. Childcare should be identified in the Executive's Priorities for Action.
- A lead Minister and government department should be appointed to drive forward the new integrated strategy and cross-cutting inter-departmental objectives in order to encourage and ensure there is a partnership approach across the range of departments.
- Priority should be given within the childcare strategy to driving up the supply of high-quality, accessible daycare that supports parents to access the labour market and remain in employment. Funding should be allocated to expand daycare places. To further assist with this there should be dedicated business support from DETI and its agencies for private, voluntary and independent enterprises offering childcare.
- DEL and DETI should target SME employers and employees with information about the long-term benefits of the childcare voucher scheme, and encourage employers to meet the highest standards in relation to childcare support as well as their obligations in maternity and parental leave.
- DEL should assist childcare workers made redundant to continue any ongoing professional qualifications to maintain the professional skills of the sector.
- The poorest parents should be able to claim 100% of childcare costs, and the run-on period for the Childcare Element of Working Tax Credit when a parent loses a job should be increased from four to twelve weeks.
- The UK government should review its proposals on the Universal Credit to adopt a more generous taper than that proposed and commit to annually increasing the Child Tax Credit (or the Child Element of the Universal Credit when it is introduced) faster than average earnings.

Lone Parents

- The Northern Ireland Executive should drive daycare for working parents forward as a priority within a wider childcare strategy as one of its tools for growing the economy as well as for assisting lone parents.
- The Steps to Work programme should be monitored closely and its data analysed to evaluate its impact on and its outcomes for lone parents.
- Higher-level training that permits participants to achieve better qualifications should be included in employability training programmes so as to prevent the cycling in and out of work which has been a feature of lone parent employment.
- A Northern Ireland subsidy scheme should be established for lone parents and other low income groups to offset any increase in tuition fees that would prevent their access to higher education.
- The Departments for Employment and Learning and Enterprise, Trade and Investment should actively promote family friendly policies and flexibility in the workplace and ensure that all employers are aware of arrangements, obligations, models of good practice and the Northern Ireland Executive's support for these measures.
- Benefit adjustments should be made more quickly when people's circumstances change, especially where Housing Benefit and Working Tax Credits are concerned. Assessment for the purposes of Working Tax Credits should be undertaken more regularly than once a year.
- The UK Government and Northern Ireland Administration should reintroduce weekly payment of benefits to assist lone parents and others on low incomes to manage their budgets. Whether the UK Government does so or not, the Northern Ireland Administration should make provision for weekly payment of Universal Credit.

- The Northern Ireland Executive should consider and activate measures to offset the impact of the welfare cuts on lone parents and other low income groups, especially at this time of high food and fuel costs. One of the steps that should be considered is the introduction of social tariffs for energy and fuel.
- Lone parents should benefit from the Northern Ireland Social Protection and Social Investment Funds.
- Maintenance arrangements should be established and enforced at no cost to the resident parent, who bears all or most of the cost of raising the child. Child maintenance should not be linked to contact with the child by the absent parent.

Migrant Women

- The new racial equality strategy and action plans should take proper account of minority ethnic women including migrant women. The race and gender strategies and action plans should interface with and inform each other. Both sets of plans should be framed within international human rights frameworks, including CERD and CEDAW. A budget should be attached to the race equality plan when agreed in 2012.
- The Northern Ireland Executive should revisit the Race Relations Order (NI) 1997 and the Race Relations Order (Amendment) Regulations 2003 and strengthen the legislation to afford the same level of protection from racial discrimination as is enjoyed in the rest of the UK.
- The Assembly should scrutinise the Executive's implementation of obligations under international human rights instruments through a committee similar to the Joint Committee on Human Rights in the Westminster Parliament.
- Restrictions on 'no recourse to public funds' should be lifted for victims of domestic violence. Furthermore, access to essential services should be based on need regardless of immigration status to counteract the worst effects of job losses for migrant workers without full resident status.
- The Executive should allocate at least £0.5million annually from the Social Protection Fund to establish a Migration Impact Crisis Fund to assist migrant women who suffer domestic violence and other migrants who have been made destitute through no fault of their own but are unable to access public funds.
- OFMDFM and the Department for Social Development should work with representatives of the ethnic minorities sector and the women's sector to develop and implement a plan to build the capacity of the BME women's sector.
- DETI and DEL should work together to commission research into minority ethnic people's participation in the labour market, including migrant workers', to identify the issues that should be addressed. The data gathered must be analysed by gender to determine what the different impacts, and therefore solutions, are for women and men. In addition discrete research should be carried out into migrant women's vulnerability to exploitation in employment sectors such as mushroom picking and social care.
- The Minister for Employment and Learning and the Northern Ireland Executive should fast track the recognition of foreign qualification equivalents. There should be access to free English (ESOL) classes for minority ethnic communities.
- Clear public and private leadership should be given to ensure that job losses are not targeted on the basis of nationality.
- Recruitment agencies should implement the full set of recommendations made as a result of the Formal Investigation by the Equality Commission for Northern Ireland that reported in 2010. These include: ensuring accessibility for migrant workers; informing employers where foreign nationals have qualifications equivalent to those in the UK; and not routinely including opt-outs from the Working Time Regulations in contracts. UK recruitment agencies should ensure that overseas agencies they use are reputable.
- The Northern Ireland Executive should urge the UK Government to sign the Council of Europe Convention on preventing and combating violence against women and domestic violence.
- The UK Government should amend the s75 legislation under the Northern Ireland Act 1998 to include compulsory monitoring, thorough assessment of impacts and strong enforcement mechanisms.

- The Northern Ireland Executive should call on the UK Government to end restrictions on A2 nationals by the end of 2011.

Young Women

- The Department for Employment and Learning should pay special attention to young women with no qualifications and ensure that the needs of young women are included in policy formulation and service delivery to overcome educational under-achievement.
- The Department for Employment and Learning should review Jobskills and apprenticeships and take steps to open up opportunities for young women. This should be accompanied by gender-awareness training for programme leaders and tutors.
- The Department of Education should develop a strategy to tackle gender stereotyping in the education system, including the careers advice and guidance service. It should include clear mechanisms for enforcing the delivery of non-stereotypical careers advice and for monitoring quality standards.
- Careers advisors should receive training in challenging gender stereotyping and a programme of best practice for delivering careers advice in a non-stereotypical way should be established.
- Actions to increase the number of women into science, technology, engineering and maths should drive down into specific areas of gender imbalance in science and technology and be extended to architecture and planning.
- Youth service policy and priorities should incorporate a strong, visible gender focus which should be seen to permeate down through programmes.
- The healthy start vouchers for milk, fruit and vegetables which midwives used to give to pregnant women should be reintroduced.
- The UK Government should not make any more cuts to welfare benefits, especially those that affect one parents.
- The UK Government should introduce an equal minimum wage for young people. As many jobs are very low paid, young people should be able to claim Working Tax Credit before the age of 25.

Older Women

- The Northern Ireland Executive should refresh its strategy on ageing in consultation with the Commissioner for Older People, the age sector and individual older people, making sure that older women are closely involved.
- The Department for Social Development should maintain support for benefit up-take programmes. In addition it should introduce an automatic payment initiative to increase the take-up of Pension Credit targeted at single older women as this group is at the greatest risk of poverty.
- The Executive should introduce a form of social price support for fuel costs targeted at older people.
- The Department of Health, Social Services and Public Safety should prioritise a fundamental review of the social care system in Northern Ireland to develop a modern responsive care system for the long-term making certain that it is fair and ensures older people have their rights and entitlements.
- The Executive should maintain health and social care spending on older people in real terms and respond to the changing demographic by investing in preventative and enablement initiatives to enable people to live independently at home.
- The Assembly should pass legislation to ban discrimination in goods, facilities and services. In the meantime, the Office of the First and deputy First Minister should regulate and provide guidance across government departments and to public services that they must not apply an upper age limit or in other ways discriminate against older people in services or treatment.
- The Department for Employment and Learning should monitor what is happening to older people in employment to ensure that they are not being discriminated against and there is compliance with the new legal position abolishing the retirement age.

- Ministers in the Office of the First and deputy First Minister should ensure that all Ministers and their departments are prepared to report on progress on older women in the UK's CEDAW examination in 2012 and thereafter. To prepare for this, departments and public bodies should gather data disaggregated by age and sex and provide gender sensitive analysis of policies and initiatives.
- The Executive should urge the UK Government to pay the proposed single-tier flat rate pension to all pensioners, including all existing pensioners, to avoid large numbers of women pensioners continuing to live in poverty. The Executive should liaise and consolidate on the issue with other devolved administrations to press that all citizens across the UK have the same access to a fair state pension scheme.

Pensions

- The Department for Social Development should maintain support for benefit up-take programmes. In addition it should introduce an automatic payment initiative to increase the take-up of Pension Credit targeted at single older women as this group is at the greatest risk of poverty.
- The Department for Employment and Learning should monitor what is happening to older people in employment to ensure that they are not being discriminated against and there is compliance with the new legal position abolishing the retirement age.
- The Northern Ireland Executive should urge the UK Government to apply the proposed single-tier flat rate pension to all pensioners, including all existing pensioners, to avoid large numbers of women pensioners continuing to live in poverty. The Executive should liaise and consolidate on the issue with other devolved administrations to press that all citizens across the UK have the same access to a fair state pension scheme.
- The UK Government should increase the state pension to give older people the resources to get out of fuel poverty and to cope with the rise in the cost of living now. When it is introduced the Government should apply the single-tier flat rate pension to all pensioners to avoid large numbers of women pensioners living in poverty.
- The UK Government should slow down the acceleration towards a state pension age of sixty-six years by 2020 so that a single cohort of women does not uniquely bear the brunt of public savings in the pension system.

Welfare

- The Northern Ireland Executive should urge the UK Government to reverse the cuts in the Child-care Element of Working Tax Credit so as to increase support for women to enter and remain in work. The Executive should seek to protect childcare support in its application of any new Universal Credit system and urge the UK Government to do the same.
- The Northern Ireland Executive should develop urgently a childcare strategy that includes day-care and wrap-around care for the children of working parents. It should prioritise investment in rolling out the childcare infrastructure across urban and rural Northern Ireland to enable women to take up work opportunities.
- The Northern Ireland Executive and Assembly should examine the Universal Credit proposals thoroughly and develop better proposals around implementation and delivery so as to design fairness for women as well as for men into the system. The Executive and Assembly could introduce innovations and adjust some of the delivery mechanisms, including on making the single Universal Credit payment to the non-earner or lower income second earner in the household.
- The Carers Allowance should be protected outside the Universal Credit system and not be subject to means-testing.

Debt and Credit

- The Northern Ireland Executive should develop an integrated strategy on debt in Northern Ireland. Women should be involved in designing any new strategies and schemes to cope with debt in order to ensure that action will be effective in reaching those who need it most.

- The Executive should bring together a forum of banks and other lenders to develop policies of affordable credit with flexible repayment plans and to negotiate an arrangement with them to co-partner the Executive in funding independent debt advice services.
- The Executive should establish a Northern Ireland Loan Guarantee Scheme to help Credit Unions in Northern Ireland offer affordable credit to people on low incomes, irrespective of whether they have savings or not, based on people's current income and not on past credit history and with flexible repayment plans.
- The Executive should work with lenders to develop accurate monitoring of the impact of the developing financial situation on borrowers and create a mechanism for offering immediate advice and support for those who get into financial difficulty.
- The Department for Employment and Learning should oversee the integration of advice and support at the crisis point by ensuring that personal advisors working with the unemployed in any agency are trained to signpost those in need and at risk to independent advice centres and family support and counselling services for debt advice and mental health support.
- The Executive should prioritise face-to-face advice services as frontline services assisting people in need and ensure that their funding is protected. Advice agencies should be resourced to help to maximise incomes for the vulnerable and assist the Executive in addressing housing and fuel poverty and reducing individual debt, including by providing appropriate assistance for those for whom advice by telephone is not accessible.
- The Executive should ensure that one of its Ministers and departments regularly monitors the funding situation of local women's centres to ensure that they continue to receive funding as frontline service providers offering advice and support to women.
- The Executive should invest in the delivery of sustained benefit take-up programmes that creatively and innovatively target those in need, vulnerable and hard to reach in order to increase incomes, reduce individual debt and bring new money into the Northern Ireland economy from the UK Exchequer.
- The Executive should liaise with the Scottish and Welsh Administrations to urge the UK Government to address income inequality by increasing benefits, tax credits and the national minimum wage to at least the minimum income standard to allow people to live above the poverty line. The UK government should uprate these regularly to take account of the increasing pressures on incomes.
- The UK Government should build financial strength and reliance in families by introducing a life-long savings account for low-income families funded through limiting the tax relief on pension contributions to the basic rate for everyone.

Housing and Energy Debt

- In line with European human rights principles and the practice elsewhere in the UK, the Department for Justice Northern Ireland should review the current practice in legal aid to remove any impediment to legal representation for those at risk of losing their homes. Public funding should be available immediately to provide free representation in court to people facing repossession.
- The Northern Ireland Executive should urge the UK Government to revise the Support for Mortgage Interest Scheme so that assessment is on a case by case basis and it can remunerate on actual cost as was the case in the past.
- The Executive within Northern Ireland, and the UK Government nationwide, should require all lenders to offer a swap to interest-only mortgages and deferred interest payments for up to two years for eligible candidates under the Homeowners Mortgage Support Scheme. Lenders should be required to negotiate acceptable rates so that this does not turn into a subsidy for banks through charging excessive interest rates.
 - The Executive should work with lenders to develop accurate monitoring of the impact of the financial situation on borrowers and create a mechanism for offering immediate advice and support for those who get into financial difficulty.
- The Executive should strongly support social housing and broaden the appeal of renting.
- The Executive should introduce a form of social price support for fuel costs targeted at vulnerable women and their families.

- The Department for Employment and Learning should oversee the integration of advice and support at the crisis point by ensuring that personal advisors working with the unemployed in any agency are trained to signpost those in need and at risk to independent advice centres and family support and counselling services for debt advice and mental health support.
- The Executive should prioritise face-to-face advice services as frontline services assisting people in need and ensure that their funding is protected. Advice agencies should be resourced to help to maximise incomes for the vulnerable and assist the Executive in addressing housing and fuel poverty and reducing individual debt, including by providing appropriate assistance for those for whom advice by telephone is not accessible.
- The Executive should ensure that one of its Ministers and departments regularly monitors the funding situation of local women's centres to ensure that they continue to receive funding as frontline service providers offering advice and support to women; and of Women's Aid to provide assistance and refuge when women are faced with domestic violence.

In the **Republic of Ireland**, the 2011 CSO report on women and men in Ireland showed:

Population: The highest fertility rate in the EU in 2010 was in Ireland at 2.07, well above the EU average of 1.59. The average age at which women gave birth to their first child rose from 25 years in 1980 to 29.4 years in 2010. Ireland had 98 men per 100 women in the population in 2011. This masks differences in the age groups: at younger ages, there are more boys than girls (as more boys are born than girls), there are fewer men than women in the 20-29 age group as more males than females have emigrated in recent years, and at older ages, there are more women than men (as women live longer than men). For the 85+ group, there are 47 men per 100 women in Ireland

Migration: The years of high immigration to Ireland were 2005 to 2008. In 2006, immigration peaked at 60,300 for males. A year later, it peaked at 52,100 for females. Since then, immigration has fallen very sharply to about 20,100 for males and 22,300 for females in 2011. Emigration rose steeply between 2006 and 2011 to about 38,700 males and 37,800 females, resulting in a net outflow leaving the country in 2011 of 18,600 males and 15,500 females

Health: Women were more likely to be hospitalised in 2010, with 343 hospital discharges per 1,000 women compared with 305 discharges per 1,000 men. Men are more likely to be admitted to psychiatric hospitals for schizophrenia and alcoholic disorders while women are more likely to be admitted for depression

Poverty: The proportion of men at risk of poverty in 2010, after pensions and social transfers, was 15%, just above the rate of 14% for women. At risk of poverty rates were considerably lower for those in employment, at 10% for men and 5% for women (Table 3.6).

Crime: There were 12,487 persons committed to prison under sentence in 2010, of whom one in eight was female. 47 men and 11 women were victims of murder/manslaughter in 2010 (Tables 6.1 and 6.4).

Irish Society has been through a tumultuous period since 2010 when we last met. The collapse of our economy and banking system saw the arrival of the "Troika", followed by a general election which saw a new Fine Gael Labour coalition government returned in February 2011. Congress developed a pre-election document, "A Better, Fairer Way to Recovery" which outlined in detail the alternative trade union movement strategy to tackle the crisis. We prioritised jobs as the key to recovery and said domestic demand had to be stimulated. The document also included a range of equality related policy areas and made the case for equality to be an integral part of our recovery. Congress continued to advocate that any policy decisions taken during the crisis should be equality proofed. The Women's Committee prepared a Pre Budget Submission 2010 which advocated that any decision regarding Budget 2010 must be taken in a manner which is sensitive to its differential impact on women and men and must be examined from a gender perspective. Unfortunately, this was clearly not the case in a range of budgets during the period and in March 2011 the Congress Women's seminar heard from TASC how the latest budget had impacted on women. Key measures that disproportionately impacted upon women included:

- €10 reduction in Child Benefit rates
- €8 cut for social welfare, jobseekers payments
- Replacement of Income/health levies by single universal social charge:

These findings in the Republic of Ireland were part of a TASC project to assess the gender impact of Budget 2011.

The MAIN FINDINGS of the project were;-

- Women earn less and work less than men and they are concentrated in low income groups
- Tax changes (USC/tax credits/tax bands) brought large numbers of low earners into the tax net
- Social transfers are more important for low earners than higher earners
- Budget 2011 measures had a disproportionate impact on low income groups
- Group most adversely affected - 'single with children' (three quarters were women)
- Group least adversely affected - 'two incomes and two children' with a high and low earner (70/30 ratio - high earner - 80% male)
- Highest earning group earned 5 times that of lowest earning group but they only lost 30% more of their income through budgetary measures.

The main policy implication drawn is the need for budgetary measures to be equality proofed. Congress and the Women's Committee played an active role in advance of budget 2012 (the first under a new Government), and while it contained some progressive elements, it has brought to just over €24 billion the total size of the negative fiscal adjustment to date. The net impact of this Budget will therefore be to reinforce inequality in our society and the recent negative employment trends. Congress acknowledges the difficult context in which this Government is operating. Even though severe constraints have been imposed arising from the 'Troika Agreement' there are however choices that can be made.

Cuts to public expenditure have been applied broadly across a range of sectors from education to social protection to health. Many of these cuts will entail additional charges, reduced services or cash payments to households. Those most reliant on services and income support will suffer the most. As an example, grants for schemes providing vital services to the unemployed, children, the elderly, the disabled and disadvantaged have been cut from €1,500 per participant to just €500. As a consequence, the future viability of hundreds of Community Employment schemes is threatened. These cuts do not represent administrative savings costs but the end of Community Services in many areas with a further loss of jobs and income in the locality. Congress continues to urge that these cuts be reversed.

The Government has opted to raise taxes mostly through VAT and excise duties which will have a greater impact on low-income households, due to the regressive nature of indirect taxes. These increases will hit the lowest income households hardest - those who spend all of their income and have little if anything left for savings. While Congress welcomes the proposed increases to capital acquisition, DIRT and capital gains taxes, we believe the burden of taxation is still very unfair, because:

1. Capital taxes are still very low. Ireland is still exceptional in having no wealth tax.
2. Inequitable tax breaks for property rent and various other headings have not been tackled and have been expanded in some cases, with little economic or social rationale.
3. Tax exiles continue to avoid tax and lecture citizens on how the country should be run in their best interests.
4. The estimated effective rate of tax on income for higher earners is still likely to be less than 40% on average.

Government should have targeted its tax changes at higher income and wealthy households, rather than on working people and lower income households. This could have included a wealth tax, a temporary corporate levy, a clean-up of tax breaks (tax expenditures) and the Financial Transactions Tax (FTT).

Congress continues to point to the urgent need for:

- A major investment stimulus to generate new economic activity, especially job creation;
- A more realistic timeframe over which to reduce the budget deficit, through a combination of measures including policies to enhance economic growth and generate additional revenues to the public purse.

The presence of an expansionary fiscal contraction Tooth Fairy is implied by claims that budgetary cuts will give greater certainty and confidence to consumers. There is no evidence that continuing reductions in public expenditure and tax increases have boosted consumer spending. A country is not a household where you must keep spending down to meet income and balance your books every month. A country is like an enterprise where you need to save seeds, plant and nurture growth.

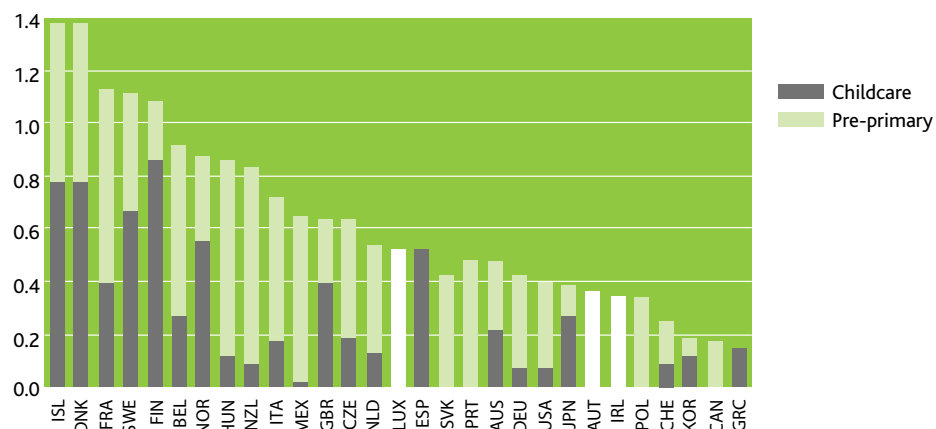
There is little evidence that this Government has:

- a vision of where Irish society needs to go;
- a sense of justice and equality that puts the interests of working people, the poor and the excluded before that of international creditors and high-income / high-wealth individuals living here; and
- a thought-out strategy to create employment and renew economic activity.

All of this points to the need for an equality statement with every budget. This should examine the distributional impact of budget measures across gender, age and other categories; The continued emphasis on cutting public services will impact more on women as women tend to be more reliant on public services than men and women are more likely to experience greater negative employment shifts than men due to over-representation in public services employment.

Congress has consistently made the case that the economy exists to serve society and not the opposite. The crisis has continued to have devastating effects on our society, not least on our Carers. Among the most worrying of suggestions in relation to taxation during the period was the proposal to tax Child Benefit. Child Benefit is used for a range of costs in relation to children - food, clothing, school books, uniforms and childcare. Given the abolition of the Early Years Childcare Supplement, Child Benefit is now also the only payment to assist parents with childcare costs, which depending on where you are in the country can range from €800 to €1000 per month. In the absence of a properly supported state child support system in Ireland, local crèches, early education, etc., added to the fact that the payment is paid directly to women, Congress finds this proposal to be totally unacceptable. We also noted that further proposals on removing tax allowances for childcare facilities; tax breaks for childcare service providers; and employer care be treated as BIK could also add to childcare costs. Thus Congress will not support the taxation of Child Benefit until there is a strong state supported system of child care in place. See this OECD graph below on how low state support here is.

Public spending on childcare including pre-primary education, percentage of NNI, 2005:



Congress prepared a submission on the Development of the Workforce in the Early Childhood Care and Education Sector. Congress believes that the delivery of quality childcare is dependent upon a highly skilled childcare workforce that is retained within the sector. It is the view of Congress that the facilitation of training and education is a core element of developing the workforce. We are equally of the view that the development of a sustainable highly qualified workforce will not occur in the absence of appropriate pay, working conditions and career progression for childcare workers. Quality, affordable, accessible childcare with quality jobs continues to be the principal trade union demand in respect of the early childhood care and education (ECCE) sector.

National Women's Strategy

The Government's National Women's Strategy (NWS) is the major national initiative for women's equality. Congress continues our active participation in the National Women's Strategy. This includes two places on the national monitoring group, a place on the sub group on women in decision making and submitting views to a review of the strategy. In July 2011 we did a major submission to the NWS. The stated purpose of the review was "to ensure that the Strategy reflects changes in the operating environment including a progress in its implementation" and Congress has promoted an outcome that does indeed lead to further progress on the strategy and warned that it should not be used as an opportunity to further row back on the rather modest aims and objectives contained therein. Congress has repeatedly made the case for gender equality to be a core component of any national recovery plan. Our 2010 submission to then Minister for Equality, Disability and Mental Health John Moloney TD, expressed concern for the apparent abandonment of commitments to gender equality in the face of the economic crisis. This included:

- Reallocation of most of the DJELR's money earmarked for gender equality initiatives to "essential services" provided by that department, resulting in a vastly reduced 2009 allocation of only €1.2m for the Equality for Women Measure and the ineligibility of associated childcare costs.
- The reallocation of €10m EU funding for the gender equality measure to DETE for much needed labour market programmes – but with no Gender focus attached to this spend.

Congress made the following points in our submission:

"While the 2010 NWS progress report shows, much good work has gone on in various settings in both public and private sectors, the major development in 2010 – the loss of our economic sovereignty and resultant agreements with the Troika – is not reflected. Any review of the strategy has to assess the impact of these events.

A cursory word search of The National Recovery Plan, 2011-2014; the memorandum of understanding between the European Commission and Ireland; or indeed the UK Loan agreement shows zero results for familiar words such as: Gender; Equality; and Women.

This is despite the launch of a new EC Strategy for Equality between women and men 2010-2015 during 2010; an opinion on flexible and part-time working arrangements and the gender dimension of the labour market adopted by the EU Advisory Committee on Equal Opportunities for Women and Men; a Europe 2020 Strategy adopted in mid 2010 which includes an ambitious goal of an employment rate of 75 per cent for women and men by end 2020 and envisages that the economic engagement of increased numbers of women will assist in achieving this goal. All of these initiatives are highlighted in the 2010 progress report of the NWS.

Whatever about the IMF and the UK agreements, it is particularly disturbing that while all of this was going on in the EC, such an agreement could be put in place that at best ignores all of these and indeed through certain measures such as the proposed reduction in the minimum wage and proposed changes to Joint Labour Committees (JLCs) had the potential to cut the pay and conditions of thousands of working women. Previous reports on the NWS have heralded the minimum wage as an important element of targeting the persistent gender pay gap. Congress welcomed it's reinstatement back to the original level from 1st July 2011 and celebrates the role of brave women, such as those SIPTU members in the Davenport Hotel, who took a strong stand on the issue at great personal risk.

Such measures, combined with somewhere between €3.6 billion and €4 billion being taken out of the economy in budget 2012 will compound the deflationary impact of the €20.6 billion that has been cut in three budgets since 2008. It is difficult to see how this will not seriously debilitate public services because this is cutting into muscle. To compound the problem demographic change means that the demand on public services will expand rather than contract over the next few years. This will have a devastating impact on vulnerable groups and reinforce inequality.

Congress General Secretary, David Begg, speaking at the Magill Summer School this month, stated that: "In 1991, The National Economic and Social Council asked a Norwegian academic, Prof. Lars Mjoset, to conduct a comparative study of Ireland and a number of small open Northern European economies to find out why we were doing so badly and they were doing so well. By the

time his report (Mjoset, 1992) was published the Irish economy had begun to take off and so it was more or less left on the shelf.

"There is merit in looking again at this question because Ireland has more in common with the small open economies of Northern Europe in some respects than it has with Greece or Portugal. In fact it is much more like Finland and Denmark, both of which happen also to be among the wealthiest countries in the world.

"What distinguishes these small open economies is that they began to realise that they needed to restructure their economy to deal with globalisation and the demands of European integration. Restructuring the public sector was seen as the key to making the private sector more efficient and competitive in export markets. Welfare and Labour market reform was tried unsuccessfully by conservative governments during the 1980s. However, the social democrat led government elected in 1992 did achieve some progress reflected in the much debated 'flexicurity' model.

"In short we have to reinvent ourselves. My long held belief is that we should try to emulate the Nordic countries, not just for their economic success but for the social sustainability and equality that is integral to their polity. It is a polity rooted in a political economy approach which holds that the economy is embedded in society and not the other way round. When you think about it, our fleeting period of economic success was sub optimal in the type of society that accompanied it. While we achieved virtual full employment we remained a very unequal society. Its passing is not to be irrationally lamented. Better to look beyond this dark period and start imagining the future in its more promising terms".

The review of the National Women's strategy could be part of that reinvention which would place gender equality at the centre of our polity. It could point to ways of challenging the continuing inequality that women face in Ireland today, including:

- Women's income is two-thirds of men's income. - Allowing for differences in hours worked, women's hourly earnings are just 86 per cent of men's.
- Women are more likely to be at risk of poverty and that the twelve critical points of CEDAW including socio and economic benefits continue to be exacerbated.

Preliminary findings from the TASC gender analysis of Budget 2011 also show how men and women have been impacted upon differently by budgetary choices:

- The cumulative effect of cuts in income (due to tax changes) and cuts to benefits (child benefit) exacerbates the negative impacts on women.

Such findings point to the need for an equality statement with each budget which would note the distributional impact of measures across gender and other grounds.

The recent study by The Leadership Initiative: "Towards a New Prosperity - to look at how gender order affects Ireland's economy and prospects for recovery", offers an invaluable insight: that re-shaping gender order in Ireland is not only possible, but offers an innovative and tangible tool for expediting economic recovery and for generating a new era of sustainable prosperity.

The study looks closely at the specific economic and social costs of gender imbalance persisting in Irish society and how these impact negatively on Ireland's capacity to regenerate itself as a vibrant, competitive economy. In particular, it looks at how gender imbalance in education and employment (sectors with a high degree of interconnectedness) is harmful to both males and females (in very different ways) and to the economy as a whole, and it highlights the clear and measurable benefits of gender order change.

Such a review could also point to the fact that Gender equality could also be greatly enhanced by improvements to our equality legislation. These could include investment in, and the development of supports for, equality and human rights impact assessment in legislation, policy making and programme design in the public sector,

A further evolution of the equality legislation is necessary so that its provisions move beyond protection against discrimination, to include provisions that would require a proactive approach to promoting equality. These new duties would serve to prevent the occurrence of discrimination in the first instance. They would stimulate and enable the institutional change necessary to take diversity into account and to advance equality in the policies, procedures and practices of all organisations. The equality legislation needs to include:

- A duty on public sector organisations to have due regard to gender equality in carrying out their functions. Public sector organisations would be required to prepare and implement a gender equality scheme that would set out how they would advance gender equality, adjust for diversity and prevent discrimination in their functions as employers, service providers and contractors of

goods and services. They would be required to monitor and report on steps they have taken in this regard and the impact of such steps.

- A duty on public sector organisations to implement positive action measures to achieve full equality in practice in employment and service provision. This duty would be triggered where significant gender imbalances in access to, participation in, and outcomes in relation to employment and service provision are identified.
- A duty on private sector organisations to be planned and systematic in their approach to gender equality. A planned and systematic approach to equality involves organisations putting in place an equality policy, providing equality and diversity training to staff and implementing an equality action plan.

The newly formed Oireachtas Committee on Equality, Human Rights and Women's Rights could be given an enhanced role in monitoring any revised strategy which could include:

- Assessing and responding to the gender equality issues that arise in relation to all legislation before the Dáil and Seanad,
- Reviewing and monitoring the implementation of all recommendations made to Ireland as part of the reporting process required by a number of international human rights instruments to which Ireland is a party, including CEDAW
- Continuing the work on women's rights already developed by the Oireachtas Committee on Justice, Defence and Women's Rights.

Congress continues to make the case for the importance of shaping our response to the economic and financial crisis in a way which is sensitive to its differential impact on women and men and demonstrates commitment to gender equality, including a gender dimension in national recovery plans.

The new programme for Government contains a commitment "to ensure that the rights of women and men to equality of treatment and to participate fully in society are upheld". Any honest assessment of the 'National Women's Strategy' will point to the fact that we have a long way to go in this regard. It is hoped that the opportunity of the review will reinvigorate all of us to ensure a timely and effective implementation of a comprehensive strategy for women's equality"

The outcome of the review is unknown at time of writing. A progress report on the strategy for 2010 was agreed by the Government in December 2011 -

<http://www.justice.ie/en/JELR/NationalWomensStrategyProgressRpt2010.pdf/Files/NationalWomensStrategyProgressRpt2010.pdf>

Equality Infrastructure

Congress continued to make the case as part of our Better Fairer Way campaign that National recovery should not be achieved at the expense of dismantling hard-won protections for the rights of the vulnerable and weakest in our society or institutions to combat discrimination and promote equality and human rights. Any Plan for National Recovery should include a strong, effective, independent and adequately resourced equality, and human-rights infrastructure so that we can emerge from this crisis with a better, fairer society that respects and protects the dignity of all its members.

The Equality Authority is the national body charged with promoting equality and combatting discrimination. Since its inception in 1998, Congress has been invited to nominate two trade union reps to the board, all of whom have played a very proactive role in supporting the work of the Authority. At the time of the last conference there were no trade union reps on the board because of their decision to resign in protest at the disproportionate budget cuts in 2008. During the period, the Executive Council of Congress decided to renominate two reps (David Joyce and Linda Tanham) to the board of the Equality Authority to seek to play our part in fighting to protect hard won rights and protect the important work of the Authority struggling to cope with the devastating cuts to its budget and the continued absence of a legal advisor. We continued to make the case for an Authority that can continue to raise awareness of discrimination and build public support for equality, and also to investigate and challenge discriminatory practices beyond simply relying on individual complaints. This should include a more proactive approach to implementing equality and, in particular the need for a positive duty requiring private sector organisations to be planned and systematic in their approach to equality and for public sector organisations to have due regard to equality in carrying out their functions and the need to further develop a support infrastructure to assist organisations in implementing this proactive approach to equality. The new

Government has since announced its intention to merge the Authority with the Irish Human Rights Commission and Congress has played an active role in advocating for a positive outcome of such a merger. Our submission to the consultation process in November 2011 called for the merger to be a real renewal of our equality and human rights infrastructure and not just another example of our failed austerity policies. Of particular concern is the exclusion of trade unions from the working group to advise the minister on the merger and the signals that may send in terms of the makeup of any new body. Congress General Secretary David Begg's called this "a disturbing break from the long established practice of ensuring balanced representation between both social partners". David Joyce and Annette Dolan now represent Congress on an interim Equality Authority Board, pending the merger.

Congress, in solidarity with UK unions – UNITE and PCS – also promoted a campaign to "Save the UK Equality and Human Rights Commission". The UK EHRC is due to have its budget reduced by some 68% (compared to when it was set up in 2007) and as a consequence, it is likely to:

- lose more than half its workforce
- reduce its legal enforcement ability
- close its Helpline to the public, business and the public sector
- lose its regional offices
- end its grants to charities or projects disability groups and community organisations that are often the first port of call for victims of discrimination and harassment.

Irish trade union members were encouraged to participate in a trade union led action against this attack on the equality infrastructure.

We have also continued our active engagement with the Equality and Rights Alliance who produced A Roadmap to A strengthened Equality and Human Rights infrastructure in Ireland in February 2011. It was launched by the Reverend Jesse Jackson and contains the following recommendation in relation to workplace participation:

"Introduce legislation to underpin the right of all workers to collective bargaining through their trade unions in line with the state's international commitments under International Labour Organisation Convention 98, article 11 of the European Convention on Human Rights, articles 12 and 28 of the EU Charter of Fundamental Rights and recent judgments of the European Court of Human Rights."

Congress also continued its work for equality in the following areas:

- Religious exemption: Continued advocacy for the repeal of Section 37(1) of the Employment Equality Act – including meeting former Minister Mary White and current Minister Kathleen Lynch;
- While welcoming Civil Partnership, we have also sought political commitment to equal marriage rights for same sex couples
- Following the passing of a motion proposed by the TEEU at the Congress Women's Conference Congress in March 2010, Congress has played a strong supporting role on the issue of trafficking for sexual exploitation. David Begg and Eamon Devoy (TEEU GS) participated in the launch of the Turn off the Red Light campaign in January 2011. The campaign argues that the best way to combat sex trafficking and prostitution is to tackle the demand for paid sex by criminalising the purchase of sex. (See <http://www.turnofftheredlight.ie/>). This issue also featured at the Congress BDC in July 2011.

A wide ranging motion making the case for equality to be a major part of our national recovery was also debated and passed at our Biennial Delegate Conference in Killarney (July 2011).

Historical adoption of the Domestic Workers Convention (Jun 2011)

Congress has called on the Government to take a "global lead" on workers' rights by becoming the first to ratify a new landmark treaty that gives protection to domestic workers. Congress Legal Affairs Officer Esther Lynch said: "Ireland should take the lead in this matter and be the first to ratify this new ILO Convention, which was supported by a huge majority at the ILO – including the Irish Government, unions and employers."

The treaty has been widely welcomed around the world. The International Trade Union Confedera-

tion welcomed the adoption of the Domestic Workers Convention and Recommendation by the International Labour Organisation, but called on the ILO to ensure governments around the world were put on notice about protecting the millions of people in the domestic work sphere. The Convention on Domestic Workers is a benchmark: it is a key instrument to ensure that workers in informal and precarious jobs have an effective access to decent work.

The Convention gives the millions of domestic workers around the world the same rights as other workers. Until now, most domestic workers belonged to what is called the informal economy. Once ratified, this Convention has the potential to take millions of workers out of the shadow economy and formalise their employment. The Convention, first and foremost, recognises the right of domestic workers to organise in unions, which is still forbidden in many countries. This change should allow them to negotiate and improve their working conditions.

Conferences on Inequality

Seventy Trade Unionists gathered in the Clarion Hotel, Dublin Airport on Wednesday 24th November 2010 to discuss trade union strategies for a more equal society and workplaces. The keynote speaker was Richard Wilkinson, co-author of the Spirit Level. Kat Banyard, author of the Equality Illusion, also made an address to the conference.

Congress President, Jack O'Connor, spoke about the imminent publication of the Government's National Recovery Plan 2011-2014 and made the case for an alternative approach that could reference the experience of other countries in Northern Europe who have placed equality at the centre of their development strategies. He said the key lesson from such countries was that equality was not just a moral or idealistic choice but has been proven but is also better for society and economically superior. He urged all to participate actively in the Congress campaign against the government's approach, beginning with active participation in the national demonstration on Saturday 27th November.



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Renee Dempsey, CEO, Equality Authority – presented on the importance of strategic partnerships in the quest for Equality:

Richard Wilkinson Presentation on his groundbreaking research as to why more equal societies almost always do better, as outlined in *The Spirit Level*;

Kat Banyard, Director of UK Feminista (Author of the Equality Illusion) presentation on the Truth about Women and men today and clip of vox pop done by the Irish Feminist Network;

Terry McDonough NUIG, author of joint TASC/Congress Hierarchy of Earnings, Attributes and Privilege (H.E.A.P.) report presentation on inequality today;

Kathy Monks, DCU: presentation on 'The Business Case for Equality and Diversity';

Niall Crowley - independent equality consultant and developing Ireland's first Charter for equality and human rights for ERA; Niall also spoke about the importance of trade unions and other civil society groups uniting around the inspiring vision and practical policy agenda agreed at Claiming our Future in October 2010. There was a strong consensus around the priority to be given to five values, with Equality at number one.

Sile Larkin, Equality Tribunal, presented on Case work from the Equality Tribunal,.

Trade Union Initiatives presented included:

Billy Hannigan, PSEU, Carol Schaeffer, CWU, Aileen Morrissey, MANDATE, Belinda Perry, ESBOA; Deirdre O'Connor, INTO, Theresa Dwyer, CPSU, Anne Speed, SIPTU.

David Begg closed the conference with reference to some of the most offensive elements of the Government's plan for national recovery being launched that day, which Congress described as "savage and regressive"

There was also strong trade union representation at the May 2011 Claiming our future national discussion on "Reducing Income Inequality", in Galway. Trade unions present made the case that "any attempt by Minister for Enterprise, Jobs and Innovation, Richard Bruton, to force through changes to the Joint Labour Committee/Employment Regulation Order (JLC/ERO) and Registered Employment Agreement (REA) wage setting mechanisms which result in cutting the pay of low paid workers could result in industrial action. Congress Vice President, Patricia King warned. "The proposals put forward by the Minister have effectively ignored the recommendations made in the comprehensive Independent Review of the wage setting mechanisms carried out by Kevin Duffy and Frank Walsh and represent a serious assault on the most vulnerable, lowest paid workers in the country".

International Solidarity

The Committee continued to lend its active support to The Irish branch of Justice For Colombia. This network was created in December 2008 to support the struggle of trade unions in Colombia – the most dangerous country in the world to be a trade unionist. They have successfully waged an awareness campaign among the Irish public and lobby work vis-à-vis MEPs (all 12 Irish MEP's signed a letter protesting against the EU Colombia Free Trade Agreement) and TDs on the issue of human and trade union rights in Colombia. A Congress delegation led by Congress General Secretary, David Begg and Congress President, Jack O'Connor, met with then Minister for Foreign Affairs, Micheal Martin TD to make our case against the Free Trade Agreement.

JFC have hosted a number of Colombian guests including: General Secretary of the Colombian Trade Union Congress (CUT), Tarsicio Mora; Jorge Gamboa, who is a member of the Executive Committee of the Colombian trade union confederation CUT; Luis Alberto Vanegas, the Director of the Human Rights Department in the Colombian Trade Union Congress (CUT) who addressed the 2009 Congress BDC; Congressman Hernando Hernandez, representative of indigenous people in the Colombian Parliament; Lina Malagon of the Commission of Jurists, and a specialist in compliance with UN and ILO standards and Reinaldo Villalba, a leading human rights lawyer from the Jose Alvear Restrepo Collective.

Most recently, Rosalba Gaviria Toro, a former Colombian political prisoner, visited Ireland in December 2011 to meet with those who campaigned for her release, among them two second-level students from Kenmare. She is a trade union and human rights activist who visited Ireland as a guest of the Irish Congress of Trade Unions and campaign group, Justice for Colombia Ireland. Detained and imprisoned, without trial, by Colombian authorities in March, 2009 she was released without charge in June 2011. There are hundreds of political prisoners currently languishing in

Colombia's jails.

They include numerous trade unionists, student activists, community and indigenous leaders and human rights defenders – all imprisoned for their opposition to Colombian government policies. The Committee supports the adoption of the case of Liliany Patricia Obando who in August 2008 was detained by the Colombian authorities. She was dragged away in front of her two terrified children and her elderly mother. The Colombian regime has accused her of 'rebellion' and is currently holding her in appalling conditions in jail without having convicted her of any crime.

Clean Clothes Campaign. Together with the retail workers union MANDATE, the development NGOs: Trocaire, Comhlamh and the Ethical fashion group Re-Dress, the launch of the Irish branch of the Clean Clothes Campaign (CCC) in October 2010 was supported by the Women's Committee. CCC is focused on educating and mobilising consumers and direct solidarity with garment workers – many of whom are young women - and their trade unions in the global south. CCC has organised well attended public meetings on these issues.





*Teamsters women
in Oregon factory
cleaning fish 1954*

Action on motions from 2010 Women's Conference

Motion 1: Organising Women Workers, Services, Industrial & Professional Trade Union

Since our last conference, unions have been engaged in organising campaigns specifically targeted at industries where women make up the majority of workers. SIPTU launched the Fair Deal for Cleaners Campaign in 2010 to organise in the predominantly female and high proportion migrant, contract cleaning industry. Women working in the community sector, in childcare and community employment are also being organised into the union in large numbers. Mandate continues to organise women in the retail sector, CWU in call centres and other unions across a range of sectors.

The Davenport Hotel dispute demonstrated the crucial role of union membership in securing the rights of vulnerable migrant women workers.

A commitment in the Programme for Government to reform the current law on employee's rights to engage in collective bargaining so as to ensure compliance with recent judgments of the European Court of Human Rights represents positive development in the campaign for collective bargaining rights in the ROI.

"A Call to Action" makes explicit that the key objective of the movement now is to organise new workers into unions to strengthen our bargaining power in local workplaces, in industries and across the economy.

Motion 2: Equality Audit, Women's Committee (ROI)

Then Congress President, Jack O'Connor, at our 2010 conference, welcomed the fact that we now have the equality audit findings, recognised the challenges they pose for us as a movement, and committed Congress and the movement to continue to progress our commitment to achieving gender equality in our programmes and structures. The Strategic Implementation Committee on Equality Initiatives invited the TUC to a meeting to discuss their experience of audits and will remain in close contact with the TUC who have years of experience in collecting such data in the UK. They are currently planning the second equality audit for Congress.

Motion 3: Underrepresentation of Women, Teachers' Union of Ireland

Congress has established Women and Leadership accredited training through the PETAL programme which includes modules on 'the concept of power', 'leadership styles and approaches' and 'barriers to equality'. Since conference 2010 40 women have attended the training. In the Republic of Ireland, the Women at Work Skillnet, spearheaded by five Trade Unions, Mandate, CWU, IBOA INMO and SIPTU together with Congress continued to provide customised training programmes for vulnerable groups of women involved in the retail, financial services, communications and healthcare sectors, at no cost to the participants. There was also a Women in Leadership Programme specifically designed for Women in Trade Unions In the Republic of Ireland.

Motion 4: Commission on Bullying, Stress and Third Party Violence at Work, *National Union of Journalists*

The work of the Commission is on-going and the Women's Committee has fed into the process. Congress has established through the PETAL programme a series of initiatives on this topic. Over 40 people, North and South, have attended accredited Mental Health First Aid training and the ASIST training (Applied Suicide Intervention). Sessions have also been run on Mental Health and Stress in the workplace. Issues arising from this training and through discussions with Congress Disability Committee have been fed back to the Commission.

Motion 5: Building Equality into Recovery, *Civil and Public Services Union*

Congress Equality Committee met with staff of the Equality Tribunal during the period to discuss concerns. The Tribunal was also on the agenda for meetings with the Equality Minister. Congress also made the case for retention of the expertise built up in the Tribunal in any reforms of the State's employment rights / workplace relations institutions.

Motion 6: Pensions, *Public Service Executive Union*

The Public Services Committee of Congress continued to seek the implementation of an AVC scheme across the public service however the decision of Government to introduce a new single pension scheme across the entire public service based on career average earnings made it impossible to make progress on this matter

The attack by the Government on public service workers' pensions has been severe and sustained unions in the North, these developments have taken place within the last 2 years. Unions have been involved in massive rallies and campaigns to save the pension, public services and jobs.

Motion 7: Mental Health, *Communications Workers' Union*

Congress revised its Disability Code of Practice for Trade Unions to include the issue of mental health. As with Motion 4, Congress has developed or is offering a series of Mental Health training programmes. These programmes are central to Congress equality training. The training also encourages reps to raise the issue within their union's structures and within the workplace.

Congress was also involved in the launch of two workplace guides on the topic in 2012. "BREAKING THE SILENCE OF SUICIDE IN THE WORKPLACE" was launched by Console and the Irish Hospice Foundation, aimed at helping employers to respond appropriately when a workplace is affected by suicide, whether through the death of an employee or where a staff member is impacted by a suicide outside of the workplace. Two new guides on Equality and Mental Health were also launched by the Equality Authority. "Equality and Mental Health – how the law can help you" provides practical information for people with experience of mental health difficulties on their equality rights in employment and access to services. "Equality and mental health – what the law means for your workplace" provides information for employers on their responsibilities towards employees and potential employees with experience of mental health issues. Congress has been

an active participant in the See Change campaign to bring about positive change in public attitudes and behaviour towards people with mental health problems

Motion 8: Quality of Public Health Services, *Irish Nurses and Midwives Organisation*

Unions across the Island have been actively involved in high profile campaigns against the threat of privatisation, through a series of meetings with Governments and challenging through legislation the impact that privatisation has on public services, workers and human rights.

Motion 9: Employment Patterns based on Women's Experience, *Electricity Supply Board Officers' Association*

The lack of flexible working patterns are still a major barrier to women's full participation in the workplace, this coupled with the lack of affordable childcare serves to push women deeper into poverty and denies women full economic independence. Congress has been involved with partner organisations in making submissions to Government and to the European Commission as well as OFMDFM to call for better facilities and better and fairer recognition of women's roles as carers and workers.

Congress continues to seek a right to flexible working and will use the opportunity of the transposition of the new Parental Leave Directive to further pursue this objective.

Motion 10: Extension of 1967 Abortion Act, *UNITE the Union*

Congress has participated with 'Alliance for Choice' to raise the issue the extension of the 1967 Abortion Act to N.Ireland. Members of the women's committee have participated in demonstrations and lobbying. Affiliates have also been involved in campaigns within their own unions on the issue. The Women's Committee provided a note for the Executive Council following the decision by the European Court of Human Rights that ruled that abortion, in certain circumstances, should be legalised in the Republic of Ireland. An information seminar, in partnership with the Irish Family Planning Association is also being planned. Members of the committee also participated in 'Alliance for Choice' training.

Motion 11: Domestic Violence, *Northern Ireland Public Service Alliance*

Members of the Women's committee participate in the End Domestic Violence campaign, which enhances support mechanisms through society to women who are subjected to domestic abuse. Monthly reports are given to the committee. The committee along with their partner organisations have been involved in lobbying Government around change. Lobbies of PSNI and with the Justice Minister have also taken place. Congress also provides Domestic Violence and the Workplace training as a core part of its PETAL programme, this training is provided by Women's Aid. We have also established links with a "Domestic violence workplace rights and entitlements Project" of the Australian Domestic and Family Violence Clearinghouse (ADFVC). This Project seeks to inform Australian unions and employers about domestic violence issues for employees and to promote the introduction of domestic violence provisions in enterprise agreements using the new Fair

Work framework, and was impressed by our revised set of guidelines for trade unions in order to assist women at work who are experiencing domestic violence. We have also added a page on our website on gender based violence - <http://www.ictu.ie/equality/gender/genderbasedviol.html>

Motion 12: Budget 2010, *Mandate Trade Union*

Congress continued to make the case for an alternative to the successive austerity budgets since 2008, through our Better Fairer Way campaign. An Economic Research Unit has also been created in 2011 to research alternative economic policies.

The INTO ran a campaign "Give Kids Their Chance" in the run up to Budget 2011. Included are some videos which outline the impact of education cuts <http://www.into.ie/givekidstheirchance/>

Motion 13: Fundamental Human Rights in Northern Ireland and the Republic of Ireland, *UNISON*

Congress remains committed to the realisation of a strong Bill of Rights for NI, and the Charter of Rights. Congress works closely with the Human Rights Consortium in this regard. Congress also offers 'Mobilising for a Bill of Rights for NI' training and awareness raising as a core element of its PETAL programme. Congress responded to the UK Commission for a Bill of Rights consultation and also met the commissioners with partner organisations. Congress also held consultative meetings with the Women's Committee, Disability Committee and LGBT Committee as well as with affiliates and community groups to respond to the NI Consultation on a Bill of Rights. Congress are pleased that the public opinion on the Bill of Rights is very positive across all communities and in particular highlight that in recent research carried out for the Human Rights Consortium of the 36,492 who responded to the NI consultation 95% of respondents favoured a strong and inclusive Bill of Rights. Congress continues to raise the issue with Government and to keep the profile high within the Trade Union movement.

There was a major Human Rights focus at the 2011 Congress Women's Seminar in Cork with a presentation and discussion on Ireland's upcoming examination of its human rights record at the UN. Congress was an active participant in the "Your Rights Now" project which sought to engage Irish Civil society groups in the process and was successful in getting collective bargaining rights included in the coalition's list of demands.

Motion 14: Reform of Banking Culture, *IBOA The Finance Union*

Congress Submission to the Investigation into the Causes of the Banking Crisis was strongly critical of the behaviour of banks and the financial services sector. Issues such as the explosion in top executive pay, low corporation tax all acted as a disincentive to the boards to act responsibly and to be prudent in their lending. Thus the low tax regime may have contributed, in some not insubstantial way, to the near destruction of the banks and to the immense harm done to the Irish economy by the boards of these Irish banks. The huge remuneration packages were based on a "bonus" culture driven by perverse incentives for top executives. It was not encouraging greater and smarter effort but reckless risk taking. Congress made the case for a radical overhaul of corporate governance, not just confined to the immediate governance of companies and the way in

which companies are run by top management, but also to include new assessments of their companies' priorities, including the obsession with short-term "shareholder value," to the exclusion of the interest of other stakeholders.

In July 2010 Margaret Browne, then President IBOA, attended a UNI World Conference held in Copenhagen where Unions representing workers in the financial sector world-wide launched a Global Charter for responsible sale of financial products which emphasised and stated the need for more transparency on incentive structures and conflicts of interest. This Charter was adopted by all Unions and submitted to the Central Banks and Financial Regulators both here in Ireland and in all of the countries represented at the Conference

Motion 15: Beijing + 15, *Women's Committee (NI)*

There was a major Human Rights focus at the 2011 Congress Women's Seminar in Cork with a presentation and discussion on Ireland's upcoming examination of its human rights record at the UN. There was also a major presentation on CEDAW by Ms Vinie Burrows (member of UN Committee on CEDAW). Congress was an active participant in the "Your Rights Now" project which sought to engage Irish Civil society groups in the process and was successful in getting collective bargaining rights included in the coalition's list of demands.

Congress continues to work with it's partners on realising the commitments of the Beijing Platform. Congress works with NIWEP, Women's Aid, and Amnesty amongst others on strands of the 12 critical points. Congress also covers modules of the agreement in it's Women and Leadership training.

Motion 16: Sex Trafficking, *Technical, Engineering and Electrical Union*

In Northern Ireland, Congress has worked with Anti-Slavery UK to input into a better and stronger strategy to deal with Sex Trafficking. Congress has also worked with Amnesty in NI as part of a research project into the extent of sex trafficking in NI.

The TEEU, the union which proposed this motion back in 2010, has been an active participant in the TORL campaign, including having Denise Charlton (CEO of ICI) as keynote speaker at TEEU BDC in November 2010, where the union formally announced its support for the campaign; Eamon Devoy, General Secretary of the TEEU was one of the main speakers at the "Irish Men Call For An End To Sex Trafficking And Sexual Exploitation" meeting in February 2011; the TEEU proposed to the NEC of ICTU that Sister Stanislaus Kennedy be invited to address the ICTU Conference in July 2011 in Killarney and has since made a substantial financial contribution to the TORL Campaign. Congress and the Women's Committee has also been an active participant in the TORL campaign – detailed in the Executive Council report.





Women's Auxillary of the Typographical Union – now part of the Teamsters – on the Labor Day parade in New York 1909

Appendix B

Members of the Women's Committee

ROI

Yvonne Harvey – UNITE
Carol O'Brien – UNITE
Carol Walsh – Wexford Council of Trade Unions
Carol Scheffer – CWU
Mary Brady – SIPTU
Suzanne Griffin – SIPTU
Mary Branigan – Dundalk Council of Trade Unions
Dorothy Bailey – VOA
Inma Aznar – VOA
Angela Ryan – GSU
Breda Murray – GSU
Annette Dolan – TUI
Maire Mulcahy – ASTI
Mary Ohle – ASTI
Mary Winston – ESBOA
Joan Byrne – CPSU
Therese Dwyer – CPSU
Margaret Browne – IBOA
Marian Geoghegan – IBOA
Clare Treacy – INMO
Ania Hazik – TEEU
Jessica Irani – TEEU
Eira Gallagher – Kildare Council of Trade Unions
Deirdre O'Connor – INTO
Nora Hamill – INTO
Aileen Atcheson – Clonmel Trades Council
Agnes O'Toole – Clonmel Trades Council
Paula Geraghty – Dublin Council of Trade Unions
Melissa Brennan – PSEU
Helen Long – PSEU
Adrienne Byrne – IMPACT
Margaret Coughlan – IMPACT
Angela Flynn – IFUT
Ann Louise Gilligan – IFUT
John Kelleher – AHCPS
Edna Dowling – AHCPS

Eileen Healy – INMO
Sheila Dickson – INMO
Carmel Heneghan – Galway Council Of trade Unions
Rhonda Donaghey – Dublin Council of Trade Unions
Ann Hanratty – ESBOA
Ethel Buckley – SIPTU

Northern Ireland

Pamela Dooley - UNISON
Geraldine Alexander - NIPSA
Teresa Graham - NASUWT
Elaine Captain - B&DTUC
Theresa Devenney - ATL
Taryn Trainor - UNITE
Fiona Stanley - FDA
Margaret McKee - UNISON
Rosella McCay - NASUWT
Jackie Reid - UTU
Anne Donnelly - Derry Trades Council
Geraldine McGowan - INTO
Dot Kirby - NUJ
Audrey Stewart - UTU
Teri Cregan - SIPTU
Fiona Doherty - SIPTU
Moiria Morton - Belfast TC
Kathleen Thompson - GMB
Margaret Gregg - GMB
Sinead Fitzpatrick - CWU
Vivien Holding - CWU
Geraldine Kelly - UNITE
Monica Goligher - UCU
Pauline Collins - UCU
Fiona Doherty - SIPTU
Cathy Crozier - INTO
Karen Taylor - PCS
Gayle Matthews - PCS
Karen Burch - NISPA

Pauline Buchanan - Congress Equality Officer NI
David Joyce - Congress Equality Officer ROI

EQUALITY LAW - THE LEVELLING IMPACT OF EU LAW

In this short article we will show some of the ways in which EU equality law can influence our domestic equality laws and might be relied on to remove apparent differences between them.

The main EU equality laws which seek to ban discrimination in employment are the Equal Treatment Directive (Recast), the Racial Equality Directive and the Framework Employment Directive.

The domestic equality laws which presently apply in each region and which seek to ban discrimination in employment are:

Northern Ireland	Republic of Ireland	Great Britain
<p>Equal Pay Act (NI) 1970</p> <p>Sex Discrimination (NI) Order 1976</p> <p>Fair Employment & Treatment (NI) Order 1998</p> <p>Disability Discrimination Act 1995</p> <p>Race Relations (NI) Order 1997</p> <p>Employment Equality (Sexual Orientation) Regulations (NI) 2003</p> <p>Employment Equality (Age) Regulations (NI) 2006</p>	<p>Employment Equality Acts 1998 to 2011 *</p> <p>* The 1998 Act is the main statute, but it must be read together with several later laws, especially the Equality Act 2004, which made important amendments to it</p>	<p>Equality Act 2010</p>

The relationship between EU law and domestic laws

Domestic laws are the main channels through which EU legal rights are passed on to the citizens of each Member State. Domestic laws do not have to follow EU law to the letter, but they should reflect it in substance and should be interpreted by tribunals and courts accordingly. Lack of space prevents us from exploring all of the implications of this, but the following examples will illustrate the possibilities-

Gender reassignment:

EU law bans discrimination on this ground. The domestic laws in Northern Ireland and Great Britain did not initially ban this type of discrimination when they were

first enacted, but were later amended so as to bring them into line with EU law. However, even now, the law in the Republic of Ireland does not explicitly ban this type of discrimination. However, it is generally accepted that the “gender ground” in the Republic’s law must be interpreted, in line with EU law, as banning gender reassignment discrimination. This principle was recently followed, for example, by the Equality Tribunal in the case of *Hannon -v- First Direct Logistics Limited* [2011].

Compulsory retirement ages:

EU law bans age discrimination, including the setting of compulsory retirement ages where these cannot be objectively justified. The laws in Northern Ireland and Great Britain now explicitly follow EU law in this regard, although only since April 2011 when they were amended to bring them into line. By contrast, in the Republic, a provision in the Employment Equality Acts (i.e. section 34) purports to allow employers to set compulsory retirement ages without needing to objectively justify this. Thus, the Republic’s law is out-of-step with EU law on this point. This gap has been recognised by the Equality Tribunal, which has ruled that EU law prevails over the section 34 exception and that employers in the Republic cannot lawfully set compulsory retirement ages without being able to objectively justify them (see the case of *Saunders -v- CHC Ireland Ltd* [2011]).

The Equality Commission for Northern Ireland

The Equality Commission has a wide range of duties and responsibilities. One of these is to keep Northern Ireland’s domestic equality laws under review. EU law is an important template in our toolkit when it comes to doing this. There are currently a number of areas where we believe legislative reform to be both necessary and desirable. Detailed papers on our proposals are available on our website at www.equalityni.org.

We also make appropriate references to EU law and its relationship to domestic law in the various training programmes that we run for employers and trade unions, for example in our PETAL programme. PETAL (i.e. Progressive Equality Training and Learning) is a partnership initiative between the Commission and the Irish Congress of Trade Unions that aims to develop greater awareness and expertise of equality law, policy and best practice amongst trade unionists. Now in its second year, the programme continues to grow and we are currently looking at how best to meet your needs in 2012/13.

For further information, please contact us at

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