

**BRANDON HOTEL  
TRALEE, CO KERRY**

**July 7 – 10, 2009**



**Tuesday 7 July  
Morning Session**

Opening of Conference  
9.30 – 11.30

**Patricia McKeown, UNISON & President of Congress**

Delegates, could I have your attention please. Calm down – we are about to start. Brothers and sisters, comrades, honoured guests, it is my very great pleasure to declare the 2009 Biennial Delegate Conference of the Irish Congress of Trade Unions open.

It is also now my extremely great pleasure to introduce to you the Mayor of Tralee, Terry O'Brien. Terry was re-elected for his third term of office as Mayor just two weeks ago and that, I think, is a measure of the confidence the people of Kerry have in their Mayor. Terry, you are very welcome.

**Terry O'Brien, Mayor of Tralee**

President, delegates, ladies, and gentlemen thank you very much, thank you for that very warm welcome. Your President, Patricia, is an adopted Kerry woman at this stage I believe. Her escape from Belfast is in Castlegregory back in West Kerry so that's where you will often find her if you want to rummage around Kerry.

You are all very, very welcome. We here in Tralee are extremely grateful to have a conference of this size, of this importance in our town. I was here in 2003 and welcomed you then and in these changing times, I really, really welcome you now. The town, county and country as you know is suffering and 600 delegates, 200 guests, is quite a boost to our economy and speaking to some of the delegates this morning, you have already found some of our public houses which is fantastic. It is not a great time to come to Kerry because aside from the economic crisis that we are going through, last weekend there was a little matter of a Munster football final and not alone did we not win, we weren't even there. So if you are from Cork you are welcome and I encourage you to keep your Cork

accent very quiet for the next few days – if you are from Limerick you were very close and commiserations.

The eyes of the town, county, and country are on you over the next few days. You have a very healthy agenda. Eileen was very good to furnish me with this and I must say you are going to need, and I wish you the Wisdom of Solomon, to get through it because we will be looking to you for direction. A Congress of this size representing, with a mandate of almost 900,000 people from both sides on the whole Island of Ireland should I say, so we will be expecting a lot from you and I suppose we wish you luck with all that goes on.

I am also aware that on Wednesday you have a half day. I would encourage you to have a look around and explore Kerry. Across the road here you have Siamsa Tira. We have the Aquadome, we have the Windmill Project all within walking distances. And we have our Killarneys, our Castlegregorys and we have a lot to offer here in Kerry so we would encourage you to look, examine and return in the next few weeks with your families – you will be more than welcome.

Again, just to wish you well. It's a tough time. Tralee at the moment is one of the black spots for unemployment. I think at the moment we are at 30 per cent so we are looking to the likes of you because unfortunately as a Labour Councillor I am not looking at our Government with a lot of hope so it is the likes of yourselves that will hopefully carry through this very tough time.

Again, President, thank you very much for choosing Tralee. I wish to all the very best and I wish you well in your conference and thank you for coming to Tralee in Kerry.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Terry and it certainly is a very important part of our mission to deliver to the people of Tralee and the South West.

It now gives me very great pleasure to introduce one of our brothers, John Boner, and John is Chairperson of the Tralee Trades Council. You are very welcome John.

### **John Boner, Chairperson of Tralee Trades Council**

Thank you President. Brothers and sisters it is a huge honour for me to walk in the shoes of the likes of Michael O'Regan who was our former Chairperson of the Tralee Council of Trade Unions and address Congress today.

Just before I start – just thinking there about last night and what Terry said that we should support the local economy, I was doing my best last night with Steve Fitzpatrick from the CWU to do so and we were reminiscing over past years

when we were delegates to the conference and I think it is 1995, Dave was going for election. He was our General Secretary of the CWU at the time and we were told we could do an awful lot of things but one thing we had to do was that we had to be there on Thursday to vote for Dave. Everyone had their bits and pieces together and I thought I had as well but unfortunately I forgot my credentials. I'm living about a mile and a half up the road and I just realised that just when the vote was being taken and it was a pity I wasn't running for Ireland at the time because I definitely broke the four minute mile trying to get up and down. But, anyhow, as the story says, Dave got elected and didn't he do well since.

Tralee, as you know, has a very proud and long historical involvement in the Trade Union movement and we are very proud of the Trades Council in Tralee to see conference come to Tralee at the moment. It is a big boost to the economy of Tralee as Terry has said and if you could just stay with me for a minute I will give you a very brief history of how things have gone in Tralee since the last conference, about four years ago I think.

We haven't had any major industry in Tralee since Amann in 1999. Dennys, since the last conference, has relocated their plant. The Kerryman has relocated the printing, and except for journalists, have relocated the whole operation. The BERU is a major industry in Tralee and unfortunately, it relies on the motor industry for its substance and at the moment BERU is going through transition and there are an awful lot of redundancies there. The Tillison factory has shed jobs and the aforementioned Amann, which was the last industry that came, is now winding down and will be leaving the stage very shortly with a loss of all the jobs there. So, the situation in Tralee is that in the Tralee catchment area there is 6,400 people signing on the live register which is a terrible indictment of the present Government and a terrible indictment of what is going on here. It is well over 20 per cent which is hugely over the national average. Of course what happened in Tralee like everywhere else is that the unrealistic boom in the construction industry covered over the cracks and the investment in industry didn't happen. This of course was underpinned by the recklessness and carelessness of the banking sector and in my view this is why this conference is so important, because the workers in this country are relying on the Congress to make the right decisions to ensure that things are turned about. The country otherwise is facing into an abyss. The same economic commentators who were cheerleaders for the Celtic Tiger are now lecturing us on how things should be done. They give scant blame to the banks and they like to give the blame that they are giving, hinted in the papers and everywhere else, is the people who cause all this and who are benefiting and laughing about this in their view, are the social welfare recipients, the recipients of minimum wages, the public servants who dare ask for a fair day's pay for a fair day's work and the trade union movement and social partnership. This is very evident in the attacks now on the TEEU which is absolutely disgraceful. They are smudging over what the real issue is and the TEEU dispute is not about the TEEU looking for extra

money at this moment, it is about money that is owed to them, that is due to them and that was granted to them two years ago.

These commentators conveniently forget who actually caused these problems and they conveniently forget or not mention, for instance, the blueprint for modernisation of Ireland was not Michael O'Leary and it was not Tony O'Reilly, the blueprint was by public servants – TK Whittaker and co who actually presented the plan to Sean Lemass who later took it on to modernise Ireland and this was underpinned again by a strong investment in the semi-state sector who seem to be now in these commentators' viewpoints depriving a society and they are dead wrong in that. In the last recession in the late 80s what rescued Ireland at that time was social partnership and that was done on the backs of the trade union movement who made a lot of sacrifices for modest wage increases that secured industrial peace and then secured a better Ireland for everybody. And it was not done by, as I say, the Tony O'Reillys, the Michael O'Learys and the Dermot Desmonds.

There are a number of key issues that delegates have to decide on at this conference. And I would just say one thing in my viewpoint, in my experience from working in the trade union movement in Tralee is that workers don't mind paying their fair share. They are patriotic people and they don't mind doing that. We have been doing it all our lives and we will continue to do it but it must be underpinned by one thing – those who can afford it must pay the most and that's about it. We cannot continue to tolerate a situation where people who pay into pension funds find themselves in situations like Waterford Glass workers where there is no pension there for them to get. We cannot have a situation where people who loose jobs through no fault of their own are confronted by the banks and loose their houses – the very banks that the taxpayers of this country had bailed out. I could mention a lot more things but I won't because I understand that I am limited to time but the policy that this Government is adopting with slash and burn is not workable and it is not acceptable and it definitely should not be acceptable to the trade union movement. In February of this year the ordinary people of Ireland walked the streets of Dublin in tens of thousands in protest of the horrible policies that are now being cast upon them by the Government. In the local and European elections we gave them another card and I think now that it is time for us to think again and if they don't engage and respond meaningfully to the proposals that were given by Congress I think it is time now for us to take a different viewpoint and the Government, if they don't work in partnership with us we will have to take to the streets again and that is what I would ask you colleagues in your conference this week.

Thanks very much.

**Patricia McKeown, UNISON & President of Congress**

Thank you very much John. Good luck with your struggle.

Conference we now move to the election of Tellers. I have five names for five Tellers – Phyllis Behan, PSEU; Kate Varley, IBOA; Paddy Mackell, NIPSA; Seamus Brisco, SIPTU; and Kevin Gaughran, CPSU. Do you agree them as Tellers? Thank you. And now to five Scrutineers – Frank Barry, Unite Amicus; Billy Hannigan, PSEU; Annette Dolan, TUI; John Kelleher, AHCPS; and Jack McGinley, SIPTU. Are they agreed? Thank you very much.

I now call on the Chairperson of our Standing Orders Committee, Michael Sharp to move Reports No. 1 and 2.

### **Michael Sharp, Chairperson of Standing Orders Committee**

Thanks President. Good morning conference, brothers and sisters. Michael Sharp, Chair of Standing Orders moving Standing Orders Report No. 1 and then Standing Orders Report No. 2.

Report No. 1 is in your agenda, pages 44-46 and I will just go through it – the various paragraphs. Paragraph 1 simply sets out the times of the sections, paragraphs 2 to 7 deal with matters of the election of officers and ordinary members of the Congress Executive. Item 2 notes that Jack O'Connor and Joe O'Flynn are respectively unopposed for the positions of President and Treasurer and are therefore elected to those positions unopposed.

Paragraph 3 deals with the Vice President election. Patricia King is the only woman nominated and since there is a constitutional requirement that one of the Vice Presidents be a woman, Patricia King is elected unopposed.

Paragraph 4 then deals with the situation that will arise following the filling of the position of Vice President. The candidates that are nominated are also candidates for the Executive Council but obviously the person who is elected as Vice President cannot be a continuing candidate so the paragraph simply sets out the procedure that will be followed in that situation.

Paragraph 5 then deals with the election of the Executive Council itself. There is the requirement for a minimum number of women and the procedure that will be followed is laid out in that paragraph.

Paragraph 6 deals with the nomination for the position on the Executive Council of the representative of the Trades Councils. By the deadline date only one nomination had been received – Eric Fleming. Therefore, Eric Fleming is deemed elected. There was one nomination received after the deadline from the Cork Council of Trade Unions, however, that nomination was clearly out of order, and as I say, Eric Fleming is therefore deemed elected to the position of representative of Trades Councils.

Paragraph 7 – there are seven nominations for the Standing Order Committee which constitutes five members and there are normally two substitutes, therefore, this will in effect be a ranking election in that the first five will be deemed to be elected to the Committee and the other two will be substitutes.

Paragraph 8 deals with the distribution of ballot papers – this simply lays down the procedure that has been used in other conferences in relation to the collection of voting cards, ballot papers etc and the casting of the ballots. It is standard procedure.

Paragraphs 9 to 14 deal with the motions and amendments. We have looked at the various motions and there are a number of points to be made in relation to them. In paragraph 10, the Executive Council asked us in relation to the smooth running of conference to look for possibilities for composites. We did so and a number of composites were drafted. In each case these were sent to the unions who had put forward the motions. Where the unions agreed to accept the composite then it is the composite that appears on your order paper and each union that had an original motion is listed there and each union will have the same speaking rights as if they were a proposer of a motion. Where the unions concerned did not agree a composite the original motions stand on your agenda as they were submitted.

Paragraph 11 relates to specific motions. Motion No. 23 which is on page 26 of your agenda is ruled out of order. This deals with an Observer Seat on the Executive Council for the Youth Committee. If you wish to make a change to the Constitution and this would require a change to the Constitution, then a motion must be couched in those terms. It must specifically spell out the paragraph or sentence in the Constitution that is to be changed to the precise wording that is to be put forward. This motion does not do so and therefore it is out of order. There are two other motions that we felt duty bound to point out certain things to you, although both of them I stress are on the order paper and will be taken in due course, this was motion No. 36 from UNISON which is on pages 29/30 dealing with economic recession and the need for fundamental human rights. We noted that the motion seeks to have the Executive do certain things which is fine except that the way that the motion is phrased, the Executive in order to carry these out will require the collaboration of Governments which may or may not of course be forthcoming. So, therefore, we simply want to point out to conference that that is the situation with this motion. We have discussed the position with UNISON and they are happy to avert to that in the contribution that they will be making on the motion. Also, in relation to this motion UNISON requested that we move it. It was timetabled to be in the Northern Ireland section on Wednesday morning. UNISON has requested that it be moved into the Economic session this afternoon and we have agreed to that so that it will be now tabled after Motion 15 on Tuesday afternoon – that's this afternoon. That's paragraph 12a. Paragraph 12b, Motion No. 67, which is on pages 38/39 of your agenda - this motion highlighted an issue which is quite a technical issue so I will

just try to explain what is at issue here. The motion I stress is on the order paper – it is not ruled out of order – but there is a potential difficulty with it in that it relates to a situation in both jurisdictions both in Northern Ireland, UK and in the Republic and there is a difference in the political situation in the two in that the question of ratification of the Lisbon Treaty while it has been agreed by the British Parliament, remains for a decision by a Referendum in the Republic. Therefore, irrespective of what happens to this motion, and I stress that it is on the order paper and will be taken in due course, irrespective of what happens to this motion and I stress it is on the order paper and will be taken in due course, irrespective of when this happens it comes back to the Executive at the end of the day to take into account of the debate and any decision. We are simply pointing out that there may be or appears to be a deficiency in the Standing Orders that if you have this situation, that if the union had sought to put this to a Special Conference in the Republic since there obviously is an issue in the Republic they could not do so because such conferences relate only to pay and conditions and we feel that there is a technical point there. Standing Orders are deficient in this respect and perhaps need to be addressed as some point. It is purely a technical issue relating to the motion, it is not dealing with the subject of the motion per say. That's 12b.

Paragraph 13, all the other motions and amendments are in order and under 14 we would ask affiliated organisations that when they are sending speakers to the platform that in relation to motions other than those from your own union, you restrict yourself to one speaker in the interest of time. Obviously with motions from your own union there may be more than one speaker.

Item 15 deals with procedures for suspension of Standing Orders which is standard practice.

Paragraph 16 deals with the various time periods which have been allocated under sections of the Executive Report and 17 deals with the list of fraternal addresses and guest speakers and there will be some updating of that as time goes on and in later reports.

Paragraph 18 also indicates that speakers have been invited from a number of organisations so that is Standing Orders Report No. 1 which I recommend to you.

Standing Orders Report No. 2, which was on your seats this morning and on the buff coloured paper. Again these are fairly standard. Some of it is just an update of Standing Orders Committee Report No. 1. There are some changes in the guests and fraternal addresses situation. Some people who were scheduled, or one person was scheduled to come from Columbia is not able to come and there is a replacement and he will speak at 12.45pm on Tuesday 7 July.

The Deputy First Minister for Northern Ireland, Martin McGuinness has confirmed that he will attend the conference and he is now timetabled to speak at 10.30 on Wednesday morning.

An Taoiseach, Brian Cowan, TD has confirmed that he will attend and he will speak at 11.00am on Friday 10 July.

We have examined the list of delegates and again we confirm that they are in order and if anybody wishes to see that list of delegates then they can be inspected at the Congress Office.

Item 7 on the report – there are a number of display stands and we would urge you to see what's there and talk to the people concerned.

That's Standing Orders Report No. 2 which I move and just to tell you that there will be a Standing Orders Report No. 3. It has been indicated to us that there are a number of emergency motions that are coming. We have scheduled a Standing Orders Committee meeting for lunchtime at 1pm today to consider those emergency motions and see if they are in order and where they could be slotted in, and I would ask that any unions who have other emergency motions that haven't been indicated to us that they try to do that this morning so that we can try to deal with all of them at the same time at lunchtime.

President, I move Standing Orders Reports No. 1 and 2.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Michael – formally seconded, yes, thank you. Any speakers to either Standing Orders Report. Please come ahead delegate. Don't forget everybody to give us your name and your organisation.

### **Robert McNamara, Limerick Council of Trade Unions**

Hi, delegates, Robert McNamara, Limerick Council of Trade Unions. President, General Secretary, fellow delegates, as the Chairman of Standing Orders Committee has outlined to you, Standing Orders Committee has seen fit to rule Motion 23 from the Limerick Council of Trade Unions out of order. You will find Motion 23 set out in your agenda. The motion called for the provision of an Observer Seat on the Executive Council for the Youth Committee in line with most of the affiliates in the ETUC. In fact Ireland is only joined by San Marino, Finland and Poland within the ETUC at having no youth representation on their Executive Councils. I believe at a time when union density among young people is in sharp decline, young peoples' jobs are at most vulnerable and indeed young people under the age of 20 have seen their social welfare entitlements cut in half, that the Youth Committee should have a seat on the Executive Council. Because if you have policy being made at the highest level over a long period of time



without sufficient representation of young people, without the sufficient input of young people and the perspective of young people, serious deficiencies will arise. However, at this point I don't ask you to agree with me. What I ask is that you grant us the right to be heard at this conference which is the ruling body of the trade union movement. I would however at this point like to say that the decision to oppose point 11 of the Standing Orders Report wasn't taken lightly and was indeed the subject of a unanimous vote of the Limerick Council of Trade Unions who was of the opinion and to be quiet frank that on this occasion Standing Orders Committee were incorrect. In 2005 the IBOA had a similar motion ruled out of order and the matter was referred back to the Executive Council but evidently here we are again four years later and there is still no difference. One of the reasons given by Standing Orders Committee on the ruling of the motion out of order was that it would require an amendment to the constitution. However, there have been instances in the past where Observer seats have been given to unions and the constitution didn't seem to be changed on those occasions.

I believe for those reasons this motion should be allowed to be debated here today. This is a democratic organisation. The right of free speech and the right of free representation of views should be allowed at this conference. So delegates I ask you to give young people a real voice within the trade union movement. So President I now move to oppose point 11 of Standing Orders Report No. 1. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Secunder?

**Edward Mathews, Irish Nurses Organisation**

Madam President, Officers, Edward Mathews on behalf of the Irish Nurses Organisation opposing Standing Orders Report No. 1 and supporting the Limerick Council of Trade Unions.

Chair, I am saddened to be addressing this issue to you again two years after I have done previously and four years after it was addressed previously by the IBOA. And, we have been consistently advocating on this position within ICTU itself to no avail. Unfortunately, it is very difficult for the Youth Committee to get a motion before the conference and the Limerick Council of Trade Unions were kind enough on this occasion to propose a motion for us. It is important to note that while the Standing Orders Committee may be technically correct and that is a matter which is outside my purview, the reality is that observers have been invited on to the Executive Council previously and have required no constitutional amendment to do so. We have attempted to address this matter informally via the General Secretaries and the Executive Council to no avail. This is not an acceptable situation. We are seeking only representation at the Executive

Council. We are not seeking to overthrow Congress. We are not seeking to do anything radical. We just want a voice when decisions are being made. It is totally unacceptable and it defies explanation the resistance with which this proposal is being met. It is a matter of serious concern. It is blight on us domestically and internationally on our work as the Youth Committee to explain that we don't have a voice at the Executive Council level. I have to acknowledge the greater support which is given to the Youth Committee but still we do not have that voice.

Delegates, we urge you to hear the motion. If the motion is ruled out of order I can only implore the incoming President and the incoming Executive Council to substantively deal with the issue. Thank you, thank you President.

### **Michael Sharp, Chairperson of Standing Orders**

Michael Sharp, Chair of Standing Orders just responding to those points.

Delegates, you should note that one of the speakers did accept that the Standing Orders Committee are technically correct in this and that is our function. That is what you elect us to do. This is a matter of order. We are not getting in any way into a debate on the issues in the motion, the rights or wrongs of the position. We are simply saying that if you want to put forward something to ensure that there is an observer seat for a Youth delegate at the Executive, then it does require a change of the Constitution. And the only way that you can achieve that with certainty is to put it forward as a rule change and this motion is not put forward as a rule change and therefore by definition as one of the speakers has accepted it, it is technically out of order. And, therefore, all I can do is to urge conference to accept the Standing Orders Committee Report. The issues in relation to the Youth Committee and the rights and wrongs of observers, they are matters that can be discussed at various fora and as the speaker has mentioned, they have had discussions on them. But, if you actually want to guarantee a Youth seat you must put it forward as a proposal to change the Constitution. They have not done so. The motion as presented is out of order and I recommend Standing Orders Committee Report No. 1 to you on that basis.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Michael. Delegates, you should note that the Executive Council considered the motion with a great deal of sympathy. It is indeed, as our Standing Orders Committee has pronounced, out of order, but, in the course of the conference Vice President Patricia King will make a statement on behalf of the Executive Council which I think will be to the liking of the Youth delegates. I am anxious to get the conference formally started. We have opposition moved and seconded in respect of point 10 and I now need to put that to you. Those in favour of opposing point 10 please show, those against. That's lost. Can I now put both Standing Orders Reports to you for adoption. Standing Orders Report

No. 1, do you agree, thank you. Standing Orders Report No. 2 – do you agree? Thank you very much conference and thank you to the Chairperson of Standing Orders.

**Jack O'Connor, SIPTU & Vice President of Congress**

Good morning delegates. Can I now ask you to extend a very warm greeting to our President, Patricia McKeown as she approaches the rostrum to deliver her Presidential address. President Patricia McKeown.

**Patricia McKeown, UNISON & President of Congress**

Thank you Jack.

Delegates, at the start of my Presidency, Congress sought the views of people across this island, both union and non-union. The results demonstrate that, despite the best attempts of our opponents, ordinary people hold the Irish trade union movement in high regard. They also have high expectations of us. That places a grave responsibility on us to make a difference, especially now.

Today we have arrived at a defining moment in our history. Events across the globe are impacting on the daily lives of the members we serve. The old certainties have been swept aside. The ways of doing business for the past twenty years or so are over.

Save at our birth, there has never been a more important time for the trade union movement. More than ever people in and out of work need their unions. They look to us for leadership. What we do now will set the path for the Irish trade union movement for the rest of the century. We have before us the chance to shape a more just and equal society but only if we seize the moment.

The crises now sweeping across Europe, financial, economic, and political are mirrored here. For our members and their families there is no financial bailout, only worry about an uncertain future.

This year alone, in a breathtaking few months over 170,000 workers have lost their jobs throughout Ireland and the figure is rapidly climbing.

In the Republic, one quarter of a million people are unemployed and almost half a million people are on the live register. For them, prosperity is over. For many of them it never started. In the North, almost one-third of the population is classed as economically inactive. They are ignored by Government and left to subsist at the margins of our society. No peace dividend for them. There is no one else to stand up with them but us, the trade union movement.

We know that we are facing the consequences of a corrupt capitalist system bereft of moral standards. A system which has always put profit before people. A system we warned about but a system that people all over the western world voted for, albeit mostly in ignorance of what is really going on.

It is time to seriously question what role we should play at the ballot box. We cannot continue to protest that we are non-political when politics is our real business and when there is such an imperative to change the political agenda in both jurisdictions and further afield.

In the North we have been continually praised for our role in the peace process. However, it is another story when it comes to regular engagement with Government in a formal negotiating structure. We are not viewed as so heroic or vital then. And indeed the government we engage with is not where fiscal power resides.

In the South, through social partnership, we gained influence in the corridors of power and while some good came from that, we now face the fact that we are doing business with a Government that has firmly signed up to the neo-liberal model and therefore responds to dual constituencies. The constituency exercising real power over the public agenda is the one Noam Chomsky calls the 'virtual senate'. They are the lenders and investors who keep up the pressure to ensure that all policies which put people before profit are blocked. They are the particular proponents of privatisation - not because it has any economic value - it does not. But it does take the things that matter to us in life - health, education, housing, transport, the environment, out of democratic control and reduces us to the status of consumer - rather than active citizens.

In both jurisdictions it is time for the trade union movement to go on the offensive. This can and will take many forms. It includes direct action. At this point I want to pay tribute to the workers and their unions who have taken and are taking direct action. I single out the Visteon workers who simply refused to be put out. Their occupation and international campaign proved that even those regarded as the most powerless can make a difference.

I pledge the full support of this conference to the TEEU and its members, who are now exercising their fundamental human right to strike having exhausted all other legitimate means. I dismiss with contempt the claims that this strike action is damaging the economy - others have done that job to stunning effect. Whatever disingenuous headlines the press may run with about an 11% pay rise, we know that they are out on strike because the employers have walked off with the money owed to them for their pay and their pensions. We wish them well and we will be with them to the end.

However, our most dramatic form of offense will be the direct participation of our members in piling pressure on government and opposition parties alike. To

enable them to do so, we must bring our analysis of all that has gone wrong and our views on what will put it right, to workplaces and communities, to enable our members to make the demands themselves. I have heard scorn poured on such models of democratic participation in the past. It has occasionally come from within our own ranks but primarily it comes from right wing politicians who are busy serving the 'other constituency' and are utterly resistant to being held accountable by the people. But ultimately it is the only way to ensure that the trade union movement is a real force for social change.

Participation of the members has always been the key. When we called on them in January 2009, over 150,000 answered the call. It is time for us to determine where we lead them now. In the North over the same period our members have responded in their thousands to half a dozen Congress calls on issues ranging from the local to the global. They respond because they trust us and because we continually engage.

We have presented credible proposals to Governments North and South in an attempt to confront the immediate financial and economic crises. We do not pretend that these are perfect solutions but at least they are a start.

At a time when their people need them most the Irish Government has failed them and in the North, where a unified response is required, party politics and the old mantra of majority rule in place of power sharing is again re-surfacing. Shame on them all.

If we are to seize the moment there are also other things we must do. For a start we need to explore again what we mean when we speak of Congress.

For me the Irish Congress of Trade unions is the sum of its parts - its members, all affiliates, north and south, and all of its democratic structures. It has been too often too narrowly defined as the Executive Council or the Secretariat or both. That narrow definition confines our ability to be collective, strategic and strong. That narrow definition has resulted in what was recently described to me as 'two trade union federations loosely connected'.

We have let that happen over the past 20 years and it has been to our profound disadvantage. During the same period employers North and South have strengthened their links and developed their strategy. Capitalism knows no borders.

For a powerful example of what we can do when we resolve to work together, we need look no further than our equality work which was at its high point when the women in this movement were strongly committed to working together, strategically, North and South. Much of our policy on tackling sex discrimination, challenging poverty and low pay, campaigning for a minimum wage and our demands on equal pay came from that work.

Now more than ever we need to work together to face the growing challenges - economic, social and political.

We already have highly developed policies which recognise that economic and social rights are inextricably inter-linked. But because we have not yet pursued those policies collectively on a North South basis the agenda has developed at a different pace in both jurisdictions.

Now, when the crisis is hitting the people of the Republic with almighty force, a key component in the trade union response is under-developed.

The pursuit of fundamental human rights is not just an issue for the people of Northern Ireland, it is an issue for the whole Island. It is not just about trade union rights - important though they are - it is about the kind of society we want to build. I have no doubt that there is a deeper awareness among trade unionists in the North precisely because of the central role played by Congress in campaigning for equality and fundamental human rights. And there is a deeper awareness amongst people in general because of our joint work with our allies in civic society who share our common interests in the struggle for justice.

I welcome the fact that new coalitions are now being created in the South but I have to say, in all honesty, that it we have not yet made the link in the public mindset. Little attention was paid during the period of growth but look what is happening now. The Irish Government embraced with fervour an economic and financial system which is predicated on the absence of rights. No coincidence then that when times got tough it made its first brutal spending cuts in the equality and human rights agenda. Its hostility to socio-economic rights in particular now leaves this society on the edge of the abyss.

The time is right for Congress to repeat the role it has played in the North. We can and we must do it together.

Something that has always made me immensely proud of the Irish Trade Union Movement is our capacity to rise above rightful self-interest and pay attention to the needs of others.

There is more than one great crisis sweeping the globe. Beyond the rich countries of the West there is a Food Crisis. As we meet here this week over one billion people on the planet are living in extreme poverty and are facing starvation, malnutrition and early death.

Much of the responsibility for that crisis lies at door of the West. Irish unions have long worked in solidarity with our brothers and sisters facing greater obstacles than we have ever faced. I am delighted that we have again taken our place with the international trade union movement. Now we must use it to build solidarity with the oppressed.

I want to pay tribute to the work of our members in the Global Solidarity Project. I want to pledge our support to our brothers and sisters facing repression and death in Columbia. I want to commend our work with the people of Lesotho. I want to celebrate 50 years of the Cuban Revolution but most of all I want to pay tribute to our members across this movement for their unflinching support for the Palestinian People.

It has been my great honour as your President to take forward the policies so rightly agreed at our Congress two years ago.

Since we last met we have visited Israel and the Occupied Territories and we have seen at first hand what real racist repression looks like. Our report has been disseminated around the world.

We have engaged in direct lobbies of political parties, governments and the EU. And we are currently developing our Boycott Divestment and Sanctions Campaign materials and programme. You will hear more of that later.

Most significant is the direct involvement of our members. In early 2009 thousands of trade unionists joined the Dublin demonstration in protest at the war on Gaza. In Belfast, in a protest organised by Congress over 5000 workers joined us on the streets. Solidarity activity within affiliated unions has intensified and across the trade union movement workers have contributed with extraordinary generosity to the Congress humanitarian appeal for medical aid to Gaza. Over 100,000 euro has been donated, via Irish Medical Aid to Palestine, for a field surgical unit and for the first payment for a permanent surgical unit at Al Awda Hospital in northern Gaza, which is to be named the James Connelly Surgical Unit in recognition of the solidarity work of the Irish trade union movement and congratulations on that. Without doubt, the plight of the Palestinian People is engaging people on this island in a way which no other has done since the days of our involvement in the anti apartheid struggle in South Africa.

We have promoted our policy with other trade union centres and made it a particular agenda priority on the Trade Union Council of the Isles, a body which comprises ICTU, the STUC, the Wales TUC and the TUC. We warmly congratulate the Scottish TUC for adopting its boycott policy earlier this year. We have also promoted our cause to those who are critics of the ICTU position. Confident in the justice and morality of our case we engage with all who challenge us.

Major work is yet to be undertaken but our small trade union movement, located on the western edge of Europe has proved once again that it is capable of punching beyond its weight.

What we can do for our brother and sister abroad we can also do at home.

I commend all of you for the enormous contribution you have made to the life and soul of this movement over the past two years and for most of you, over the past many decades. We may face an uncertain future but I am convinced that with your generosity of spirit and the determination of our members, with that we can change the world. Thank you.

### **Jack O'Connor, SIPTU & Vice President of Congress**

Thank you Patricia. It's a great pity that you can't stay on for another two years. I want to invite Eugene McGlone of UNITE to formally move the vote of thanks to our President, so Eugene McGlone of UNITE.

### **Eugene McGlone, UNITE**

Chair, delegates, guests, when I was first asked to do this I have to say that I found it a wee bit daunting because following Patricia is always a difficult task and I think that the standing ovation has adequately demonstrated that, but it certainly is a pleasure to come here and propose a vote of thanks for the Presidential Address. I think that it is fair to say that I am a wee bit selfish about it because I am hoping that I will get a wee bit of leeway during the course of the week Patricia and you might just let me off with one or two aggressions.

But, to suggest and I think it runs through her address, to suggest that the last two years have been difficult is a very serious understatement. In Bundoran two years ago there still seemed to be an air of optimism about the economy and about the movement driving forward on about society in Ireland. My God doesn't two years change things and change them utterly and that's situation that we find ourselves in. And I think that during the course of her address Patricia mentioned that the amount of work that has particularly gone into the last few months. Members of the Executive of Congress, and I think some of them are keeping toothbrushes in Government Buildings and the odd pair of pjs, and they have been living in that sort of situation for months and it ain't funny and it is difficult and it is draining and it is demanding. And that sort of demand weighs very heavily upon those who have accepted the burden of leadership for the movement and in this instance particularly Patricia. And, in this case it is quite clear given the breadth of her address that she rose to the occasion. Not only did she rise to the occasion she met every challenge that came except one. She couldn't keep the GPC meetings down below Patricia King's record. Patricia King is better and she allows business to go on. But that only demonstrates that there is a fair level of tolerance with her in dealing with the business. She deals with it with good will, she deals with it with tolerance and she deals with it with understanding even when she is on the opposite side to the people who are arguing.

So, with that Patricia, I would like to propose Congress' vote of thanks to you for your Presidential Address. Thank you.



### **Jack O'Connor, SIPTU & Vice President of Congress**

Thank you Eugene and now can I call on Anne Speed of SIPTU to second the vote of thanks to our President Patricia McKeown. Anne Speed delegates.

### **Anne Speed, Services Industrial Professional Technical Union**

President and Executive Council members and delegates, I was very honoured to be asked to make this very brief declaration of admiration and recognition of the role that Patricia has played. Not only over the last two years but I have to say over the last twenty years in fighting for the profile of women in the trade union movement and giving good political and organisational leadership to the trade union movement. I first came across her when she stood side by side with another great woman, Inez McCormack, and it led me to understand that behind every great woman is another great woman and Patricia McKeown stepped forward. I found her address this morning inspiring. I know it deeply felt her compassion and understanding of human rights, the struggle for equality and the importance of trade unionists stepping up and speaking out for these.

In an organisation of 900,000 members I learned that 53% of us are women, so we are moving forward. Patricia McKeown has been an excellent example of what we can do and what we contribute to the trade union movement. She has been a wonderful role model. I am both a colleague, admirer and a personal admirer and I think her stewardship over the last two years has been inspiring. She has a strategy going forward – I think we will hear some of that later today in some motions. I look forward to working with her. I will support her and our union is very pleased to continue working with her and on behalf of all the delegates here today, I thank Patricia for her two years and I look forward to working with her in the future. Thank you.

### **Jack O'Connor, SIPTU & Vice President of Congress**

Thank you Anne and now I hand back to Patricia to chair the rest of the conference.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Jack and thank you Eugene and Anne for your very kind words.

Delegates, it gives me great pleasure to welcome our guest speakers and visitors – that's going to be done formally and the report is about to be introduced by our General Secretary, so, can we have a very warm welcome for David Begg.

## **David Begg, General Secretary of Congress**

Thanks very much President and colleagues. Well as you have pointed out President, the theme of this conference is building solidarity and for reasons set out in considerable detail in your own statement, there has never been a greater need probably for that to be seen as the core value of the movement. And, it is reflected really in everything Congress has been trying to do in the last year or so, particularly in relation to our advocacy of a Social Solidarity Pact as a way to overcome the transition which is happening to our economy at the moment and ensuring that those people who can bear the greatest burden are in fact the people who do so, not the people who can bear the least.

The report itself colleagues follows the usual pattern really. Its content is I have to admit is hugely devoted to and an analysis of the current crises. Every aspect of it and also indeed a review of our own policy statements and submissions and so on over recent years, which although it is obviously a subjective point on my part, I think point out reasonably accurately on many occasions that what we were enduring here in the Republic at least was an unsustainable fiscal strategy and indeed an unsustainable approach towards growth, almost for growth's sake, which the whole thing has, as we know, now become unstuck. And while it has happened in the context of an international crisis, very clearly there are domestic dimensions to it which could have been avoided if the policy mistakes which set it up had been avoided as well. The structure of the process really is that the motions on the agenda have all been grouped in a way that lines up with the chapters of the report to enable people when they are debating a theme or a topic that they can refer to the motions or indeed they can raise questions or debate the individual sections of the report as well and my colleagues from the Secretariat, depending on their portfolios of responsibility, will be available on the platform to deal with any particular queries that deal with in relation to different sections. I know that that's familiar probably to most of you but I just wanted to say it again for people who might be attending conference for their first time. And, indeed I want to particularly welcome those who are attending for the first time and hope that they find it a rewarding and enjoyable experience.

I want to also welcome our guests, our fraternal delegates and our visitors, of whom we have a large number this year, and I always studiously avoid listing them out for the simple reason that my memory is so unreliable I would almost certainly leave somebody out and cause offence, so the safest thing is to give them a very warm collective welcome and to you delegates yourselves, I hope you have an enjoyable week here in Tralee. I hope you find it a fulfilling experience and I hope that at the end of the week we will be as a trade union movement in a position to move forward in a coherent and in a reinvigorated way to face the challenges which have been so eloquently pointed out by the President in her Presidential Address. Thank you.

## **Patricia McKeown, UNISON & President of Congress**

Thank you General Secretary. Delegates, we now move to the final part of our formal opening ceremony and it gives me very great pleasure to introduce our keynote speaker, Eamon Gilmore. Just before Eamon starts, I have to do the ad Eamon; Eamon is the Leader of the Labour Party. He became that in September 2007. He was first elected to the Dail in 1989 in the Dun Laoghaire constituency. He served as Minister for State for the Marine during the 1994/1997 rainbow Government. Prior to becoming Labour Leader he sat the Labour Party front bench as Environment, Housing & Local Government spokesperson. In addition he has been active in policy development and election strategy at a high level and was instrumental behind the merger between Labour and Democratic Left. Since becoming Labour Leader, Eamon has built a reputation as a considered and thinking politician. He instigated a process of reflection and reform within the party culminating with the adoption of the 21<sup>st</sup> Century Labour Commission Report bringing in a new Constitution with new structures for the Organisation at the March 2009 Party Conference. The Labour party recently had its most successful Local Election ever consistent with excellent performance in opinion polls. From our self interest point of view many of you know Eamon as a trade union leader and I think that this is particularly pertinent here, probably one of his biggest claims to fame was to be an official of the Irish Transport & General Workers Union for two years in Tralee. You are very welcome Eamon.

## **Eamon Gilmore, Leader of the Labour Party**

Thank you very much President Patricia McKeown and thank you particularly for that very kind welcome and thank you and the Executive Council of Congress for inviting me to address the opening session of the 2009 Biennial Conference of the ICTU.

As Patricia has said, I spent two very happy years here in Tralee as Secretary of the Irish Transport & General Workers Union as it then was, servicing the needs of about 6,000 members throughout this county at that time, so I am particularly pleased to be here this morning with the Chairperson of the Tralee Trades Council, a body on which I once served, and indeed to be here with my Labour Party colleague, Cllr Terry O'Brien who is again the Mayor of Tralee.

It is not my first time to be at an ICTU conference. The last time I was here I was here as a delegate. It is a long time ago. I didn't get the opportunity of speaking at that conference. I am sure Jack that things have changed a lot in the largest affiliate in the intervening twenty years or so but back then the lot of the ordinary delegate was to attend to listen, to be respectful and to vote as and when democratically directed. A lot has changed in those two decades, and a lot has changed in the last two years since you were all gathered together at the last Biennial Conference of the ICTU. With nearly three times the number of people out of work, the economy has gone from a rate of growth of over 4 per cent to a

rate of contraction, depending on which of the last reports you credit, anything between 8 and 12 per cent. So I don't need to tell you of the scale of the challenges that now confront us. We are going through the worst economic crisis of our lifetime and how we deal with it could determine the shape of our economy and the complexion of our society for a decade or more. The decisions that are made now will influence the opportunities and life chances of a generation. The crisis is deep and it is complex and it has in effect three dimensions. There is the banking crisis, there is the fiscal crisis and there is the jobs crisis. And each of those three is linked. How each is dealt with affects the others. Mishandling any one of them will make the others even more difficult to address. So they must be dealt with simultaneously and they must be dealt with fairly. For a solution to be economically, socially or politically credible the burden cannot be inflicted on any one group at the expense of others. In particular, we cannot allow those who created the problem to impose the burden on those who can least afford to bear it. Yet already those mistakes are being made. To date the problems of the banks and the public finances have been the main concern of Government. Not enough attention has been given to the crisis in the real economy - of jobs lost and businesses closing. And already, we see attempts being made to impose the burden where it should not be laid. Those, whose devotion to unregulated markets and neo-liberal economic thinking caused this problem, are already telling us that the people least able to afford it should pay the price of their failures.

From the outset, the Labour Party, and the trade union movement, has taken a different view. From the outset, our every instinct, backed up by concrete policy proposals, has been to make jobs the central priority. From the outset, we have sought to protect the vulnerable in society, and to insist that social solidarity must be built into the solution. Not as an optional extra, but as an essential ingredient of success. We have shared the analysis – the common sense – that if we are to deal with the banking crisis and the fiscal crisis, we must also deal with the jobs crisis.

Because, every person who signs on the live register costs the state at least €20,000 in social welfare payments and taxes lost. And because every person who loses their job is potentially another mortgage that could go into arrears. So, we have put the retention and creation of jobs at the centre of our efforts. This recession is different to anything we have experienced before. Certainly, it is deeper – no country has experienced such a loss in national output since the 1930s. It is also coinciding with a deep international downturn, and it is accompanied by a crisis in banking that is cutting off the normal flow of credit to the economy.

As a trade union official in the 1980s, many of the companies I saw wound up didn't really have a long-term future. Many were companies for whom recession was the final straw. But this time, we are seeing businesses going to the wall, which are essentially viable. Businesses that have a long-term future, if they can

get through this period. That is why, I made the argument at a Labour Party seminar last February that more should be done to retain existing jobs. Because I believe we were throwing in the towel too early on job retention. And that is why I support the negotiations with Government to put in place a jobs retention scheme. To use the money that would otherwise be spent on social welfare and taxes lost, to keep existing jobs. To preserve the fabric of the economy. To keep jobs alive, which do have a viable future.

And I want to see support being provided where employers create new jobs. Which is why Labour has proposed a time-limited PRSI exemption where a firm creates a new job that is filled by someone on the live register. Labour has also been arguing for a new approach to public investment, in infrastructure, but also in people. We know that there is any number of infrastructural projects that could be carried out, which would yield a positive long-term return to our economy. There are hundreds of schools with poor quality buildings. There are urban regeneration projects that are ready to go, but unfunded. There are areas where water is not drinkable. There is an opportunity to make those investments now, when there is spare capacity in the building sector, and tender prices are at an historic low. Investments with a social, but also an economic return, that will support economic recovery.

Given that the construction sector is operating below its sustainable level, valuable jobs and incomes can be saved, and valuable infrastructure put in place, with a determined approach by Government. To drive this process, Labour has been calling for a new National Development Plan to be drawn up. And we have proposed a State Investment Bank that would play a key role in delivering on the plan by funding infrastructure development, in new and innovative ways. We believe, for example, that the Congress proposal of a National Recovery Bond could be delivered through the State Investment Bank. We must invest in bricks and mortar, but also in people and their skills.

For more than a year now, I have been arguing for a determined effort to be made in providing new opportunities for people who have lost their jobs. It is simply not economically, socially or morally sustainable for the state to sit back and ignore half a million people on the live register. We must learn the lessons of the 1980s, and do everything possible to avoid the build up of a new generation of long-term unemployment. We must develop new programmes to provide training, education and work experience to people who are unemployed. To invest now, in the skills and know-how, that will allow us to avail of opportunities as the world economy recovers. And we need to be more inventive about designing programmes that better meet the needs of the individual.

That is why Labour has consciously proposed a number of different ideas in this area. One such idea is what we call the 'Bridge the Gap Programme', which is intended to provide work experience for young people qualifying from education or training. The UK economist David Blanchflower has pointed out that a period

of unemployment at the start of a young person's career can have a lifelong effect on their career and earnings. So, Labour is proposing that a scheme that would provide work experience placements, subject to appropriate conditions about displacement. We know too, that there is an urgent need for Irish workers to acquire new skills and qualification, a need which existed before the recession. So, we have called for major expansion in the places available in further education.

Alongside Congress, we have pushed the idea of flexicurity, seeking a more flexible welfare system that can support people in training and employment. We also need a determined effort to deal with the problem of literacy. One in four Irish adults has difficulty in this area, and is particularly vulnerable when it comes to finding new employment. So, we have proposed a major new effort in adult literacy supports. As the live register approaches half a million, this is not a moment for 'business as usual'. This is a moment for a determined drive to put every resource at the States disposal to use.

In my view, we should have a target of at least 100,000 additional training and work experience places. As I said, at the outset, there are three crises, and each must be tackled, but they must be tackled fairly. Unfortunately, the line I increasingly hear from Fianna Fáil is that the solution to the fiscal crisis is to cut public expenditure. Every time I pick up a newspaper, I read another leak about what is supposed to be in the McCarthy Report, in what is shaping up to be the longest 'softening-up' exercise in the history of the State.

We must challenge that analysis. Firstly, I do not understand why Fianna Fáil has had to outsource the work of reviewing expenditure to an outside group of consultants. Unlike the opposition, Government Ministers are part of the apparatus of Government. They have available to them the management information of Government departments. Are they not able to reach their own conclusions on what expenditure can be cut?

Nor, do I see why the report has to be kept secret. Let's see it! Publish the report, and let's debate it. And let's debate too, the notion that we can only deal with the public finances by cutting social spending. Even in the worst days the late 1980s, social welfare rates were not cut. They were indexed in line with inflation, as part of the first social partnership agreement.

No one doubts that difficult decisions will be required to deal with the fiscal crisis. But let's get real about this. For any solution to the crisis in the public finances to succeed, it must be credible. Not just economically, but socially and politically. The argument that you can make the full adjustment on the expenditure side is simply not credible. I have made it amply clear, speaking in the Dáil and with colleagues in the trade union movement that we are going to have to see reform in the public service. I have made it clear that we have no option but to find ways

to deliver more with less. I say that precisely because Labour is committed to high quality public services and has respect for public servants.

We refuse to sign on to the campaign of vulgar abuse that has been waged against public servants in particular. The Government line seems to be that they did tax in April; they will do spending in December. Well, we know they did tax in April – working people and their families know all about that. What they didn't do, was deal with the need for fundamental tax reform. It is still the case that high earners in Ireland can avail of a range of loopholes to cut their tax bill. It is still the case that small pension schemes can be used to reduce or avoid paying tax. The irony of that will not be lost on the many thousands of workers confronted with underfunding in their pension schemes. Indeed, the whole area of pensions is one that Congress has been highlighting for years.

The issue of tax reform will have to be addressed. Just as we have to deal with the issue of tax exiles. Yet, we have some commentators telling us that we have to cut social welfare rates, while tax exiles can't be touched. We know also, that when unemployment increases, some people will take the opportunity to roll back the clock on employment rights. There are at least eight commitments on employment rights, made in the social partnership agreement, *Towards 2016*, and in the subsequent transitional document, which are yet to be passed into law. These include the Temporary Agency Workers Directive, the Industrial Relations Bill, the Employment Agency Regulation Bill, and Anti-victimisation legislation, which is to protect those workers who choose to join a trade union, and which was promised for March 2009. I am calling on the Government to demonstrate that it is genuinely committed to strong and fair employment rights by enacting the outstanding legislation promised under *Towards 2016*.

If this administration fails to do so, then when it is returned to government, the Labour Party will, as a matter of priority:

- Legislate to protect the rights of temporary agency workers
- Ensure that the Posting of Workers Directive does not undermine existing workers' rights in Ireland
- Ensure the legal right to adequate representation of employees in their place of work
- Make it illegal to discriminate against an employee because they are a member of a trade union
- And pass the Industrial Relations Bill to protect vulnerable workers in the hotel, catering and construction industries.

The Labour Party in government will also commit to giving domestic effect to the principles, including collective bargaining, enshrined in the Charter of Fundamental Rights, which will become European law if the Lisbon Treaty is passed. As I said, at the outset, the crisis has three dimensions, one of which is the banking crisis. Labour has been clear from the outset, that action must be taken to ensure a secure and functioning banking system.

Where we have differed from Government has been on the risk to which the taxpayer should be exposed. The blanket guarantee for the banks, which Labour opposed, exposed the State to enormous risks. It also severely limited the State's negotiating position. The establishment of NAMA – or An Bord Bailout – will transfer the Banks' property loans to State, at a price yet to be determined. Once again, the taxpayer is being exposed to huge risks – a bill that may have to be paid by our children and grandchildren. In the meanwhile, as the legislation for NAMA is being drawn up, further damage is being done in the banking system. Because NAMA will take over both good and bad loans, the delay in introducing the legislation is causing banks to restrict credit to viable businesses where there is some holding of development land or property.

Meanwhile, those who owe the banks a fortune for development loans have no incentive to pay the banks, in the hope that they will get a better deal from NAMA. The delay is also providing an opportunity for some to hide good assets. Labour, in contrast, has favored an approach based on temporary nationalisation, which is quicker and less costly. While there would still be a requirement for large investment into the banks, the State would stand to profit when the banks are resold. Above all, it removes the requirement to put a value on property loans at a time when the property market is in crisis, and when getting it wrong imposes a huge cost on the State.

Colleagues, last week, I had the honour of launching a new book about the history of the Labour movement in Ireland from the lockout to the late 1960s. Written by Barry Desmond, former Deputy Leader of the Labour Party. Reading a book like that, you see the great strengths of this movement. Strengths that reside in the people who devote themselves to it. The great traditions of solidarity and service to the cause. The same traditions that our colleagues in SIPTU have been celebrating in this, their Centenary year - I want to, once again, congratulate them and wish them well on this occasion. I don't need to tell you that the Labour Party originally grew out of the trade union movement, indeed was founded at a Conference of the TUC in 1912. That for the first 18 years of its life, the Party and the ICTU were the same organisation – the Irish Labour Party and Trade Union Congress. And even though we, quite rightly, went our separate ways, we continue to have many important links.

Last Spring, the Labour Party put in place a range of reforms to the way the Party is organised. As part of that process, we renewed and refreshed the formal link between the party and the affiliated trade unions. But our most important bond is



not what is written in the rulebook. It is the common ideals and principles that we share. The linkage I want to build now is to gain the support of trade union members – of working people and their families – for a Labour led Government. Of course, there would be areas of tension between Labour and the trade unions in Government.

That is inevitable. But only a Government with Labour at its heart can drive the kind of reforms that Ireland needs.

The kind of reforms to tackle the three dimension crisis in a way which is economically and socially sustainable in a way that is fair. There are some, who think we are still one and the same organisation. Indeed one of the great misunderstandings of Irish political life is about how little formal relationship there is between the trade unions and the Labour Party. In fact only 6 of the 55 unions which are part of the ICTU have any formal relationship or affiliation to the Labour Party. In my view, our most important bond is not what is written in the rule book. It is in the common ideals and principles that we share and the linkage that I want to build now is to gain the support of trade union members, of working people and their families for the ideal of a Labour led Government. Of course there would be areas always of tension between the Labour Party and trade unions, particularly in Government, that is inevitable. But only a Government, I believe, with Labour at its heart can drive the kinds of reform that Ireland needs today. The kind of reforms to tackle the three dimensional crisis in a way which is economically and socially sustainable and in a way that is fair. As I said, a lot has changed in the last two years since the ICTU last assembled but I hope that we will see even greater change but change for the better by the time you meet again in two years time. I hope that over that period of time that the Labour Party will have the opportunity of leading some of that change politically and in our country. I want to put the Labour Party at your disposal and at the disposal of your members and I want welcome those of you who have not so far engaged individually to do so and to invite your members to do so as well to build as our founding fathers of both the Labour Party and of the trade union movement in this country wish to see a strong labour movement, a strong Labour Party and ultimately in this country a Government led by the Labour Party driving the kind of reforms and leading a Government on the basis of the values that the Labour Party has, and that I know, is shared by the Irish Congress of Trade Unions and by its affiliated unions.

Thank you again for inviting me here this morning and I wish to conference every success.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Thank you very much Eamon. I now call on the General Secretary to respond to your speech.

## **David Begg, General Secretary of Congress**

Well Eamon you received there a very warm reception from the delegates to conference. I think you struck a clear accord in what you had to say with what people fundamentally believe. And I think with many engagements which we have had on and off over the last twelve months or so as the crisis developed that it is very clear that the fundamental values that you describe are indeed shared both by the movement and by the party. Even with the warmth of the reception I have to say I think that a very fundamental and significantly important point in your speech may not have been fully absorbed by everybody and I just want to remind people of what you said there that a Labour Government would in the future legislate to implement Article 28 of the Charter of Fundamental Rights which is the right to Collective Bargaining which this movement has been trying to achieve for many decades in this country and never achieved it, and that is the most singular development promised from any party leader and it is very, very welcomed indeed Eamon, and I thank you for it.

I had the honour myself over the weekend to address the Tom Johnson Summer School in Galway and while I was down there I was getting a lift down to the hotel with my brother-in-law who I suspect is a Fianna Fáil man to be honest – we have never gone into it in much detail – but he did say to me that the people around here are saying that Eamon Gilmore is the man with the ideas and then he said as an afterthought, ‘that other fecking lot have no ideas anyway, that’s for sure’. But there is a serious underlying point in this, Eamon, and that is that I think the people are listening to you and they are listening to you because of the sincerity of your message and I think the quality of your parliamentary performance and you are very, very clearly, it seems to me, the Leader of the Opposition in Dail Eireann without question. That has been clearly reflected in your electoral achievements in the local and European elections as the position of the Labour Party has been greatly advanced and that’s no small achievement, because regrettably the position of social democratic parties across the whole of Europe has not been so well advanced. And, it has not been so well advanced probably because on the centre left of politics, generally speaking, there isn’t a coherent narrative. There isn’t as good a response, if you like, to the current crisis as you have been able to articulate in this country and as you have been able to present by way of an alternative vision of the future to the Irish people and you deserve great credit for that. And I think really for the first time in many generations we have now reached the point where people are beginning to think seriously about politics and to see that we must have an alternative and we cannot really be a-political in everything we do. We cannot conduct trade union affairs as if they were completely independent from politics because manifestly they are not. I think that is evident in the fact that you have received so many speaking engagements from unions affiliated to this Congress, many of whom would not have had a traditional connection with the Labour Party. And people are listening to you Eamon, and they are seizing upon the alternative narrative

that you are able to develop. And, I think we have, despite all the negativity of the crisis, we do have an opportunity perhaps to re-imagine the future in its more promising terms and develop for all of us a more sustainable country and a just society in the process. And, I welcome you again Eamon, thank you for coming and I wish you every good fortune in your political work.

**Patricia McKeown, UNISON & President of Congress**

Thank you very much David. Delegates we now move to the start of the official agenda. For the next hour and a portion we are going to move to the Pensions Debate. We are going to be covering the section of the main Executive Council Report, Section 3 Partnership, Pay & the Workplace. We are also going to be dealing with Chapter 1, Partnership, Pensions & Repossessions and I move to Motion 1 standing in the name of the Executive Council on Pensions and call on Jerry Shanahan to move.

**11.30 – 12.45pm  
Pensions**

**Jerry Shanahan, UNITE AMICUS & Executive Council**

Jerry Shanahan, UNITE AMICUS moving Motion 1 on behalf of the Executive Council. Colleagues, sometimes the shortest and the simplest of motions in reality are the most complex. Because anyone who has taken the time to read the almost 300 page report on Pensions will probably find, was it something I said President that everybody....

**Patricia McKeown, UNISON & President of Congress**

Could we have some order at the back of the room please?

**Jerry Shanahan, UNITE AMICUS & Executive Council**

Or is it just pensions... having said that the pension model that has been developed. It started with Bismark in 1889 in Germany. In these islands it came into the UK in 1908. In 1909 it was the princely sum of five shillings a week and you could claim it at the age of 70. In this country at least historians are saying that there was a rapid aging of the population soon after the introduction of the pension scheme in 1909 and whereas the UK Government at the time thought that somewhat around 5 per cent of the population would be entitled to it there was a lot more, particularly in this country because the census and records weren't kept very well.

In 1935 in the US, FDR introduced the State sponsored scheme over there. It was mandatory on employers and it has continued until this day. The Obama Administration has made pension enrolment mandatory. And if you go right

across Europe you will find a whole range of countries where there is mandatory enrolment. In the UK soon there will be a semi-mandatory enrolment system and in countries like Denmark, Germany etc, Scandinavian.

Now what has bedeviled us in particular in the Republic of Ireland is the absence of a mandatory type system. Because we have it, we do have arguably a tripartite system in that we have, the State pension, similar in the UK, which is contributed by employers and employees and there is tax relief from Government but at best it is not adequate. It is reasonable but it is not adequate. The State Pension in the Republic of Ireland is more than the one in the UK but it is nowhere near the percentage of average industrial earnings that we have been seeking over a long number of years. We know that three things in particular are starting to influence pensions. Longevity - they reckon that children born now, anything up to 30 per cent of those children will live beyond a hundred. Pension schemes that are projected to have retirement ages of around 60-65 will mean that effectively people will be retired for the same length of time that they have been working. The whole issue of FRS17 has impacted on company balance sheets and has created a significant move away from defined pension schemes. And in the whole situation with regard to investment and financial crises we have seen the value of pension schemes plummet. They have taken a hit anywhere between 30 and 40 per cent in these islands since the beginning of this year. There has been recovery somewhere in the order of 30 per cent of that 40 per cent. We, for example, have many members experts in the area of working in the pensions area, unionised jobs doing their level best to deal with the pensions crisis in the pensions industry but they on their own can't do it. So why do we say that we need a State Pensions model? Quite specifically because the adequacy of contributions to pension schemes, particularly in the light of longevity, FRS17 and investment returns, the adequacy of contributions in simple terms are nowhere near what is required to provide the type of pension schemes that people will want. We are rapidly approaching a period when anything up to 30 per cent of income would need to be invested to provide a 40/60<sup>th</sup> type pension scheme. There is no mystery about the fact that large parts of employer organisations, neo-liberal economists argue about the continuation of public sector pension schemes. Quite simply because to provide the type of investment, the type of income support, you need to continue to provide public sector pension schemes, you are moving towards a third of the actual cost of salaries. But the argument should not be about public or private. The argument should be that once you are at work, whether you are in the private sector or the public sector you are entitled to an adequate income on your retirement. So we need to not talk about whether you are in public or private, you need to talk about the provision of a pension scheme regardless of where you work, and then to adequately fund that.

Now, having said that – to talk about a State run pension model, the National Pensions Reserve Fund, which is managed by the NTMA, they have taken the same hit as most of the major investment managers in the private sector. So,

just because you say it's a State run model it doesn't protect you from falls off in the values of equities and falls off in the financial type crisis. So, not only do you need to deal with the issue of whether it is State run or privately run, you also have to talk about it in terms of how those funds are invested. You also have to talk about the tax reliefs and whether that is the best way to adequately provide an adequately share, what State revenue is there. For example during the SSIA scheme in the Republic a large number, a larger percentage of lower paid and middle income workers contributed towards the SSIA model. So while they would contribute to a model where the Government would top up the income, they won't contribute to a model where there is tax reliefs, so I think there are lessons to be learned on that. And, one of the models we argued for in a mandatory scheme was equal contributions from employers, employees and then a similar top up type of contribution from the State. Because of the people who cashed out of SSIA schemes, 70 per cent of those continued the savings habit developed during the SSIA period. So there seems to be willingness amongst the general public for the type of saving schemes, which is what pensions are in effect saving for your retirement, for the type of scheme that is a top up type of scheme rather than a tax relief type scheme.

So, ultimately what we have to try and develop under the auspices of the State is a pensions model which should not give regard to whether you are a public or private sector worker but rather that you are a worker, and where you work should not be of relevance. The State needs to examine the current structure of tax reliefs which run to the order of around 3 billion a year. The reality is that despite the fact that large numbers of people received tax reliefs, the reality is that 80 per cent of people in receipt of pension income are only receiving State Pension income. Now that statistic means in effect that those that are benefiting in effect from tax reliefs of somewhat in the order of 20 per cent of those in receipt of pensions. So that statistic has to be managed. We will have to look at how you manage the retirement age. There are people who would obviously argue that there should not be a statutory requirement to retire at 65/66, that you should have a voluntary opportunity to work beyond that. That also can contribute towards how you manage your income post retirement that you can have a combination of pension and continuing income if that is what you want to do, shouldn't be compulsory but it should be available to people. In trying to get application of a pensions framework we believe the only way it will be done ultimately is by the State taking control, taking the main involvement and then ultimately providing a tripartite system not dissimilar to the Australian model, not the same because it would not sit particularly in an Irish set up, but we could learn from the lessons of Australia which is a similar type pension arrangement to ourselves.

President and colleagues I move the motion on behalf of the Executive Council.

## **Patricia McKeown, UNISON & President of Congress**

Secunder please. Is there a seconder to the motion? Formally seconded, thank you. Any speakers to this motion come ahead and could I ask any speakers intending to come forward and use the seats in the front row just to help us speed the business up.

## **Dorothy Hutton, UNISON**

Dorothy Hutton, UNISON supporting Motion 1 on Pensions. Pension provision in Ireland, North and South, is in a state of crisis. This is a fact that everyone is aware of. Many employers in the private sector have closed their final salvage scheme and replaced them with inferior Defined Contribution Schemes. Thankfully the same has not yet happened in the big public sector schemes in the UK, such as UK Local Government Scheme or National Health Service Pension Scheme but we cannot afford to be complacent. These schemes are also under review with pressure building to increase contributions, cut benefits or even close them completely. A few years ago attempts were made by the UK Government to change the pension terms of Local Government workers and were successfully resisted by the trade union movement at least for the present. The employers attempt to justify closing final salary schemes by saying that the cost of such schemes has risen and has become too high to be sustainable. But let's look at the facts. During the 80s and 90s when stock market returns were very high, many employers took contribution holidays meaning that they did not pay any money into the scheme on the grounds that there was enough there already. Now that investment has turned to fall, the employers are complaining that they have to make up the shortcomings. If employers were content to pay less when times were good they should be asked to stump up the shortfall when investment returns are lower. For increasingly catastrophic global recession have laid waste to the assets held by our pension funds. These funds have been squandered and speculation encouraged by inappropriate fee structures for financial managers. The crisis is entirely due to policy errors by Governments, regulators, corporations, investment managers and credit rating agencies, who have willingly and willfully ignored the warning signs. Now they demand that we pay with the sacrifice of our pension funds. Now is the time to consider building an alternative economic programme to replace the failed neo-liberal experiment. The new programme should consider how best to provide decent retirement income for all workers and their dependents. Pensions are an issue of importance to everyone in this hall. Faced with the difficulty and complexity of pensions it is sometimes tempting to bury one's head in the sand and simply hope that everything will work out okay.

I want to urge all of you today not to take this course. It is vital that all of us whatever our age would come together to oppose the closure of final salary

schemes and to fight for the right to retire with dignity, able to retire on adequate and secure pensions. Please support the motion.

**Patricia McKeown, UNSION & President of Congress**

Thank you Dorothy. Can I remind you all that we are now on the clock – five minutes for movers, three minutes for everyone else. Any other speakers on Motion 1?

**Camel Kerrigan, UNITE AMICUS**

Carmel Kerrigan, UNITE AMICUS Section speaking in support of Motion 1. Madam President, General Secretary, guests and fellow delegates. It has been a shared view for decades that additional income to the State pension is absolutely necessary for adequate income. Many approaches have been made to address the issue and the response has been dismal. Now we are seeing falling values with occupational pension schemes and the result of underfunding and falling investment returns making for little and no support to the State pension. The motion reasserts demand for a State run pension model which appears to be the best way forward. Much work has been done by way of consultation to enable the Government to come to a decision. The promised Green Paper is still awaited. Not only must we support the motion but we must engage in our organisations now for legislation so that as we progress to full employment again we will have guaranteed adequate income in retirement. Please support the motion. Thank you.

**Patricia McKeown, UNSION & President of Congress**

Thank you very much. Motion 1, John?

**John Douglas, MANDATE**

John Douglas, MANDATE trade union supporting Motion 1 and very briefly. Just to follow on what Jerry Shanahan had to say in relation to the Pension Scheme and the Irish current system in the private sector. It is broken, it is rotten, it's unfair and it has always been unfair, rotten and broken. The economic crisis and the equity downturn in terms of returns has just highlighted the unfairness in the current system, particularly in the private sector, where the current pension scheme system facilitates a massive transfer of wealth to the better paid in our society, those who can afford pension schemes. The figures show in the private sector that less than 20 per cent of lower paid workers in the service sector are members of private pension schemes, so not only are they condemned to poverty during their working lives, they are also condemned to a state of poverty when they retire. So, MANDATE would fully support a fairer pension scheme system run by the State based on contributions for those at work and a

mandatory scheme which would facilitate a more equitable pension provision for all workers when they retire. Thank you.

**Bernadine O’Sullivan, ASTI**

Bernadine O’Sullivan, ASTI. I would like to congratulate the Executive for putting forward this motion. However, I would like to know how it is going to be progressed because three years ago I attended a Pension Convention for public and private sector pensions at which the late Mr. Brennan, TD, presented a paper and it seemed at the time that the Government of the day was favourable towards a State pension for all but I don’t see that it has progressed much since. And, Congress is also to be congratulated because earlier this year they organised a conference for retired workers. Now that was a very interesting conference. There was a paper there presented by a Mr. Gerard Hughes from Trinity College’s pensions research and he presented very interesting statistics and they are as follows. That in 1980 4 per cent of GNP was used for the State pensions and only half a per cent was spent on expenditure for private sector schemes. However, this had moved significantly and in 2006 the balance had shifted that the direct expenditure on public pension in 2006 was now 4 per cent but the percentage of tax expenditure on private pension schemes was slightly over 4 per cent. Now this represents a figure of, and it was repeated in yesterday’s Irish Times, a figure of 3.2 billion – that’s the tax foregone in the subsidisation of private pension schemes. And, what is even more interesting and I think perhaps Jerry referred to this, that two thirds of that 3.2 billion goes to those earning over €100,000. In other words you can see where most of that tax is going but what does not get out into the general public is the fact that this is costing so much. All the time we hear about the cost of public sector pensions. The figures are not put into the public domain exactly how much is spent on subsidising the pensions of those in the private sector. And sadly in recent years in the private sector and especially in the last year many of those pension funds have been wiped out. And what we have, a lot of the money is going in those pension contributions from private individuals, a lot of that money goes on actuaries, it goes on insurance companies, stockbrokers and they are the very people who are now out preaching once again about the value of the public sector pension and they are not really talking about the scandal of what is happening in the private sector and what is happening to people and causing misery in their old age, and finally Chair, the pension levy – I think it is quiet astonishing to come to this convention and not to see any motion condemning the pension levy which is really 8 per cent so a public sector worker is now paying six and a half per cent plus 8 per cent plus full PRSI. They are paying up to twenty 3 per cent of their salary for a public sector pension and we don’t get the old age pension either. These facts have to be brought into the public debate. Thank you Chair.



## **Patricia McKeown, UNSION & President of Congress**

Listen, it doesn't worry me in the least but if you go over the time you are stealing somebody else's.

## **Brendan O'Sullivan, INTO**

Brendan O'Sullivan, INTO. It's not so much of a speech but a number of points that I want to make on this issue. First of all, and I said this two years ago at Congress in Bundoran, pension is a form of deferred payment. It is one thing the Benchmarking Body did get right and until we begin to treat it as a form of payment we are not treating it seriously and I don't think we have been treating it seriously over the past couple of years. I have no apology whatever to make as a public service worker for the kind of pensions we have in the public service and I refuse to apologise for that to anybody in this hall or outside this hall. And I think that the track record of this organisation in defending pensions has been nothing short of abysmal. Two thirds of the workforce in this country in the private sector does not have work based pensions after fifteen years of boom and glory. Now that is a disgrace to this organisation in this hall. Secondly, the pension levy was again miserably opposed within this organisation not just by the general organisation but by the public service sector within this organisation. You have a pension levy which is in itself a disgrace but in addition to that, within the pension levy up as far as 100,000, everybody pays up to 8 per cent and what happens from 100,000 to 300,000? It creeps up by an additional half percentage point. Now for God's sake how can we condone that kind of nonsense in this trade union that talks about solidarity. When we talk about pensions we are totally naive and innocent about it. If you look at the British White Paper on Pensions it shows that a handling charge of 1 per cent in pension can mean a difference in ultimate pension of up to 20 per cent – that's where a lot of the money goes. If you put pensions into a properly funded Government fund when you don't have to work on these fly-by investments and handling charges, you cut back on a lot of that charge. Hannifin admitted as much herself when she was talking about having to step in to bolster pensions that had failed. She said that was one of the advantages of it. Why do we not press that? And the investment decisions of those people who make these pension funds, people have said to me that my pension is worth 19 per cent, 30 per cent, 42 per cent, they just pick a figure and they roll it out what it would cost for my pension in the private sector. Well I don't know because we don't have the information to hand as to what kind of investment decisions, what kind of management charges that we have, and we need to get off our backsides on this issue of pensions and start fighting, that is an unusual thing for this organisation to think about doing I know, but we should start now. Thank you.

## **Patricia McKeown, UNSION & President of Congress**

Any other speakers to Motion 1? Okay, thank you. We are taking the vote on all three motions at the end of the debate so I am not going to ask the mover if he wants to exercise the right to reply yet.

Can we move to Motion 2 please? Pension Protection Fund – standing in the name the Guinness Staff Union.

## **Sean Mackell, GSU**

President, colleagues, Sean Mackell, Guinness Staff Union to seek your support for Motion No. 2 on the need for a Pension Protection Fund. One of the scandals that has occurred during this economic slump is the dumping of some of our members onto the slag heap. Bad enough they are taking their jobs but more and more are being told that their pension has also gone. Imagine the devastation if somebody is about to retire after a lifetime of putting money into a company pension scheme when they are told that your pension is gone. And imagine the anger when they discover that there is little or not protection in the Republic and that the Government is not prepared to give any support. Last week for example, the Minister for Social & Family Affairs, Mary Hannifin when asked if she would implement a Pension Protection Fund in the Republic that would be similar to the British Fund said no, it would be too expensive. This from a Minister who cut the dole from 15 months to 12 and she also has three pensions to look forward to. This from a member of the Government who have no difficulty bailing out greedy bankers and their friends the property developers. However, when workers who toiled all their lives and put away a small pension discover that pension is gone up in smoke, the Government tells him that it is too expensive to help him. This is from our so called social partners; this is from our friends – our so called friends in Government. What are we doing sitting down with these people? These are not our friends. Friends are there to support you when times get hard not kick you when you get down.

Last year there was story after story in the press about the so called collapse of the Defined Benefit Pension Schemes. But statistics don't hold that out. The number of these schemes fell by only 3 per cent because workers value their schemes and we particularly value Defined Benefit Schemes. There is no doubt that schemes are under pressure. In the Guinness scheme for example, this is one of the better schemes in Ireland, the value of the fund fell from 112 per cent last year to 77 per cent this year. However, it is a healthy fund and it will bounce back. The fall in the value of many of our schemes is largely down to the collapse in the financial markets and this is where I get cross. The Government is prepared to pump billions after billions of our money, not their money, our money into the financial markets that caused the problems but nothing into the schemes that are suffering because of the excesses in the markets. This is not good enough. We in the Republic look at our colleagues in the North and see the

safety net they have in the UK pension schemes. It is not the best arrangement, and indeed the European Court has said so and has called for improvements, but it is still significantly better than anything we have in the South. We didn't cause the collapse in the economy. They can't blame us. They caused the meltdown and they should pay for it and jail is not good enough for some of these people when you consider the damage they have done by their greed. Let them start the process of rehabilitation by acknowledging the impact upon people's pensions and put a proper pension protection fund in place. It is the least they can do. Please support the motion. Thank you.

**Patricia McKeown, UNSION & President of Congress**

Thanks Sean. Secunder for Motion 2?

**Peter MacMenamin, TUI**

President, Peter MacMenamin, Teachers' Union of Ireland. I am very happy to second the motion here in the name of the Guinness Staff Union and in doing so to bring the support of the public sector to what is essentially a private sector phenomenon, but basically I endorse what has been said by Jerry Shanahan here this morning. It should not be a matter of whether you are in the private sector or the public sector. This is a matter for the trade union movement to take on, as an entire movement, to address pensions of retired people and of working people. And on that basis I second the motion. Thank you.

**Patricia McKeown, UNSION & President of Congress**

Thank you very much. Speakers to Motion 2? No speakers, thank you very much.

We now move to Motion 3, oh, sorry, come on ahead.

**Gerry Campbell, UNITE**

Good morning. My name is Gerry Campbell and I am with the UNITE union and I think I am proud enough to say thank you to Patricia for including the Visteon workers in her speech because I was proud to be with them for the seven weeks that we occupied the building. I would also like to thank some of the other trade union leaders who visited us at the factory, Peter is here, John Corey is somewhere in the audience and especially Jimmy Kelly who was in the plant on a regular basis and gave us all the leadership and support we needed through that campaign. It was a great campaign and we had the local community, all the political groups in the North, Gerry Adams, Ian Paisley, the lot were in and they actually saw the trade union movement at work – for some people it was the first time in their lives. We got led into Court which we went to and we still didn't leave and we got threatened with riot squads and we still didn't leave. And there

was a whole story about Visteon but I am up here about Motion 2 because it is the PPF. Because on 31 March Ford Motor Company stole my pension and threw me into the PPF. The motion needs to be supported and I am going to be critical of it in that it is not strong enough. You imply that you will get, if you are over 65 you will get your full pension but you will only lose 10 per cent. That is not actually true. Our pensioners are going to lose between 10 and 35 per cent because they are linked to future pay rises. And you don't want to be put into that false impression that you will only lose between 10 and 35 per cent because they were linked to future pay rises. You don't want to put into that false impression that you would only lose 10 per cent and why should you lose 10 per cent anyway. The PPF was set up for legitimate companies that go into legitimate insolvency and not for a multi-national like Ford motor company to just get rid of their pension deficit by going into the PPF. And I notice that this has been done by Guinness and if Ford can do it and get off with it then Guinness will do it and get off with it. The whole thing about going in to the PPF meant that Ford didn't have to honour any of their legally binding agreements. It will take us maybe two to three years to get them in to Court which we will do. During that time as I said we occupied the plant. We are still picketing showrooms through both the North and over in England and Wales and will continue to do that. You have to remember that Ford had two factories in Ireland – one was in Cork which they closed and the workers had to fight to get a decent redundancy package and the other was in Belfast which we fought and got a very good redundancy package but no pensions. Redundancy was the easy angle for them, the pensions was the one that they always wanted to walk away from. So, as I am saying, if Ford can get off with it and no real opposition other companies will follow suit. Other multi nationals will follow what they are doing. Even last Friday Ford and the Visteon executives went to a judge in New York to get 80 million dollars released to pay their top 30 executives' bonuses. It is like rewarding the bankers over here for what they did.

So, we have done what we can do to keep this going forward. Our next plan of action is a boycott of Ford motor company. Wouldn't it be great, there are no Ford factories in Ireland, but wouldn't it be great if in the Irish Congress of Trade Unions, no official drove a Ford until they sort out the pensions.

### **Patricia McKeown, UNSION & President of Congress**

Now, you are getting support but your wee lights are out there Gerry, come on you will get another chance at this later on the agenda.

### **Gerry Campbell, UNITE**

Okay, support the motion but beef it up, get your guarantees in.

## **Patricia McKeown, UNSION & President of Congress**

Thank you. Any other speakers? Can we then move to the mover of Motion 3 standing in the name of UNITE.

## **Jerry Shanahan, UNITE AMICUS**

President, delegates, Jerry Shanahan, UNITE AMICUS moving Motion 3. Congress, the interesting thing about pension protection is that it is not something that would have crept up on the UK or the Irish Governments. It was the 1980 insolvency legislation brought in by way of the European Commission at the time that provided for, under Article 8, that in the event of an insolvency of a company and the subsequent insolvency of the pension scheme, that the Governments of the member states should take the necessary measures to protect the pension schemes in those situations. Now it trundled along it has to be said with real pension protection fund of any significance in place or adequacy up until the time of the British Steel Corus Dispute in the mid 90s and a situation where the pension schemes of two workers in British Steel or Corus as it is now known were seen to be in the order of 23 per cent and 49 per cent. The union, the forerunner to this union and UNITE, took a case along with the Community trade union on behalf of those workers into the British legislator, on up through the legal system in the UK and ultimately to the European Court. The European Court in 2005 then ruled that the British or UK pension protection arrangements were inadequate in that taking the higher figure of 49 per cent, that that was inadequate compensation for somebody who had lost their pension in what they call a double lock type insolvency situation. The Irish Government, not for the first time, travelled with their UK colleagues, they did a similar exercise on the Agency Workers' Directive, but they travelled with their UK colleagues under cover on the basis that because the system in the Republic of Ireland was far less, in effect non-existent and continues to be non-existent, that if the British Government was found not to be adequate then the Irish Government obviously would be found to be even less adequate. As it turned out the European Court in its Judgement, what is now known as the Robbins' Case, ruled that the measures that the UK Government had taken were not adequate under Article 8 of that Directive. Subsequently, the UK Government brought in the Pension Protection Fund largely to levy the pensions' industry and also because the case originated in 1997 what they did was they brought in what was called The Financial Assistance Scheme and that Financial Assistance Scheme effectively mirrored what the Pension Protection Fund would be. So anybody who found themselves in the double insolvency situation between 1997 and 2005 were paid the equivalent of the PPF under the Financial Assistance Scheme, and that anybody post 2005 received what was referred to here by Sean in relation to the Pension Protection Fund. Now it is not adequate but I can say this – it is far better than what was there so progress has been made but it is significantly better than what exist for Irish workers for example in the Waterford Glass situation. In the Waterford Glass situation there is no Pension Protection Fund in

existence. It is currently part of the discussions with Government but, as was also referred to, the Minister and indeed the cabinet has said it is not something they are prepared to do.

Now, UNITE as a union has been left with no choice but to do what our colleagues in the UK did. In other words to commence a legal case on behalf of those workers in Waterford Glass and any other worker that finds themselves in a similar situation. A presentation was already given to the Executive Council of Congress and perhaps the most important part of this motion is that we are asking this conference, because this conference is made up of affiliated unions, it's going to be a significant financial cost to UNITE to fund this case into Europe. If it takes us into Europe it could run into half a million, three quarters of a million, we are asking all affiliates to support us in seeking to bring about the legislative change on behalf of all workers in this country. I move the motion President, thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you. Is there a seconder for the motion? Formally, thank you. Any speakers on Motion 3 please come ahead. Any other speakers intending to speak on any of the motions or don't forget the sections of the report are open as well, please come forward.

### **Finbar Dorgan, TEEU**

Finbar Dorgan, TEEU. I am based in the South East and have been an integral part of the discussions with UNITE with regards to Waterford Crystal workers and the debacle that they find themselves in with regard to the pension. It just highlights the inadequacy of the pension schemes in the private sector that the employers can just walk away and leave workers who have spent their lifetime assisting in the profit making of these companies to find themselves where they are today. Just, and I have come to the platform to outline the anger that the workers had with regard to what was done to them. But there is another anger outside there as well. And the anger of the people I represent in the public sector with regard to craftsmen and the anger, and I have been asked to state this, was the dismal effort made by the Executive of Congress with regard to the levy on the pensions or the so called levy. The TEEU in defence of their REA are on the streets of Ireland today because they are entitled to an 11 per cent increase since 2007. There is another group of workers who are entitled by an analogue of 11.5 per cent increase under the analogue 2007. They have gone through the courts and everywhere else and it is sitting inside the Labour Court since December 2007. And the reason it is sitting inside there, the proof is that the 11.5 per cent was there but the Department of Finance decided that the benchmarking 12 per cent would be taken from that 11.5 per cent increase. Now, a little story, I seldom come here and I won't be here again, because I am retiring in a few months time, so I am going to take the leeway of taking a few

minutes off somebody else. The 12 per cent deducted from the 11.5 per cent was based on the public sector analogue pensions vis-à-vis the private sector. Of the 20 companies in the private sector when you take the lump sum, when you take the Government pension away, and when you go like for like with a 40 year service, a craftsperson in the public sector will be 81 years of age to reach the pension of a 65 year old coming out of the private sector and the lifespan of a craftsman in the public sector is 78 so he will be dead three years before he gets the relativity with the other pensions. So there is a story out there. The Labour Court has it, they are sitting on their hands and everyone else is sitting on their hands. So, while there is one battle going on at the minute, there is another one coming up and the anger, the anger of the ordinary paid public service worker with regard to the analogues, with regard to their levies, with regard to the cutbacks and everything else, you can touch it but it would seem that the higher echelons of the trade union movement are untouchable. Somebody said earlier about their toothbrushes, I think they had too very soft seats inside in Government Buildings and they cherished them. Thank you Mrs Chairman.

**Patricia McKeown, UNISON & President of Congress**

Thank you delegates. Any other speakers Motion 3, thank you.

**Tom Hogan, UNITE**

Tom Hogan, UNITE. As a victim of double insolvency after spending 43 years at Waterford Crystal I know exactly what it is like to be told that you are not getting your pension. Along with 12,000 other colleagues who find themselves in the same situation. I just want to remind people because I am sure it goes on in most jobs, the struggle that there was to get that pension scheme up and running, the fight to keep the employer continually funding the scheme who wanted to take pension holidays and what have you, to make sure that everybody was adequately covered, to find out after long years of service, some people with 47 years service, to be told on 31 January that your job was gone, that your redundancy money that you thought you were getting was gone, that everything you had built up, that unpaid wages that pensions represent etc, that accumulated over all those years had all vanished into thin air. That a fund manager had gambled it on the stock markets and couldn't cope with the crash when it came and of course it is not just workers in Waterford Crystal it is right across the board, and it underlines and underscores the need for a State led pension type model. I want to second the motion and just on behalf of the workers at Waterford Crystal to thank our union for taking the case on behalf of us and of course on behalf of everybody else and the theme of conference being 'Building Solidarity', I would call on Congress to get behind this move and to give solidarity in relation to taking that case. Thank you very much.

## **Patricia McKeown, UNISON & President of Congress**

Thank you delegates.

### **Joe Kelly, UNITE**

Joe Kelly, UNITE and like my colleague, Tommy, a former Waterford Crystal worker sacked on 31 January and unfortunately, our sit-in which was headline news across the country did not turn out to be quite as successful for us as our colleagues in Visteon and good luck to the Visteon workers for getting a decent redundancy package. It didn't come our way. But on the motion about the pensions, I am simply here to say this; that I had been 36 years in that place and was still working there when they closed the place down and we broke into the Visitors Centre and started the occupation, I was the 10<sup>th</sup>, well the 2<sup>nd</sup> Shop Steward but the 10<sup>th</sup> member in the door and we started the occupation. The bottom line is that the Government has done absolutely nothing for us and we are being forced, and I know Congress is putting a lot on the table with the talks, the Minister has said that she has no interest. The Government has no interest. The only way this is going to resolve unfortunately is through the courts and that we are having to take this case that UNITE is taking on our behalf. We have to win this. It is not simply a win for Waterford Crystal workers. If we win this it is a win for every worker in this country because every single pension scheme, every single pension scheme is going to come under attack. They are already under attack now, they are going to come under even more attack. This useless Government, and I could use all sorts of language to describe them but I am trying to restrain myself here, I detest the people that run this country in the way they treat workers, in the way that they introduced those pension levies, our own organisation the way there wasn't much of a fight put up against it I have to be honest, very, very little put up there, but on this one, on this fight it is vital that Congress and every trade unionist and indeed people who are members of no trade union get behind this campaign and this court action because as I said we haven't much to save in Waterford Crystal, but by God we are going to try and save our pensions, but we will only do it with the support of everybody. It is an expensive case, it could be half a million. We need every bit of support.

### **Ray Rafferty, UNISON**

Ray Rafferty, UNISON. President, Conference, I hadn't intended getting up to speak but I think that there is an important message that has to be added to the motions. It is not just the protection of pensions. It is the protection of our pensioners – elderly people. People who die every year from hyperthermia. People who live in poverty after working all their lives that they are left on the breadline. My father is 88 next week. For the last 25 years he has lived in poverty because he hasn't got a proper pension. I look at this conference today and I was here two years ago, we are all getting older. It is going to be our turn



soon. It is our turn to actually demand off Government proper pensions for working people.

**Patricia McKeown, UNISON & President of Congress**

Any further speakers, thank you.

**Bernadine O'Sullivan, ASTI**

I just want to say that I fully support this motion. I think it is absolutely vital. I think it is very interesting that we have a huge push on now for the Lisbon Treaty. I can't understand why the Government of this country can pick and choose from European Directives and European provisions. There is absolutely no reason why they shouldn't have been in the European Protection Fund but like every thing else, like equal pay, like statutory redundancy, everything, they have to be dragged screaming through the courts to get it. I think it is absolutely vital that Congress does everything in its power to ensure that this is successful. These people who worked for so long and gave their life blood to what was a show case of Irish industry have been treated appallingly and it is an absolute disgrace. And, finally, I just wanted to further add to a point made by a previous speaker on this motion. He mentioned about analogues – some people might not be familiar with it. Really what happened was – in the second Benchmarking Report and it is in your booklet actually for mention – in the second Benchmarking Report a discount of up to 12 per cent was applied to the salaries of public sector workers because of their pension entitlements. And do you know delegates, that was the big 'no news' story? That actually seemed to be buried when the second Benchmarking Report came out. There was not publicity about that and in fact it was IBEC who drew my attention to it first and then I got a copy of the Benchmarking Report and saw the reason why 350,000 public sector got no increase whatsoever from the second round of benchmarking. We had benchmarking in reverse which is what a lot of people are calling for now and the fact that that wasn't highlighted by the trade union movement is very regrettable because if it had been the Government could not have come along the following year and launched an assault with the pension levy. We already had a discount applied to our salaries because of our pension entitlements. Delegates, the report is in here and I would like to hear the Executive of this Union mention this. Then they come along and they give an 8 per cent pension levy. I fully support the State Pension Fund for pensioners in the public and private sectors and that full information on the cost of pensions – get it out into the public domain and that we can be united in the public and private sector because they have really set public and private sector worker at each other's throats and they have started now on the private sector's lower wages if they can get away with it. Thank you very much.

## **Patricia McKeown, UNISON & President of Congress**

Any further speakers? No further speakers. Jerry do you wish to exercise the right to reply on Motion 1? No, thank you. John, Motion 2? No. Jerry Motion 3? No, thank you. Thank you delegates. Now I wish to put the motions to the vote. All those in favour of Motion 1 please show, against, abstentions. That's carried. All those in favour of Motion 2, against, abstentions. That's carried. All those in favour of Motion 3, please show, against, abstentions. That is carried.

Congress I would now like to ask you to agree Section 3 of the Executive Council Report and Chapter 1 on Partnership, Pensions & Repossessions. Is that agreed? Thank you.

And, very appropriately, very pleased to be able to welcome to address us now from the Congress Retired Workers' Committee, our brother Peter Sands.

## **Peter Sands, Congress Retired Workers' Committee**

I got up with a struggle and I hope I will be able to get down. Madam President, my name is Peter Sands. I am Secretary of the Retired Workers' Committee of Congress since it was set up in 1990. And Madam President I want to thank you for the invitation to address Conference and also for your very kind invitation to the Reception. It means an awful lot and I appreciate as a long trade unionist and a long time retired, but I am still here, to come here and to meet this organisation. It means an awful lot to me and I thank you very much for the invitation.

I would also like on behalf of the Retired Workers' Committee to wish Dan Murphy well in his retirement. We have very happy memories of him and Peter McLoone, a lot of people don't seem to know that we negotiate on behalf of retired people all along. We don't be shouting off the roof tops about it but we negotiated with Dan and with Peter the principle of parity and how it should be applied to the pensioners so any of you that are getting a little bit extra in your pensions its in no small manner attributed to the work Dan Murphy did while he was there and we wish to thank him and wish him well in his retirement.

President, delegates, Motion 29 on agenda Quality of Life for Older People will be moved by the Executive Council and I just want to say this that our colleagues in the youth movement – we were a long time looking for recognition and we allowed to submit a motion for Annual Conference but it has to be moved on our behalf by somebody on the Executive and as a long time trade unionist I know that seats on the Executive are like gold dust. Whatever chance you have of getting a motion through to get on to the seat of the Executive, sin ceist eile. This motion is our motion but it will be moved by the Executive and I would ask for support for this motion and I would also ask that in any further partnership

talks that Congress would press for the restoration of the Christmas Pensioners' Bonus. This bonus is very important for grandparents, and I am one of them, in their relationship with their grandchildren. The Retired Workers' Committee which was set up in 1990 by a decision of Congress is now in a position to be an equal arm of Congress thanks to the General Secretary and also to Sally Anne as a result of better servicing and Michael O'Halloran has recently been appointed as a Coordinator. We heard a lot of talk here this morning about the pensions and we have been holding a number of seminars on the pensions as somebody referred to it here this morning. And, I just want to say this to you – we will be holding the Annual General Meeting of the Retired Workers' Committee next September. We just haven't the date fixed because we haven't so far got the accommodation but I'm sure we won't have to hold it on the street. And I would ask that every affiliated union has retired members and I would ask them to come to that conference and help us in solidarity. And, I would extend an invitation from here today to the youth movement to come along to that conference and to go forward with us because the facts are that they will be the retired members of tomorrow so its their rightful place to be there to listen to what is going on, so I invite them to come to our conference.

President and delegates it is very difficult to believe that this Biennial Conference is being held at a time of major recession. After such a short time since the Bundoran conference, only two short years ago when we had full employment, Ireland was prosperous, well paid jobs that were attracting people from many parts of the world. This economic crisis and recession has hit the country like a devastating earthquake. I'm afraid that because people had it so good for so long they are not prepared to accept the hard reality that drastic measures have to be endured to get us out of this recession. The General Secretary and his colleagues are to be commended for the number of quality papers on the national issues that they have produced namely tax reform to underpin a new national agreement, submissions to the Commission on Taxation, There is a Better Fairer Way, and we heard a lot about that today didn't we, and most important a very comprehensive report of the Executive Council for this Biennial Conference and I think they deserve your appreciation for all that work that has gone. I have read them all and they are very, very important documents and I would like to compliment you people for it. These reports demonstrate the skill and the expertise of Congress negotiators in what was very difficult discussions against a background of sabotage, doomsday and certain politicians who seem to have a long playing record for its attacks on the public service and in particular their remarks about benchmarking. In my view the Congress Pact proposals for stabilisation and social solidarity and economic renewal are to be commended. I make no excuse for saying that I lobbied a number of ministers in support of these proposals. Where the legislation was urgent every effort with consultation should have been made in the first place.

The arrogance and ignorant remarks by certain quarters about trade unionists being bedfellows of the Government and scurrilous remarks about men with grey

beards – I think they were deplorable remarks and I think these people must never have heard of the three wise men. Listening to some people who are trying to make political capital out of this crisis should realise that it was the strength of the trade union movement that brought us out of the economic crisis that confronted us in the 80s. A vicious cycle of stagnation, rising taxes, spiraling debt, high unemployment and mass emigration – are these people trying to tell us that the teachers' dispute of '84 never happened? Or that the Dail vote when the Government went into Dail Eireann to use a power that had never been used before to amend the terms of the arbitration award or the national 15 October Black Friday strike in protest at the Government's refusal to reappoint the arbitrator in the C&N scheme, or that the then Taoiseach didn't go on television and radio to tell the people that everything was at risk constitutionally and otherwise. It was against this background that the specific context for the initiation of a formal national level social partnership agreement which came into existence at the 1996 Belfast conference as a result of a motion put forward by the then LGPSU, which I happened to be present at that time, now IMPACT. The motion was carried and it became the Congress plan for national recovery. Notwithstanding that the Irish economy was in crisis, the then Fine Gael led Government would not accept the Congress plan. The Congress continued and the Government fell on the budget resulting in a general election in March 1987. A Fianna Fail led Government was elected and discussions commenced immediately between Government and the social partners which resulted in an agreement for national recovery – that's what is missing at the moment. The fact that the concept has continued for 22 years is an example of trade union solidarity at work. It is important to highlight how Congress policy brought us out of the 80's crisis when Government policy failed. Because once again we are in crisis. Congress has produced a national plan, a Solidarity Pact, which is worthy of partnership and national support in order to sustain jobs and rebuild the economy.

Because of the world recession solving the financial crisis will cause a lot of pain for everybody but the end responsibility and corrupt actions of greedy bankers who brought about the banking crisis must be punished. Let the call go out loud and clear from this Congress that they should be treated in the same way as those found guilty of corruption with planning regulations. It is an outrageous scandal what has happened to personal savings and pension funds.

The Retired Workers Committee is affiliated to FERPA, the European federation of some 80 million pensioners and I am sure that our good friend John Monks, General Secretary of the ETUC when he addresses you here, I understand he will speak, and he probably will speak about the Paris Declaration of the European Trade Union Conference which refers to the Lisbon Treaty, so I am not going to say anything on that matter as he will cover it better than I could. So, I would therefore like to conclude by reiterating the appeal we members of FERPA made when we assembled in Brussels to commemorate the 50<sup>th</sup> anniversary of the signing of the Armistice and with one voice we called out for year be founded

on peace, democracy and social justice and this was the appeal. The 7 May 1945 after five years of war the Armistice was signed. 52 million dead, children, women, men, elderly people, sick people, imprisoned, humiliated, tortured and murdered. Millions whose homes have been destroyed by bombs, devastated cities and countries. The 8 May, 1945 – an unforgettable day. Life begins again as the long nightmare comes to an end and peace has finally returned. An unanimous cry goes up – never again – a single hope and an unmistakable will. No more wars, all have the right to peace, no more dictatorships only democracies. No more racial hatred. No more social insecurity exclusion. The 8 May, 1945, fifty years later peace and the right to life are under threat from the same demons. Vigilance and action are vital. No one can say it's not my problem. Indifference is inexcusable and let the cry go out from this conference here today again that peace forever and wellbeing for all and for a European Union founded on peace, democracy and social justice lets all fight for that.

**12.45hrs**

**Guest Speaker**

**Patricia McKeown, UNISON & President of Congress**

Thank you very much Peter. We can use this opportunity to do a plug for the Congress Retired Workers' Committee. We have sections North and South if there are any affiliates who haven't yet nominated you might consider doing so and indeed any affiliates who might not yet have retired members sections might consider doing so. It is most definitely enriches the life of our unions. Thank you very much Peter and the Committee for their work North and South over the past year.

Congress, we have finished this part of the agenda and are moving to an issue on which I would beg your undivided attention. We are very honoured to have with us today Luis Alberto Vanegas. Luis Alberto is the Director of the Human Rights Department of the Columbian Trade Confederation, CUT. He is a teacher who was previously a leading member of the Columbian Teachers' Union before entering the CUT. The Human Rights Department of CUT is responsible for denouncing, documenting, and following up human rights abuses committed against union members, work which often leads to death threats and security risks. Columbia remains the most dangerous country in the world today in which to be a trade unionist with over 60 per cent of trade unionists killed in the world being Columbian. Over 2,700 Columbian trade unionists have been murdered in recent years with teachers being the sector most affected. – 109 have been killed since 2007. The vast majority of these killings remain unchallenged and unpunished. Other abuses face union activists including displacement, imprisonment, forced disappearance, and harassment. Luis Alberto Vanegas is living under constant death threats so wherever he goes in Columbia he always has to be accompanied by two body guards. His speech here at our conference will be interpreted by Liam Craig Best, Co-ordinator of the Trade Union Network

– Justice for Columbia in the UK. Your best of attention please. Bienvenido compañero Venegas.

**Luis Alberto Vanegas, Colombian Trade Union Confederation (CUT)**

**Liam Criag Best, Co-ordinator of Trade Union Network for Justice for Columbia**

Good afternoon. I bring to you on behalf of the unified workers Congress of Columbia and their Executive Committee a warm and fraternal greeting. I want to thank the ICTU for inviting me and to all of the delegates here for listening to me and for wanting to know a little about the situation in Columbia.

Columbia has a very violent history. For 40 years there has been an internal social and armed conflict going on in my country. In recent years Governments have followed neo-liberal policies of privatisation and opening up markets at the same time as investing all the Government resources in military expenditure. In our country to give you an idea of the scale of the problem, 60 per cent of the population live in poverty. We have 4 million internal refugees forced from their homes. We have 20,000 people who have been forcibly disappeared. 4,000 members of the political opposition have been murdered and every year over 5,000 children die of malnutrition in Columbia.

The President of Columbia, Álvaro Uribe Vélez, working with the United States Government in recent years has created 'Clan Columbia' which is a military programme which nets in 4 billion dollars of US aid spent in Columbia on the military in ten years. It hasn't been spent in fighting poverty or helping those in need. President Uribe is the worst enemy that working people can have. He and his Government are implementing policies that try to exterminate all the rights of working people and the working classes. 60 per cent of people in Columbia are in informal work with no contract and unemployment is running at over 14 per cent at the moment in the current climate.

The human rights abuses are systemic. We have had from the CUT, my Federation, 2,715 union activists assassinated. This year so far up to June we have 21 union leaders shot dead. Last year we had 49 trade union leaders. In 2007 it was 39 who were killed and last year 49, a 25 per cent increase in the killings. As well as that we get death threats, arbitrary detentions, torture and forced disappearances. The people who are responsible for creating all these victims are extreme right wing paramilitaries who work with the State forces and they are trying to exterminate, to physically wipe out the union movement. And it is not just trade unionists they attack. The attack students, they attack peasant farming communities, the attach women's organisations and other social groups within the country. We have worked to denounce this. We have worked to help people protest against it and we have worked with others and one victory we have had in working with trade unions in the United States was to block the free

trade agreement between Columbia and the United States which we partly blocked on the basis of human rights abuses. And giving the Government of Columbia such a free trade agreement with those human rights abuses would be to reward them but also we were concerned about the flexibilisation of the labour market, the lower salaries, the ability that companies would have had to establish workplaces where unions weren't allowed, they were all included in this treaty that worried us too. And the position of the trade union federation in Columbia is to reject such agreements with the Columbian Government and we are now working, after successfully blocking the United States one, to try to block the Canadian one and the one that the European Union is trying to sign with Columbia. In Columbia in good economic times all the profits, all the benefits go to the big businessmen, to the multi-national corporations. We are talking about billions and billions of pesos. But in times of economic crises those same people, the businessmen and the multi-nationals expect us workers to make the sacrifice to take pay cuts and to get fired and we think we shouldn't have to take all the negatives ourselves. Due to this crisis, this humanitarian crisis that we are facing in the Columbian trade union movement, it is urgent that we receive support and solidarity from colleagues all around the world in the trade union movement around the world. In the past workers have confronted fascism, they have confronted Apartheid and now there is no reason why workers in Columbia cannot confront an authoritarian, violent regime that we have there. Especially this is the case when you see the positive social change that is taking place in our neighbours in places like Venezuela, Bolivia, Brazil, Ecuador, Nicaragua who are going through very hopeful changes. And we also feel very strongly about something that has just happened and that is the military coup in Honduras which has overthrown the democratically elected President Delia.

So these are times of struggle when we need to remain solid and I invite all of you if you have the opportunity to come to my country to see what Columbia is like so that we can strengthen the links between the ICTU and the CUT in Columbia.

I would also like to thank Justice for Columbia for the work they are doing in Ireland and in the UK and I hope you have a very good Congress over the next few days. Thank you.

**Patricia McKeown, UNISION & Congress President**

It kind of puts what we have to do into perspective. If you want to become involved, if not already, in the campaign the ICTU Global Solidarity is holding a fringe meeting directly after we adjourn, 1 O'clock in the Parkview Room on the second floor of this complex. The event will be chaired by Jack O'Connor. There will be a seven minute film made by Justice for Columbia and Luis Alberto will also speak more on the situation in Columbia. There will be refreshments – sandwiches, tea/coffee available so you can both have your lunch and get involved in the solidarity action.

Just a second, announcement I want to make delegates. We are going to break shortly. Outside in one of the Exhibition Stands we have got the Construction Workers' Health Trust with us again. They are offering two important health tests to delegates. One is a test for prostate cancer and I want the men to pay particular attention to that and the other is a definitive test for diabetes. Now both of these test in your jurisdiction, not mine, would cost €75, they are free so please take advantage of this offer and do something good for yourself as well.

We are about to conclude this part of the agenda. We are finished this section and it is too late for us to move to a new section so we are going to finish early. I want you to please bear in mind that we do have a very heavy agenda this afternoon and we will start on the economy at 2.30pm sharp. So I am begging your cooperation, please delegates because by 4.30pm this afternoon we will go into private session and we need to make sure that we have all of our business in what is a very heavy part of the agenda on the economy concluded by that stage. Thank you for your cooperation this morning and see you at 2.3pm.

### **Lunchtime Adjournment**



**Tuesday 7 July, 2009**

**Afternoon Session 2.30pm – 4.30pm**

**The Economy**

**Patricia McKeown, UNISON & Congress President**

I would now like to call on Michael Sharp, Chairperson of Standing Orders to address the conference.

**Michael Sharp, Chairperson of Standing Orders**

Thanks Chair. Michael Sharp, Chair of Standing Orders Committee.

**Patricia McKeown, UNISON & Congress President**

Hold on Michael, hold on. Could we come to order please? Hello, anybody out there? Order please for the Chairperson of Standing Orders.

**Michael Sharp, Chairperson of Standing Orders**

Thanks President. Michael Sharp, Chair of Standing Orders presenting Standing Orders Committee Report No. 3. And this is a verbal report. I mentioned earlier that we were expecting some emergency motions. So far we only have one but there may well be others but we have one which has come in from the Executive Council and it deals with the Ryan Report which you know deals with the subject of abuse of children in residential homes in the Republic in past years. Standing Orders Committee has considered it. It clearly is an emergency situation in that the report was issued after the closing date for motions and the text that has been presented to us is in order and we are recommending that this motion be taken in the Equality Debate tomorrow morning, Wednesday morning, after Motion 28. That is the first part.

The second element of the Standing Orders Committee Report is that we have had a request from the Treasurer, Mr. Joe O'Flynn, that in view of the number of disputes that are happening around the country and the possibility of hardship to colleagues, that there be a collection, a bucket collection, at the lunchtime adjournment of conference on Thursday. So, as you leave the hall on Thursday the Standing Orders Committee is recommending that we have a collection outside the doors of conference at lunchtime on Thursday. That's it chair.

## **Patricia McKeown, UNISON & Congress President**

Seconded for Standing Orders Report No. 3? Formally seconded. Yes, thank you. Report No. 3 agreed, thank you.

Conference, just to let you know that as we move in to the next section on the debate Fergus Whelan and Liam Berney from the Congress Secretariat will be moving around the hall exchanging voting cards for your credentials. That will be a process that will continue throughout the afternoon.

Alright, we now move to the section of the agenda called 'The Economy' and we are going to be dealing with the main Executive Council Report Section 1, Chapters 1, 2, 3, 4, 5 and Section 2, Society, Chapter 1: The Jobs Crisis. I now call on the General Secretary to introduce this section of the report for us. Thank you David.

## **David Begg, General Secretary of Congress**

Thank you President. And colleagues I just want to make a few introductory remarks about this. First of all really to update you on what has been happening since the main report was written because that was around the middle of April of this year and perhaps also then to set some context for the debate which hopefully we will have for the rest of the afternoon or a good part of it.

Well I mean the world economy, as you know, is in crisis and one of the lesser known statistics of this global crisis is that shipping rates between China and Europe temporarily fell to zero dollars in the first few months of this year. As consumer demand in the West dried up and exports dwindled, brokers actually waived the transport fee and only charged a minimal handling cost to bring the goods to Europe. And, according to the World Bank exports from China, Japan, Mexico, Russia and the United States all fell by 25 per cent in the year leading up to February 2009, which is an extraordinary development and something beyond the experience of anybody in this hall.

What a catalogue of disasters has fallen upon us Madam President since we last met in Bundoran. The hemorrhage of jobs seems set to continue into next year with the IMF forecast published last week predicting an unemployment rate of 15.5 per cent by the end of 2010. By that time we will have lost thirteen 13.5 per cent of our Gross Domestic Product as well. In short it will take us until 2017 to get back to where we were in 2007.

The international economy has been hovering between recession and depression for some time and Governments have not been very coordinated in their response to that crisis. As Eric Hobsbawm put it in an article in *The Guardian Newspaper* on 10 April last, he said that Governments were a bit like a

blind man in a maze using a whole variety of different sticks to tap the wall in the hope that one of them would give an indication of the way out.

Our situation in Ireland has been compounded by a series of domestic policy errors and downright irresponsible, and perhaps even criminal behaviour, in the business, banking and developer nexus. Much of this is documented in the Annual Report alright but I think it is worth taking a look at one facet of it to get an understanding of precisely what has been happening and I am particularly thinking about the banking sector here.

What they did was to put too much mortgage lending, which was financed by heavy foreign borrowings from wholesale money markets, into an unsustainable housing price and construction boom. They increased their share of assets in property-related lending from less than 40 per cent before 2002 to over 60 per cent by the end of 2006. At the end of 2003, net indebtedness of Irish banks to the rest of the world was just 10 per cent of GDP but by early 2008 it had jumped up to a massive 60 per cent. The point is that without that large scale foreign borrowing by the banks, the property boom could not have grown as it did in the first case and the cost of unwinding the consequences of this will be borne by Irish people for generations to come. It really is an outrage which has been perpetrated on the Irish people.

Some of the economists, who generally speaking can't be kept out of the Op-Ed pages of The Irish Times were actually encouraging the banks in this behaviour it now turns out. There was a big assembly of economists in Trinity College in the first week of May and with a kind of sycophantic business press lying at their feet, they set out their prescription for what should be done. And the prescription involved wage cuts, reducing the minimum wage, job cuts, welfare cuts and public spending cuts and the more of these the better. And it is an extraordinary thing that there is no empirical data of any sort to support the contention that this kind of cutting is widespread in the economy. The whole message we are receiving is that everybody's wages are being cut and this happening everywhere and anyone who goes against that in any way is somehow unpatriotic. But this isn't actually supported by any official data. As a matter of fact the only data which is really available has been supplied by IRN in a very reputable kind of way which is given on a blow by blow basis really the tracking of developments within the economy, and it has shown that there are significant numbers of companies who have managed to increase pay levels under the terms of the Transitional Agreement, but overall the best available data is from the Hay Report which said effectively that 7 per cent of firms had cut wages, 7 per cent had increased and 53 per cent had not moved at all. I make these points simply to be factual and to counter this view which is cast up at us on every turn that everybody is losing wages throughout the economy. These people, the economists who group together like a shoal of fish and move together more or less in the same direction, I think they have ice in their veins frankly because they don't seem to

have any regard for the consequences of their particular solutions were they to be widely adopted.

More importantly colleagues, I am not aware of any country at any time, anywhere which has ever deflated its way out of a crisis – it just doesn't happen. But that is our only policy at the moment. Wage cuts, welfare cuts, all of these would be highly deflationary in their impact. What we are doing is waiting for other countries to produce the stimulus by which we can presumably benefit and in the meantime have a massive deflationary shock to our own economy. But it seems me that there is a certain threshold of decency that we should not cross as a country, as a people, as a society, no matter how bad things got. Cutting the minimum wage and basic rates of social welfare is that threshold.

..... (change of tape)...it is the answer to the problems of the currency in the United Kingdom and the extent to which we have to export into the sterling area. But, again if you look at the facts and see how Ireland has performed. We have dropped our exports certainly but by only about 5.9 per cent. Now that is of course very significant I suppose at one level. But look at Germany, which has had a competitive devaluation of wages policy relative to the rest of Europe for about 10 years, and Germany has dropped by 16.9 per cent. More crucially how will this policy if it was to be implemented as an instrument of competitiveness give even a dead cat bounce in a market which has dropped by total in its volume of trade by 25 per cent? But what you can be sure is that on the demand side of the economy, which actually constitutes in our country, about 50 per cent of economic activity, it is actually 70 per cent in the United States, but cutting wages and cutting welfare which is money really spent in the economy, it is not money that people put into savings, it is money that people need to live so they spend it every day, cutting money will have a huge effect on the internal demand and you would create in effect a 'double whammy' for our economy. It seems to me to be elementary that this is not the way to go.

Now, there is also much talk about 'green shoots' of recovery and if, so the story goes, that were to happen and the possibility of an international recovery which, Ireland were to sort out its competitive issues according to this analysis, it could be poised to benefit from these green shoots. But you have to consider how real this is, because America at one hand is supposed to be the source of the green shoots. Europe is depending on America to produce the international recovery. And America is looking to China and saying to China you must correct the imbalances in world trade and in savings between the East and the West so that we can get trade at equilibrium again for the future. What they are really saying is that we would have to unwind the differences which have been created by globalisation. But consider China for a minute. Chinese policy has been to peg its currency against the US dollar, allowing a microscopic rise in it from time to time. To change that policy, and allow now a massive fall of the dollar against their currency would be a huge self-sacrifice by the Chinese because they would

be sending straight away a signal that they no longer intend to be a major export-led country and that they would have to instead develop their home markets.

Many academic discussions of the imbalances tend to assume that the US, or perhaps the IMF, would in some way dictate to China what the course of rebalancing should be. It is now clear I think that any dictating in this regard is going to be done in the other direction. China has already unleashed the world's biggest state spending programme in response to the crisis, putting 15 per cent of its GDP into a stimulus package last November. But the point is that in attempting to create a mass consumer market in China to buy the goods and services that were previously exported to the US and Europe is a huge undertaking because what you are talking about doing is transforming the Chinese people from being the wage slaves of the world to being the world's leading consumers. And, how can you do that? It seems to me, to put it at its mildest, to be a very, very big ask indeed. So when economists come out with these demands for sacrifices which need to be made by ordinary mortals in order that we can create competitiveness and a better economy for ourselves they need to be interrogated about what the reality of that proposition is and what its practicality is in terms of its impact on people and whether it would work.

And anyway why should we take any notice of those people in the first place? What credibility do they have? None of them predicted the recession and now we know that at least one of them, one of the most vocal in fact was actually encouraging the banks in what they should do. He was saying in the middle of the crisis there is no housing bubble, there is no problem, so why should we believe them. The only way, the only effective way of achieving distributional justice in society is through having a progressive tax system. That is what we have been arguing for nearly a year now through our proposals for a Social Solidarity Pact. I might mention in passing that it can be enormously frustrating when an eminent journalist like Brendan Keenan in the Independent comes along and says that Congress should be talking about a Social Solidarity Pact when we spent thousands advertising the fact in full page notices in the Irish Independent. That's just the difficulty of communicating something in the mess in which we find ourselves in at the moment.

But the outcome of our protracted discussions with Government so far on that has been disappointing it has to be said. The response is one which I have said publically, displayed something of a poverty of ambition. Because people I think expect unemployment, pensions and home repossession to be given the same priority as the banking system. As NESC has pointed out they are all part of a multifaceted crisis which needs an integrated response. A sequential response at which you say that we will sort out the banks first and then we will attempt to sort out unemployment is not going to work because for many people they will already have been unemployed at this stage and have no chance perhaps of getting back into the system again. The problem has to be addressed in a serious way now and immediately. This is the biggest unemployment crisis that

we have ever had in this country and the Congress of Trade Unions must be to the fore in demanding, as a national priority, urgent Government action to deal with this.

I want to take just a couple of seconds if I may to look at what the Government reaction has been and the problem in essence has been, it has been ambiguous. We do not know exactly how their proposal for a work subsidy scheme is intended to work. We had asked and wanted, and we thought we had when we last met the Taoiseach and two of his ministers, a commitment of €1 billion spend to a fund to deal with unemployment, but the very next day the Minister for Finance was on radio and he poured cold water on that. The problem is that what is being proposed on the Government side is too narrowly prescriptive in its application in that it excludes large sectors of the economy. And while we have to acknowledge the need for some targeting and indeed the need for a sustainable scale of activity in each sector we also have to give people hope of some sort. We cannot abandon people and for instance, although we know all of us that construction will never attain the same level as it did in the middle of the boom, nor should it, but we cannot say that the appropriate level of construction activity in the Irish economy is zero. We cannot have that prescription. It is not tenable, it is not a solution. Moreover, the Irish economy is still very deficient in terms of infrastructure. It has a huge backlog which we have never got to grips with and indeed at one level this is an ideal opportunity to do that. But, if you are serious about competitiveness you have to recognise that the absence of proper infrastructure is a big drag on the competitiveness of the country. Nor colleagues can we be expected to accept a scheme which is a wage subsidy to employers and requires us to buy into the deflationary analysis already outlined.

Since the beginning of this year 122,000 have lost their jobs. The live registrar stands at 413,000. It will exceed 500,000 next year. We know that other European countries including Germany, The Netherlands, France, Finland and Spain have embraced the type of work sharing advocated in our Social Solidarity Pact proposal. We know too that it is working for them. Germany, for example, has 1.25 million people on state supported short-term working. So we can't postpone action on jobs any longer.

Our hope is that the deficiencies in the Government's position can be corrected because obviously if we want to influence the policy on employment, pensions, repossession and the other elements of the 10 Point Plan, the only way we can do it actually is in dialogue with the Government because they won the last general election, not us. By the same token this only works if they are willing to act and the reason we don't have an agreement now is that we have been unable to agree, it is as simple as that. Now I know that a lot of colleagues, a few colleagues this morning were critical of any involvement with the Government and going over to Government Buildings and all this sort of thing. And to be honest with you if you instructed me tomorrow never to go near that

building again I would be the happiest man in this hall I can tell you. There is no great desire.

The problem though is in considering this we have to have regard to the limited effect of street politics and we can see across the continent of Europe where that works and where that doesn't and even a country like France, who have brought this to a very fine art, it doesn't seem to work particularly well.

Now, I think I'll just make this point because there is no definite right solution to a lot of these problems in many ways. We are, I think, all of us trying grapple with a problem beyond our life's experience. If you reflect back in 1991 the Soviet Union collapsed, China went capitalist by decree, rapidly followed by the marketisation of India. Suddenly, the global relationship between capital and labour was massively tilted in favour of capital because simply there were 1.5 billion, with a 'b', extra workers in the world for capital to basically employ as it needed and to exploit as it needed. And politicians thought that they had achieved stability in the world but it was a stability sustained by the altered power balance between capital and labour on the one hand, by the deflationary impact of China on the other and of course by the relentless rise of cheap credit. Now that the cheap credit model has collapsed, and the deflationary impact of China's involvement turns out to be transitory, we are left with just one factor and that is the capital-labour mismatch. The implications of that realisation are very profound. Because despite all the glitz of modernity there is an enduring truth about the nature of that conflict and it is only now maybe when it is front and centre of the fault line in the world that we realise perhaps the imperative of union organisation. I mean at a very local level everybody must know that whatever chance you have in this current climate being in a union, you have no chance at all outside. But it must impel us more and more to our imperative to organise.

One thing is certain, as I think the President said and perhaps Eamon Gilmore I think said as well, there can be no return to 'business as usual' after this recession - however long it takes. Neo-liberalism has failed. And even if domestic commentators don't accept that fact people like Alan Greenspan, its main architect, Martin Wolf from the Financial Times, Jack Welch, big industrialist in America and Warren Buffet have all accepted that it has failed. The world of the last three decades has gone. What will replace it is something we have to seek to try to influence and determine. And that is our mission.

I am reminded colleagues just in conclusion, any of you who are followers of old movies, watched the Wizard of Oz around Christmas time, and do you remember when at that start of the film when Dorothy and her little dog, Toto, they were taken up in the tornado just like we have been in the tornado and they were landed in the Land of Oz and Dorothy woke up and she looked at Toto and she said " I don't know where we are Toto, but I don't think it is Kansas any more". That's the truth of our situation.

### **Patricia McKeown, UNISON & Congress President**

Thank you David. Delegates, we are going to move and second Motions 4, 5, 6 and 7 and then open them for debate, so would the movers of those motions please be ready and I now call on Jack O'Connor to move Motion 4, 'The Economy' on behalf of the Executive Council.

### **Jack O'Connor, SIPTU & Congress Vice President**

President and delegates, Jack O'Connor, SIPTU and the Executive Council moving Motion No. 4. As we all know delegates, hundreds and thousands of workers on this Island are daily suffering the consequences of the failed neo-liberal model of economic development, of the unbridled free market and self-regulation, imposed almost 30 years ago during the advent of Ronald Regan and Margaret Thatcher. This condemned human society to the vagaries of the unseen hand of the market and with the passage of time it became the dominant and all pervasive almost religious mantra of capitalism. It has been tragically dogmatically applied and slavishly followed in both jurisdictions on this island with disastrous affect for working people. The current rewriting of history which attributes the blame to greed among workers and, people who work in the public service in particular, ignores the reality when you think of it carefully, especially in the South delegates, that the current problems, the domestic aspect of them at least, was entirely attributable to decisions made at the end of the 1990s which prioritised speculation over sustainable investment even over sustainable capitalism much less socialism. And as a consequence, as we all know delegates, we had the dismantlement of the tax base, the application of 'light touch' regulation, the ludicrous sale of vitally important elements of our social infrastructure such incidentally as Eircom in the South which could have played a key role in the generation of a new economy and parallel with that we saw the gross mismanagement of our public services.

Now delegates one would imagine in the light of all of that given that everyone is entitled to make mistakes – even those wedded to the philosophy of neo-liberalism that a good place to start about remedying the consequences of this disastrous and failed approach would be to abandon it and to seek an alternative. But, no, our policy makers are now seeking to apply the same principles and the same out look that caused the problem in the first place as they desperately scrambled to find a light at the end of the crisis tunnel. And as the market ruthlessly adjusts itself the powerful and decision makers make a savage assault on the living standards of working people, discarding jobs and scaring the quality of life for hundreds of thousands of workers and their families for possibly decades to come. And yet this blind adherence to the law of the market appears to apply differently when it comes to the flawed banking and financial institutions. And there could be no greater illustration of this than the decision to pour what could amount to €70/80 billion or more of taxpayers' money, borrowed money



which will have to be repaid, to socialise those liabilities in our banking system including the toxic debts arising from reckless banking practices with no clear or guaranteed outcome at all for ordinary people. Tragically the economic model employed in recent decades has been ruthlessly pursued at the expenses of the great majority of working people who were led to believe that it would provide prosperity for all and, indeed, for a while it provided at least the illusion of prosperity for some. And we know to our cost and that of the people we represent, the lie at the heart of this promise and the brutal consequences of its blind pursuit. And our urgent task now delegates is to arm working people with a coherent alternative model that prioritises society again and that can form the basis for sustainable investment and economic development as opposed to the accumulation of the 'quick buck' as an end in itself. We must press the case and only we will do it, not only because it is the morally correct one, for reintegrating the hundreds of thousands who have lost their jobs into productive economic activity while simultaneously protecting those who are vulnerable and exposed in relation to their jobs, in relation to their pensions and to protection of their homes. This means, delegates, that we must establish the superiority of an economic outlook and promote a model which places human welfare as its starting point instead of the race to the bottom policies which are now condemning our society to years of stagnation, depression and human misery. Delegates, I move Motion No. 4 and thank you.

### **Patricia McKeown, UNISON & Congress President**

Thank you Jack. A seconder for Motion 4, thank you. Can I now call on TEEU to move Motion 5, Moratorium on Evictions, House Repossessions from Family Homes.

### **Owen Wills, TEEU**

President, delegates, could I first of all acknowledge your support for our current dispute and the support of all the delegates in this hall for your kind words towards us. It is very much appreciated when we are in this battle all the support we can get is welcome and I have got it in bucketsful from everyone here and on all the sites we are on, so we appreciate that and thank you.

This motion calls on the conference, on the Executive Council to use all means at its disposal to secure a three year moratorium on evictions and home repossessions, where people cannot pay due to redundancy or unfair dismissal in the current economic climate. This Congress will not tolerate a situation whereby people are faced with eviction, home repossession due to banks lending recklessly, developers and land speculators driving the prices of homes to unsustainable levels and the Government is doing deals with them behind closed doors, while ordinary people are being shown their own front door. Delegates, I know that you will support this motion, therefore, I want to explore briefly why the

Government has steadfastly refused to accept the ICTU proposal in this regard over the months of talks that have taken place in Government Buildings. So why did the Government refuse to adopt what seemed a fair and reasonable approach in dealing with the increasing level of imprisonments, evictions and repossessions taking place in this country? Maybe it's because the Government's public policy going back decades of years now is to reduce and absolutely remove public authority or local authority housing. The policy behind that which was at level of 90 per cent of housing at that time, was to remove the public and social housing from the agenda and provide a free run for the free racketeers and those in the building industry to increase the private houses and increase the house prices to the extent that they have. I wonder why? Has this arrangement been in place for some time? Is that the Government were scheming back in the '50s and '60s when they were removing these kind of houses, planning for a future arrangement and a cozy cartel between themselves, the builders, the developers and the bankers. Therefore, the current situation keeps their friends happy. There is no need to change it and that is the only logic. They are doing this to retain the friendship with those that they are supporting. The current situation is this – you lose your job, or you become ill, you default on your payments, the bank sues you for defaulting, the banks go and get an order from the Court to have you comply with that order and if you don't and you can't, the banks then will seek to get your property, arrest and imprison you because you defaulted on your loans. The judge will then very easily deal with the question of committal orders in these instances. I think it is a bit extreme. We are in these circumstances created by these people that individuals who find themselves in these difficult situations are imprisoned as if they are real criminals when we all know where the real criminals are – walking around with the millions and billions in their pockets. Here is what one defaulter had to say in a recent report by FLAC – and I commend this report that has just come out for reading. It is an Executive Summary from FLAC about what actually happens to people in these circumstances and it is horrendous reading. One person said 'I cannot understand that the system would allow creditors, which are the banks who have vast profits, pursue a committal order for debts between 300 and 3,000 Euros'. I mean that is what he said and when the debtor has already lost everything including his house, it costs the State, he said, of putting him in prison, far higher costs than it would have been to clear the debt. He can't raise money, he said, while he is in prison and no one, and this is the important bit, no one benefits from these situations. No one benefits from these situations except the developers, bankers and those who want to ensure that they want to get their pound of flesh every time. You will all be aware that ICTU's proposal which was to seek a three year moratorium and use MABS as advisor and facilitator in solving the liabilities of those people, such more a friendly situation as against a legalistic and hard to understand process that currently exists for these people.

So, delegates, the same mindset that decided to cease local authority housing are now supporting the bankers, the developers and the builders through the

current arrangements because the banks might lose the credit rating with the global financial market – that's the only thing I heard. If they had a more lenient regime towards the defaulters – what nonsense. Who could ever stand up in front of people and say you go to jail because of it might affect our financial credit rating in the global economy and they have torn down the whole issue of the financial structures. The kernel of this problem, delegates, is the continuing relationship between Government, bankers, builders and developers and it is time to highlight now these arrangements, how these arrangements contrast with their relationship with their citizens of Ireland, where they are content to see them evicted from their homes, homes repossessed and the sick, redundant and unemployed committed to prison because they can't afford to pay or they don't have the money to pay for their liabilities to the bank. Really, this was caused by the recklessness by the banks and the Government and its cronies and I would ask you please to support this motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Owen. A seconder for that motion – formally seconded, thank you. I now call on AHCPS to move Motion No. 6 on Taxation.

**Dave Thomas, AHCPS**

President, delegates, Dave Thomas from the Association of Higher, Civil & Public Servants. Ireland as we are all aware is not immune from corruption, greed, fraud or tax evasion and the behaviour of some of the directors of financial institutions leaves a lot to be desired. A lot of them consider themselves above reproach, regulation or responsibility. Instead what these people have displayed is rampant greed, total self-interest, corruption, nepotism, cronyism, incompetence, arrogance and a complete lack of consideration for the country they live in. In considering how we as a society deal with law breaking and corruption, the question has to arise as to whether a settlement culture has become endemic, effectively removing the real threat of sanctions. As a result we have not yet seen any high profile person in prison for tax evasion. Since 2005, this Association has called for the establishment of a Revenue Court. The establishment of separate arms of the court system is not a new phenomenon. For years now we have had the Family Law Court, the Small Claims Court and in more recent years the Commercial Court. These courts are operating successfully and the judiciary operating in these courts have built up a bank of knowledge and expertise in their subjects. In time a Revenue Court would develop a store of expertise and precedents that would facilitate the swifter passage of cases through the court. While the Government delays action on this, tax advisors have been busy peddling tax avoidance schemes under all tax headings to those who can afford to pay. These schemes undermine the tax base, deprive the Exchequer of badly needed revenues and throw more of the burdens of taxation and provision of health & educational services back on to those who pay their full taxes. These schemes can be very complex and the

process of taking them through the judicial system can be very slow. We have no doubt that the establishment of a Revenue Court will facilitate speedier conclusions in these cases. The public service has been signaled out as some for of 'Jonah' as far as public finances are concerned. But, the reality is, that the public servants have PAYE, PRSI and more recently income and pension levies deducted from their pay at source and thus as a sector owe no taxes to the State. Those who lobby or lecture us for cuts in public sector pay might please bear this in mind. More to the point the scale of tax owing outside the public sector is such that it cannot be ignored. The latest published debt figures by the Revenue amount to €1.2 billion and this is for the 2008 Annual Report which was published last April. Of particular concern should be the outstanding levels of PAYE, PRSI and VAT known as fiduciary taxes, and which tax constitutes the bulk of monies owing to the revenue. These taxes have been deducted either by employers from employees or by businesses and service providers from consumers. In law these taxes are held in trust for the State by those who made the deductions or charges and the amounts involved are required to be paid over to the Revenue Commissioners within a stipulated timeframe. The facts are that they have not been paid over in all cases and the non-payment or continued withholding of these taxes lacks due decency given the current difficulties being faced by the State by making ends meet. Furthermore, in the case of the PAYE and PRSI deductions the non-remittance of these particular taxes to the State could very well act to either jeopardise or at least delay the social welfare entitlements of the very employees from whom the deductions were made. It needs to be suggested that these difficulties in currently sourcing finance for the banks are hindering or preventing the paying over of these taxes. It should be borne in mind that a very sizable proportion of the taxes outstanding are three years or older. Finally, it is a matter of public record that certain members within these sectors alluded to in the motion do not have an exemplary record when it comes to paying taxes. Taking the published tax defaulters list for 2008 alone as a yardstick, over 50 per cent of total are from within these sectors. For instance company directors are listed 76 times, building contractors coincidentally are listed 76 times and farmers are named on it on 46 occasions. Delegates, I ask for your support for this motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Secunder for the motion – is there a seconder for the motion? Thank you very much. I now call on PSEU to move Motion 7, Restoring Public Finances.

**Tom Geraghty, PSEU**

Tom Geraghty, PSEU proposing Motion No. 7. Before I do so Chair, with your indulgence, could I very briefly and perhaps more briefly than the event calls for, just not that this particular conference marks a significant milestone in that it is the last conference that my distinguished predecessor, Dan Murphy, will attend as a member of the Executive Council of Congress and indeed the last

conference that he will attend as a delegate here and Dan has been a member of the Executive Council virtually continuously since 1972 and has been a delegate at every ICTU, I think since 1971, and that longevity doesn't just indicate a significant endurance on his part but it marks a significant amount of achievement both on behalf of my own union and indeed on behalf of trade union members throughout this island, and it would have been remiss of me not to note this significant moment and thank Dan on behalf of this organisation and indeed all of the people we represent for the very significant contribution he has made.

In dealing with the motion I'm afraid that Dan perhaps more than most must have a considerable sense of *déjà vue*. Not just in the fact that we have managed to drag our economy back into the mire but also in the fact that the same predictable so called solutions are being put forward by the same sources as we previously had to endure in recessions previously. And the latest suggested atrocity being propounded by people of a neo-liberal disposition is that we can achieve significant recuperation in our economic situation by attacking social welfare recipients and by reducing the National Minimum Wage. I don't know about you but certainly from my own part I have always noticed that economists and commentators in suggesting solutions to economic difficulties frequently resort to the suggestion that pain should be inflicted on people who are paid significantly less than them. And I know also that there is a view, and it is not entirely without foundation, that the steps that have been taken by the Government to deal with our economic crisis have been tough perhaps even brutal but are necessary and fair. And that view has been suggested in particular in relation to the recent supplementary budget and it is a view that is grounded in the undeniable fact that the supplementary budget in imposing additional taxation did make a significant attempt to ensure that the taxation measures that were being imposed were progressive insofar as they affected people on higher incomes to a much higher degree than people on low incomes. However, if you are going to judge whether something is fair or not you have to put it into the overall context. You can't judge the supplementary budget on its own and it is a fact that there is a significant imbalance that we never truly expressed through addressed through all our years of prosperity in our taxation system. It is inconceivable and incomprehensible that we have ended up in a situation after 20 years of sustained prosperity where more than 80 per cent of all income tax paid is paid by people in the PAYE sector, and we have devised a taxation system that has so many legal loopholes offsets that any self-employed person who is paying tax probably needs to change their accountant. The other point about this is that in the context of an economic crisis one thing that we should have learned from our relatively recent history is that is we are going to make some significant difference to the state in which we now find ourselves, we are going to have to do it on the basis of some form or some level of consensus. There can be no consensus in circumstances where any Government would seriously suggest reducing social welfare payments or indeed attacking people on the National Minimum Wage. And if we are going to get out of this crisis we are going to have to do, it seems to me just logically and this is not just a

question of the motion, but logic would suggest to me that we are going to have to do so on the basis, as suggested by the Congress, of a Social Solidarity Pact which will gain a broad acceptance across the economy for the measures that are necessary rather than targeting people who are in the most vulnerable positions and who are least able to deal with further cuts in their income and living standards. So, Chair, on behalf of the PSEU we would ask you to adopt Motion 7, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Tom. Is there a seconder?

**Billy Hannigan, PSEU**

President, Billy Hannigan, PSEU seconding Motion 7. While the motion calls upon Congress to try to ensure that the burdens of economic adjustment do not fall disproportionately on ordinary workers, the simple fact of the matter is that significant burdens are being placed on ordinary working families. We have an income levy of 2 per cent for people earning a mere €15,000 a year, we have a health levy of 4 per cent for people earning just €26,000, we have increased social insurance contributions from people on modest incomes, and in the public service we have had the imposition of a pension levy taking of the order of 8 per cent of people on relatively modest incomes. We have had significant adjustments in mortgage interest reliefs with the result that people are finding it difficult enough to make ends meet with cuts in their pay, are finding it very difficult to manage their family finances. The cuts imposed on low and middle income earners are disproportionate, are unfair in the context of situation where there is little or no real contribution being made from people who can well afford to pay their share of taxation. It has been the constant position of my union, and indeed that of Congress, that we are prepared to pay our fair share and to play our part and as the Congress campaign told us – there is a better, fairer way. I believe that Congress has persuaded the Irish people that there is a better, fairer way but to date we have been unable to persuade the Government. Ordinary people did not create the mess we are currently in and it is not acceptable that ordinary people should be expected to bear the burden of digging us out of it. I urge support for the motion, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Conference Motions 4, 5, 6 and 7 are now open for debate. If anyone is intending to speak would you please come and occupy seats at the front and indicate which motion you are speaking to.

## **John Toal, NIPSA**

Chairperson, Motion No. 7. John Toal, NIPSA in opposition to this motion. Conference, I would like anyone within this room to stand up, stand now those who feel they are responsible for the situation we now find ourselves in, please stand up. If no one is prepared to stand up and there certainly shouldn't be anyone within this room standing up, because the reason is that we are not responsible for what has happened. We are absolutely not responsible for what has happened. Did we cause this? Certainly not. Are we responsible for this? Definitely not. Should we pay for this? Absolutely not. We, and a public servant from the North I am, and for years we were told we can't give you a pay rise because it might destabilise the boom we are already in. So for years we accepted that we couldn't get a pay rise because everything was so great and I am sure comrades in the South were spun the same yarn. And now people are being asked to take a pay cut for the boom that never existed for them in the first place. Conference this is wrong and we shouldn't be taking the blame for something we had no part in and I have heard people coming up, as Tom said, we have managed, we had no part in this. We had nothing to do with it. Others outside this forum have us in a situation we are in and for us to stand now and take the blame for something that was beyond our control would be wrong. It would be wrong to the people we represent and we shouldn't do it. Please oppose the motion.

## **Patricia McKeown, UNISON & President of Congress**

Next speaker.

## **Edward Mathews, INO**

Madam President, delegates, Edward Mathews, Irish Nurses Organisation in support of Motion No. 5. Delegates, the failure of regulation in the mortgage market is nothing short of homicide liberalism at this stage. Anyone that is unfortunate enough to read what are almost salacious commentaries from the weekly chancery hearings in the Four Courts will understand the misery that is visited on ordinary families who suffer one or two injustices – 1) they were the victim of sub-prime lenders or 2) they have had visited upon them redundancy or unemployment. I listened with dismay to the current Taoiseach explain just under a year ago how it would be imprudent to interfere in the property market because we would interfere in the dynamic of it, well look where that got us. They now refuse to intervene for ordinary workers. I need not lecture workers' representatives on the effects of unemployment be they social, economic, psychological, demographic and lifelong for both ourselves and society as a whole. It sounds almost rhetorical now to speak disdainfully of intervention on behalf of the banks but it must be said once again, there is a perfect willingness to intervene on behalf of bankers but not on behalf of ordinary citizens. Intervention is one-sided, business focused and citizen unfriendly. Developers at

will reschedule loans, refinance loans and now as it was mentioned earlier with NAMA, on the verge of NAMA, ignore loans with impunity to see if they will get better deal. Can I tell you delegates that it is my firm belief that given the amount of public money that we are now pouring into banks, banks owe every one of us much, much more than we own any one of them so you should support the motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. The next speaker.

**Jim Jordan, SIPTU**

Good afternoon, Jim Jordan, SIPTU. This is the first time that I have been to the ICTU Conference. Well, I have been here a few times but I have been playing a few tunes and that, but this is the first time that I have actually attended as a delegate and it is most likely the last one as I retired from SIPTU so I decided I have a couple of things I want to get off my chest before I leave. So that is why I am up here today. Anyway, if we go back into September, or June or July or September of last year, and this crisis began to develop. At that time everybody was talking about the banks. They were talking about the property speculators. They were talking about a word that you never hear now and I haven't actually heard much about it before, the sub-prime market. That was one of the things that got us here. We heard about greed, we heard about how CEOs of companies were paying themselves up to 250 times, 250 times what the rank and file people who worked for them were being paid. We heard about bankers in this country, a small little country. I don't know how many million we have in the South, 4, 4.1, 4.2 million. There are ten people in this country who owe one bank more than a 1,000 million each, each, it's incredible, it's incredible, but something has happened. It is like a snake that leaves its skin, a snake sheds its skin and its leaving its skin now and what is coming out of it now is a shining example of capitalism. The sub-prime market is gone, you don't hear of any more talk about it. We don't hear much about the banks except how much money we can put into them to bail them out. What are we talking about now? We are talking about the numbers of people employed as nurses, guards, doctors whatever they might be, paid for by the State. We hear about the minimum wage, the minimum wage eight odd whatever it is. A good job was done by the ICTU in getting that in place but that is now coming under attack. And we hear about, and God bless us, the new Gospel, the new man of the Gods, George Lee talking about one the big crimes, partnership is the cause of having us where we are, partnership is the cause of 430 odd thousand people being on the dole. But the final obscenity, the final obscenity is social welfare. I had the misfortune to tune into a radio station where the newscaster or the interviewee was Ivan Yates, former Fine Gael TD, owns a string of bookie shops across the South West of this country, and the only question he had was to the leader of the Labour Party, was he in favour of cutting social welfare on people



who earn €204 Euros a week. How obscene is this country becoming? The final thing I am going to say. I do not agree, and I am going to say this and it's the one time I have disagreed with Jack O'Connor, a man I have great admiration for, I do not agree that it is a failure of a model of capital. Capital has failed workers time and time and time again and will continue to fail it. It failed it in the 17<sup>th</sup> century, in the 18<sup>th</sup> century, in the 19<sup>th</sup> century, in the 20<sup>th</sup> century and in the 21<sup>st</sup> century it failed it. I read in a book going back a long time when I was a young man about the south sea bubble. Capitalism is built on bubbles and it blows itself up and the people who are injured in them at the end of the day are ordinary rank and file workers, and David Begg, another man I have great admiration for, its not a matter of it can't go back. We must stop it from going back and we must stop the workers paying for the sins and the crimes that were committed against them by capital. Thank you.

**Patricia McKeown, UNISON & President of Congress**

I think it was justified letting him get that off his chest. Is there another speaker there please?

**Tom Geraghty, PSEU**

The right of reply please. Though having requested the right to reply, I have to confess that I am somewhat perplexed in that opposition was expressed to a motion on the basis that the motion does not refer to at all. And I think that perhaps the best way I can exercise the right of reply is read out what the motion actually says because what the motion says is that this Conference calls on Government to ensure that in taking the action necessary to rectify the problems in our public finances, no disproportional burdens are placed on ordinary workers without taking account of their capacity to meet such extra costs. At no stage do I see anywhere in that motion any suggestion that workers are responsible for the crisis that we found ourselves in, so I find it somewhat difficult to respond to the opposition expressed as I frankly don't understand it. I think the motion speaks for itself. I am surprised that it is in any way contentious. I presume that nobody in this room believes that a disproportional burden should be placed on ordinary workers and therefore I would ask Conference to adopt the motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. I can't see beyond the rostrum. I am working on the basis that there are no further speakers. Ok thank you Conference. We move to the vote. Motion 4 'The Economy' all those in favour please show, against, abstentions. That is carried.

Motion 5, 'Moratorium', all of those in favour, those against, abstention. That's carried.

Motion 6, 'Taxation', all those in favour, those against, abstentions. That is carried.

Motion 7, 'Restoring Public Finances', all of those in favour, against, abstentions. That is carried.

Thank you Conference. We now move into Motion 8 and the motion is standing in the name of Unite, Manufacturing and the Economy.

### **Jimmy Kelly, UNITE**

President, delegates, Jimmy Kelly, Regional Secretary of Unite, making our own little bit of history here as Unite for the first time at Congress. Any unions involved in mergers know how easy and simple mergers are but we are dedicated to the integration of our two unions – ATGWU and Amicus and making a strong Unite and strengthening the Irish trade union movement.

Delegates, the North, South, East and West workers in this country are paying with their jobs, their livelihood and their pensions. It's not just happened accidentally as a number of delegates have referred to. This is happening because of the people who control the banking system and the greed of the people who control the banking system has brought our country to the brink of bankruptcy. They have been aided and abetted by the developers, who have displayed the same sort of greed and unfortunately they have been facilitated by Fianna Fail in allowing the country to be nearly brought to its knees by their behaviour. We have seen in the US, financial advisor Maddock who has been sentenced to spend the next 150 Christmases in jail and it might be a good starting point in dealing with his opposite numbers here in Ireland that we go down that route with guys who brought us to the brink in the Irish banking system. Some of our delegates from Unite have referred to the fight back in Visteon, in Waterford Crystal, in SRT, right across the country trying to protect jobs, trying to defend jobs and trying to defend pensions. And I would just like to add my voice to the solidarity that was given to us during those fight backs in Waterford Crystal and in Visteon, right across the unions in the Northern Ireland Committee of Congress, right across the ICTU we were facilitated by our General Secretary, David Begg in whatever could be done to advance the cause of protecting the jobs in Waterford Crystal and the same support and solidarity was given in Visteon. That fight is still not over. We still need Government involvement to protect the jobs in Waterford Crystal but I want to thank people for the solidarity we got and right across trades councils, Derry Trades Council, Belfast Trades Council, Dublin Trades Council, Waterford Trades Council, all of the solidarity that was asked for was actually given right across the board. I am also delighted to announce to Conference that we had an earlier discussion in terms of what needs to be done on the fight back for pension protection here in the Republic of

Ireland. SIPTU is fully on board for the fight back that is needed on pensions and already we have had that solidarity being shown.

The partnership that we are told exists doesn't bring us to where we need to be in the struggle for what's needed in manufacturing and for defending peoples' jobs. The Irish Times today told us that the Taoiseach, Brian Cowen, on a number of occasions has stressed his support for partnership and is likely to repeat this when he addresses Conference on Friday. Well let us say that the support for partnership can be judged on what he has refused to do on jobs and pensions, what he is going to do in the next budget and what he is refusing to do in the strike involving TEEU members. The rich contractors and they are rich contractors, don't make any mistake about it, this is not small contractors who can't afford to pay. This is rich contractors who are being asked to pay a couple of Euros and a couple of cents to fulfill the agreements that TEEU has and we support them fully and we call on the Taoiseach to instruct those contractors to pay what is rightfully the TEEU members' in this case. We need to bear in mind delegates that there are two things if we are to get ourselves out of this recession. We need to have as many jobs as possible and we need to create as many jobs as possible. The driving force behind the economic decline, the driving force behind the crisis in our public finances is the actual loss of jobs. The fear over losing jobs, the loss of income and spending power from losing those jobs and the effect on workers' families. Everything comes back to jobs. A number of economists recently have spoken out against Congress' one billion programme to save and create jobs. From their ivory tower they lecture us about dead weight, the substitution effect and distortions in the labour market. We should call on those and invite those economists to come down off their perches and walk around the real economy and the real workplaces in this country. There is no heavier deadweight on an economy than unemployment. There is no worse substitution affect that substituting the dole for jobs. And there is no greater distortion than recession. It distorts the workplaces and it distorts communities and distorts people's lives. Let's be clear on what we are saying. It is cheaper to save a job than it is to create one and we are not saying anything radical, either Congress or Unite. Fourteen EU countries are pursuing job saving and job enhancement schemes. In Germany alone over one million people are still at work, still producing because of the type of schemes that our Congress is advocating. France, Portugal, Austria, Slovenia, other countries, Governments are pursuing the successful policies that are needed to protect those jobs. What we have proposed at Unite and what ICTU is proposing is the creation of 100,000 jobs to modernise our infrastructure. We call on the Government to do the decent thing. If this Government isn't up to it and we know that's the case, then we should just accept that. We should start working with other parties who share our analysis and share our values and our goals and we should work to ensure that those parties lead the next Government and that can't come too soon. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder for the motion. Formally seconded, thank you. Can I call on the mover of Motion 9, 'Capitalism in Crisis', in the name of RTM and if IBOA wants to get ready to move Motion 10 while we are at it.

**John Matthews, RMT**

John Matthews, RMT. Thank you chairperson, delegates. We, the RMT, urge you to support our resolution for the following reasons. Europe is in the grip of an economic crisis. Every time there is a slump the Government and financiers seem mystified as to how the system failed. But boom and bust is the way it works. It is not stable. When the economy grows, banks, corporations and speculators driven only by greed gamble other people's money in their global casino. When they loose confidence in their profit making schemes and panic, the bubble bursts and we pay the price. Redundancies throw hundreds of thousands on the dole, savings are lost, homes are repossessed, pensions loose value, workers are put on short time, wages and conditions are cut, public services are slashed. In Kerry alone unemployment has doubled in one year. Government is spending billions of pounds of our money bailing the banks and big businesses out of their crisis. It's not right and we didn't vote for it. Those billions are our money and our children's, we want that money better spent. The financial crisis has arisen from the nature of our economic system and this motion calls for important and necessary steps including full public ownership of the main elements in the banking sector to protect workers in the banks, public ownership of the energy and public transport sectors and a huge programme of social house building utilising renewable energy technology. A massive programme of public works including energy conservation projects and investment in green jobs. I urge Conference to support. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you John. Secunder for the motion, formally seconded. I call on IBOA to move Motion 10, Financial Crisis.

**Larry Broderick, IBOA**

Thank you very much indeed President. Delegates, colleagues, Eamon Gilmore in his address this morning talked about the vulgar public abuse of public servants and everybody in this audience absolutely condemned that attack. But there is a group of workers, colleagues, over the last six months that have been subject to the most horrendous vilification and they are the thousands of rank and file workers in the banking and finance industry in this country that had nothing whatsoever to do with the chaos and crisis perpetrated not only on the

banking industry but on this economy. And, I say first of all to this Congress we need to support those workers at this time given the major challenges facing us into our industry and I ask for that support. The reality is colleagues, that over the last ten years IBOA and other unions have been coming to this forum talking about how the policies in Irish banking will destroy not only our industry but this economy. And we have seen over the last six months a horrendous vista of serious problems faced by this economy arising from that reckless decision making. We as a trade union have been arguing very strongly that performance related pay will be the death knell of this industry and we have been proved right. We at IBOA have said very clearly performance management systems focusing on maximising profit again will be the death knell of our industry and this economy and we have been proven right. But the reality of this colleagues is, and the reason for this resolution is that despite the fact that the chasm that is before us as an economy, very few changes have taken place in the Irish banking industry and those people that have left have left on huge pensions funded by our members at the expense of our members' terms and conditions of employment. And, we must condemn today that practice and we need to see that change. This resolution is about putting a strategy to address the future. I talk to you colleagues and I say to you today that based on what has happened in our industry we are looking at least five thousand of our members facing redundancy over the next twelve months. The people that are going to perpetrate those redundancies are the same senior management on boards that have created these difficulties and because of consolidation. And, we call on today, on Government who has not only a financial responsibility but a moral responsibility to sit down with this movement and talk about a strategy for this industry that protects jobs in our industry. We also make no secret of the fact that we want to protect our pay and our terms and conditions of employment. We want people on the boards of our banks, and I suggest colleagues, that if there were board representatives of trade unions on the boards of banks we wouldn't be facing the difficulties that we are facing today. And also we must castigate, and not the light regulation, the total lack of regulation and we see daily in our industry our members being sacked because they are not adhering to their exams or because they have created difficulties by actually doing things of a very small degree that senior management can walk away having destroyed this industry and get huge pensions.

This is a challenging environment for bank officials and people in the finance industry. When people come to this forum, differentiate between senior management and directors and the ordinary rank and file trade unionist that make up the vast majority of this industry. We are all colleagues in this industry. We support the public sector, we support the private sector. I urge you to support this motion. Thank you very much indeed.

**Patricia McKeown, UNISON & President of Congress**

Thank you Larry. Secunder?

## **Jerry Shanahan, AMICUS UNITE**

President, delegates, Jerry Shanahan, Amicus Unite seconding the motion. Colleagues, if you were to blame the nurses and doctors in the health service for the problems in the health service I don't think anyone here would support you. If you were to blame the schoolteachers for the crisis in education I don't think anyone here would support you. So to re-echo what Larry has said, let's differentiate between the ordinary staff who work in banks and financial institutions and who have been the subject of abuse, they have been taking the abuse from customers, from the media as if staff, most of whom are on less than the average industrial wage, were in some way complicit in what is happening in the financial services or in what is being done to our banking industry. It started with so called exotic instruments in the United States wrapped up as derivatives, wrapped up as other financial instruments sold on right across the world and we had the financialisation of a whole economy. Manufacturing fell in its wake. Other forms of investment fell in its wake. Manufacturing shifted to China in its wake. We had the sub-prime crisis. All of these things were created by people who run global financial services, aided and abetted by these raiding agencies, the 'Standards & Poors' of this world, the 'Moody's' of this world who now have temerity to start getting ratings in the Irish economy when at the same time they were giving ratings on these so called sub-prime wrapped up derivatives and financial exotic instruments. So you have the rating agencies that still have not been regulated and yet continue to ply their trade as if they had not part or complicity in this whole financial global crisis. It is the lack of regulation, and we need to say this strongly. Anglo Irish Bank has been taken into public ownership. That hasn't solved the banking crisis. You could take the other five covered institutions into public ownership, it will not solve the banking crisis. Financial regulation, global regulation and we could make a start at European level if our own Commissioner over there would take the finger out and start doing something about regulation because he has been one of the people blocking regulation within the EU. So, colleagues, I would ask you similar to Larry, distinguish between people who work in the banks and those who put us in this crisis – be it leading management, be it developers or be it the current Government but don't blame the staff who work in the banks. Thank you.

## **Patricia McKeown, UNISON & President of Congress**

Thank you Jerry. Motion 8 to 11 and the relevant sections of the report are now open for debate. Do we have any speakers? Sorry about that – it can't be open to debate if we haven't moved it yet. Come ahead Tom.

## **Tom Geraghty, PSEU**

It would have been a neat debate not having being moved, I suppose Chair. Tom Geraghty on behalf of the PSEU moving Motion 11. What this motion does is set out and state very clearly something that often goes unsaid which is that

between 1998 and 2004, our Government wrecked our tax base. And we need to be very, very clear in saying this and ultimately, as we know, the policies that were pursued at that time have helped to wreck our economy. And it is not the case as is often suggested that we suddenly woke up and found that we were in the middle of a world recession and that we were helpless to deal with the consequences. The fact of the matter is that between 1998 and 2004 in a case what could only be termed 'economic recklessness', the then Minister for Finance consistently, deliberately pursued a policy of reducing our traditional base, cutting taxes at a time when it was neither necessary nor prudent as has ultimately been proven. But I think one thing that we do want to deal with is to deal with the fact that easy as it is to criticise Charlie McCreevy, as I have done on a number of previous occasions branded him an economic criminal, it easy but it is also true, those of us who have an alternative narrative to the neo-liberal policies pursued by the Government in that period have a responsibility to clearly articulate that narrative and the fact of the matter is we have to accept some criticism that in that period we didn't do that. The policies that were pursued at that time were hugely popular. Cutting taxes proved to be a hugely popular policy and the Government proved in turned proved to be hugely popular for following those policies. If we wanted to put forward an alternative to neo-liberalism there is a responsibility on those of us who abhor everything that it stands for to set forward a clear alternative. And we can start by recognising a fact, and it is a fact, that the countries that are best able to deal with the current economic downturn are countries that deliberately did not pursue the policy of cutting taxes, cutting public services and indeed that pursued policies that are the opposite, that pursued policies that dealt with fair and progressive taxation at reasonably high levels and continued to provide significant and valuable public services and those are the countries that are best able to weather the downturn and they are the countries that are currently prospering, relatively speaking, by comparison with those who pursued the policies that were so popular within our country in the period we are talking about. It is an absolute responsibility on our part not just to point out the need for fairness and the fact that taxational expenditure helps to redistribute resources to those who need them most but that from an economic point of view it is the most prudent policy and it is the policy that has the most likelihood of economic success - continued, sustained economic success. And, what this motion is seeking to do is to begin the debate because at some point we will come out of this recession, hopefully sooner rather than later, but unless we reorient the entire political debate around the question of taxation and public expenditure we are quiet capable of doing again what we did between 1998 and 2004 and we are quiet capable of again wrecking our economy and if we don't want to do that well we have to start talking about the type of things that have been discussed here today and the need to make investments in our public services and to make it very clear to people that does require reasonably high levels of taxation. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thanks Tom. Is there a seconder for the motion?

**Billy Hannigan, PSEU**

Billy Hannigan, PSEU seconding Motion 11. Now, as we all know here colleagues, without taxation we cannot fund Government services such as education, rubbish disposal, fire services, the police services, or custom services. We need taxes to build our roads and schools, we need to provide for the sick and the elderly, we need to be able to look after our children and we need to help people through periods of unemployment. God help us, we also need to fund universities which employ some of the greatest and most trenchant critics of public servants paid at the public's expense. Unfortunately, the approach of our Government had been to seek to have as narrow a tax base as possible. As a consequence we do not have the level and quality of public services which our citizens deserve and we are in the position as a consequence of our very narrow tax base of having a domestic fiscal crisis at the same time as the world economic collapse. Instead of pursuing taxation policies during our economic boom designed to broaden our tax base we did the complete opposite. We cut taxes which did not need to be cut and as a result transferred much needed revenue to people who were already wealthy. We failed to introduce tax measures such as taxes on property and wealth which would have assisted us in funding our much needed public services. I suppose we are a bit like a surfer on the crest of a wave – we just forgot that the tide would go out. But, it has gone out now.

Colleagues, we need to try and ensure that income from all sources is taxed on the same basis. We need to deal with the position of those people who occasionally come to live here but like to parade their 'Irishness' as a flag in every way imaginable except through their taxation. We need to deal with the issue of taxing wealth and property. We need to have an income tax system that takes proportionately more off those who earn more. During our boom years we had an opportunity to start addressing those issues. We choose not to do it. Let's make sure we don't make the same mistake again. I urge you to support the motion.

**Patricia McKeown, UNISON & President of Congress**

Ok, thank you. And now Motions 8 to 11 and the section of the report are open. Speakers please.



## **Lucia Collins, NIPSA**

Comrades, brothers and sisters, Lucia Collins on behalf of NIPSA opposing Motion 8. Conference, we do somewhat agree that the spirit contained in this motion and that NIPSA has supported workers in struggles fighting for their jobs and we pay respect to workers in Visteon and Waterford Glass and our own traffic attendants who are fighting to save their jobs as we speak. Congress, this motion needs to be opposed as we need to be absolutely clear that we don't fall into this trap of privatisation by the back door. The motion gives support to the public private partnership, to PPP and PFI, as NIPSA understands it, and perhaps this point could be clarified. PPP, PFI as we know it is an unmitigated disaster where companies can make massive profits with minimum of outlay and where ordinary workers and taxpayers are forced to pick up the tab for failed privatisation for years to come. We do agree that both Governments should fiscally be supporting retaining and the creation of manufacturing jobs. If it is good enough to bail out the banks to the tune of billions, it should have been good enough for both Governments to bring companies into public ownership. All companies like Visteon and Waterford Glass deserve to be protected. Any solution to the crisis should not be based on privatisation but on effective public expenditure. It is exactly those schemes that have capitalism in crisis. Daily in my job in the social security agency I see rising unemployment registers and companies' pensions on the brink of disaster. NIPSA commissioned a report by Professor Alison Pollack who provide clear and signed evidence that public services would be decimated in the future under PPP, PFI. NIPSA's Motion 42 encapsulates our position and our experience. Private companies simply come into these areas for maximum profits and when they don't make that profit they walk away and let the public sector pick up the pieces. Motion 8 sees the union standing alongside the new labour agenda, which we know has failed, and making fat cats richer who then are standing alongside the workers. This is a warning that we can't go down this route. There is a need to keep the public services with those best placed to deliver it, with public servants open and accountable to the people. Conference oppose this motion.

## **Patricia McKeown, UNISON & President of Congress**

Next speaker.

## **Eoin Ronayne, CPSU**

Eoin Ronayne, Civil & Public Services Union, very briefly speaking to Motion 8. I think it's important colleagues that as a mainly public service union that we take the opportunity at this Conference and in the presence of the media to make it absolutely clear that there is no divide between public and private sectors in the trade union movement. We stand fully behind the workers that have lost their jobs in the private sector, whose pensions are threatened daily, the behaviour of the Government and their failure to deliver to the Waterford Glass workers, to

Dell, to all the other employments such as SRT Technics, they are in the private sector. Public sector workers are not immune. We don't live on reservations at the outskirts of town. Our partners are people in the private sector who have lost their jobs. I was in Waterford in the Social Welfare Exchange during our day of action and I know there were members there whose partners were up occupying the glass factory. If there is a group of workers in this country who have stood for trade unions throughout the years it is the Waterford Glass workers. They fought everybody's fight and the least we can do is stand behind them and others. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you. Is there a next speaker, no? Does Unite want to exercise the right to reply on the position on Motion 8? No, okay thank you. Let's put this to vote. Those in favour of Motion 8 please show, those against, abstentions – that's carried. Motion 9, those in favour, against, abstentions – that's carried. Motion 10, those in favour, against, abstentions – that's carried. Motion 11, those in favour, against, abstentions – that's carried.

We now move to the next set of motions and we are trying to get through as many of the motions as we because we have got to break in about fifteen minutes time to clear the room to prepare the way for the private session. So, I would like to call now on CPSU to move Motion 12 on 'The Anti Worker and Anti Public Sector Agenda'.

### **Blair Horan, CPSU**

President, thank you. Blair Horan, CPSU. The context for this motion delegates is the attack on public services over the last year by the neo-liberal commentators trying to blame the public services for the crisis, when in fact it was a cover up for their own policy failures. Also, the Government's attack on public service workers through the pension levy and their attempt to blame the international crisis for what is in fact is the greatest domestic economic policy failure in a generation. It is essential that we examine what went wrong so that we can pursue a course and a strategy to never allow this to happen again. And it is important in that regard that we don't allow them to see it as just another problem with capitalism. It is in fact in my view a failure of the neo-liberal economic model. A model that allowed the elite to amass vast fortunes while wages were held back by competitive pressures and workers were encouraged to secure more and more debt, a financial industry that forgot its real purpose which was to support the real economy and instead developed more and more complex products that in theory spread the risk but in practice hid the risk and increased it. An easy excuse for the neo-liberals is to say that it was a sub-prime crisis that caused it because then they could go on to do it all again. In fact that was a symptom rather than the cause of the problem. The global imbalances when the agents mindful of what happened to them in 1997 built up large

surpluses that were then lent in the United States in the sub-prime area. That was a trigger for the crisis. Easy credit, easy money looking for higher and higher returns. The neo-liberals managed to do away with Keynesianism in '70s because it caused inflation but in fact the cure has been a far worse disease in terms of easy money which has destroyed jobs and destroyed livelihoods. Delegates, we do need to remind ourselves that there are other models of capitalism. The Keynesian model of demand management was a big success in the last century. It created three great success stories. It solved the problem of the Great Depression with Roosevelt's New Deal. It banished the recurring crisis of the 19<sup>th</sup> century when you had recessions every five or six years and on the gold standard the elite could protect their wealth and workers got hit every time but they got away with it because the working class didn't have a vote. For thirty years after the Second World War Keynesian demand management economics delivered stability, delivered prosperity, and delivered security for workers. In the Keynesian era currency markets were related to international trade and the financial industry was there to support jobs and to support the economy. Now the currency markets are a hundred times international trade and the financial industry became one big pyramid scheme. The notion of casino capitalism truly is an apt description. In Ireland we have had reckless behaviour by the banks as Dave has said and others, but that wasn't the only cause of the problem. The root cause of the problem was a fundamentally flawed economic policy on housing in the late 90s. We warned in 1998, we wrote to the Taoiseach, we issued press release after press release, we did a joint report with SIPTU saying this housing price explosion has the capacity to destroy this economy and house prices needed to be controlled. Nobody listened. The mantra was the solution was supply, supply, supply and what happened? The construction industry went from 4 per cent to 13 per cent of the economy, a clearly unsustainable position. House prices rose by 140 per cent between '87 and '97, by 240 per cent between '97 and 2007 which was a peak. Now, that extra 100 per cent was a doubling in house prices in the '97 to '99 period. In three years house prices doubled. That is the root cause of the problem and the failure to tackle that. It wasn't just that. We joined the euro with inflation at 1.2 per cent and within fifteen months inflation had gone to 7 per cent. We had export growth of 15 per cent per annum in the 1990s, by 2002 they were flat. Pure neo-liberal economic theory. It doesn't distinguish between exports and domestic demands – it thinks it is all the same. We now know they are not. Ultimately, the electorate will hold the political class to account as they have already started to do. I believe that the top policy makers also contributed to this crisis by their failure to warn about the bad economic policy and I believe that they must also be held to account. Unfortunately, we had no TK Whittaker when the madness was going on in the Department of Finance. The one message we need to give here today delegates is the low paid and those on social welfare cannot be asked to bear the brunt of the adjustment. Thank you very much.

## **Patricia McKeown, UNISON & President of Congress**

Thank you Blair. Is there a seconder for Motion 12? Thank you.

## **Terry Kelliher, CPSU**

Terry Kelliher, CPSU. If people read the motion you will see two words – strike action – in that motion and actually it is the key part of the motion. This crisis is being used to accelerate the race to the bottom, a politically driven protest which started way before the financial crisis. Now the bottom has dropped even lower. That is what this is all about. Tesco offers the latest and probably greatest example of the employer abusing this crisis, demanding cuts in hours and wages from its staff to boost its already bulging 1.6 billion euro profits a year. So if people are baffled by what the Government is doing and what the employers are doing, don't be, because it is not about saving an economy, it's about defending profits and boosting profits. Simply, that's what it's all about so let's not cloud the issue and get drawn into debates that Cowen and others may bring us into. The message the CPSU activists would like to bring to ICTU is that we do agree that we need a strategy to defend what we have. We agree that it is time for solidarity but solidarity around action. This type of lobbying the Government that we have seen in the last number of months has not worked. There is too much of a gap between what we want and deserve and our people need and what the Government is prepared to offer or can offer. The gulf is too wide. In the last twenty years it was quite close and even overlapped and that is why we got concessions. Initially the response of the trade union movement and its members was magnificent. They showed they wanted solidarity. They showed they wanted struggle. A 150,000 on the streets but this mood and momentum that was generated, and I am sure that everybody at this meeting was on that and felt the mood of anger, determination that we were right and they were wrong and we needed to do something about it, was all unraveled with the calling off of the one day strike. Our members and activists could not understand and that is the dominant mood, no one can contradict that. I have talked to people right across other unions, that is a dominant mood, what have ICTU done? We had them, we had the members behind us, we had the wind in our sails and we just let it go. I'll finish up by saying that social partnership is dead and not because I am arguing it, I'm not arguing it. The Government and employers are. ICTU, I want solidarity but I don't want solidarity with corrupt bankers, pension robbers, people like Harney who want to make profit out of sickness, the greed individuals. We cannot have social partnership with these people. Our workers don't want it. Our members don't want it. They want to stand up to these people. We want action and all the great ideas mean nothing if we don't fight for it. That is what our people want – to fight for the jobs. Let's have solidarity action not just great words. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you delegate. Are there any speakers to the motion? Yes, thank you.

### **Declan Kelleher, INTO**

Thank you Chair. Just in supporting Motion 12, I want to add a little to the sentiment, Declan Kelleher, INTO, which condemns the Government and certain employers for their anti worker and their anti public service agenda. I also want to nail the main opposition party, namely Fine Gale, into this motion, who time after time through their spokesperson Richard Bruton paint a picture of a fossilised, creaking and antiquated public service. As a public service worker I have to say that I am sick and tired of listening to the tirade of abuse from this right wing Government and its Tweedledum and Tweedledee colleagues in Fine Gael. Public servants work hard, provide a decent service very often against the odds in sub-standard accommodation and on a shoestring budget. And, as for the public service being fossilised and antiquated just let me quote you a few quick examples from my own sector in the education sector and they could equally come from the nursing sector, from the Gardai or from other sectors of public service – 1) long before this State woke up to the presence of thousands of newcomer children in our society they were welcomed and integrated into our schools. Special needs children were welcomed and integrated successfully into main stream education. Technology, information technology was embraced and was adopted in every strand of school life despite the fact of a wave of successive Fianna Fail Governments failing to invest as much as one cent since IT2000 which was initiated in 1998 in information technology. Who is antiquated there is what I'd ask? An entire new curriculum with teaching methodologies successfully introduced. And, finally, if you want to read about the performance about any school in the education sector simply access the Department of Education website and read its latest poll school evaluation report available to the public on their school. You certainly can't do that for top bankers, stockbrokers, fly-by-night builders or indeed right wing politicians. It is time colleagues that all workers, and particularly public service workers, became politically aware and simply answer these people in the only language that they understand – throw the out of Government and don't replace one Tweedledum, Tweedledee right wing with a righter wing Government. It's time we moved to the left. Go raibh maith agat.

### **Patricia McKeown, UNISON & President of Congress**

Ok, hold on speakers, hold on for a moment speakers. We have more speakers in this debate than we have time for. It would take us way over the Standing Orders arrangements for the private session. I am not guillotining this debate but I am stopping it now. I am saying to all of the speakers that when this section resumes it will be with this motion. I am not taking the vote and I am not closing the debate on it. I look to Standing Orders to give us the time when we will

resume for this and the other four motions that are on this section of the agenda. But at this point we are very shortly going to move into private session so we are obliged to clear the hall to ask those of you who are visitors, guests etc. but not delegates to please remain outside the hall. Delegates only when we resume here again at 4.30pm. Before you go I do have a couple of announcements. No, I'm going to leave those until you come back as you don't have very much time. If you would all exit the hall please and delegates only back in at 4.30pm for the private session.

**TUESDAY 7 JULY, 2009**

**4.30PM PRIVATE SESSION**

**Joe O'Flynn, SIPTU and Congress Treasurer**

....and all of the affiliates and indeed their willingness to embrace very significantly at the higher contribution rates financially and percentage-wise which that resulted in. And, I think you will see from this particular note that it resulted in an increase in the affiliation fee income of over half a million Euros in the Number 1 Account. Resulting from that some of the core developments have resulted in the establishment of a 'reserve fund' now in Congress of €200,000 per annum for the last two years. The allocation of resources to a campaign fund - and I think we saw the benefit of that in the 'Better Fairer Way Campaign' which took place in January and February and as many delegates have already referred to, culminated in a rally of 150,000 workers on the streets. About €150,000 went from the Congress fund towards supporting that particular campaign. And of course we were also in a position to reaffiliate to the International Trade Union Confederation in 2008 in a settlement of the arrears which were due. Now that is critically important because all of the issues we refer to economically here have had both an international and a domestic dimension to it. And, capital is global and the response by the trade union movement equally has to be global and we have to ensure that there is international solidarity and that we are working with other groups not just here at home but indeed within the European context and broader than that. So, the reaffiliation was, I think, a very important development in respect of the new funding arrangements.

It has resulted in placing Congress in a more sustainable financial position and as I said we have now been able to put reserves in place to help underpin the organisation. It has also allowed us to increase activity in some critical areas including research, communications, public awareness and policy development and I think colleagues what we are now seeing is that the affiliation fee was designed to provide long term financial security. However, it didn't come a day too soon and in fact many would argue, and indeed I would argue, that it came pretty late in the day because we have now sown the seeds of the financial crisis which has unfolded in recent months and the global economic and banking crisis and indeed the national fiscal crisis is beginning to affect Congress not least in relation to the adverse affect on unions and members themselves. I think clearly our first priority has to be the concern for our members who are facing redundancy, short time working, lower income levels and indeed concern of the affiliates that they are beginning to loose membership and clearly that will have a knock-on effect in terms of the affiliation numbers and the affiliation fees to Congress itself over a period of time. However, in 2009, the beginning of this year, there was actually some good news in that the affiliate membership

reached almost 850,000 – 612,676 affiliated members in the Republic and 231,319 in Northern Ireland and that is an increase colleagues of over 12,000 since 2007. Now, the priority clearly then is for us to address the financial situation. While the membership may be or may not be affected, patterns which have already emerged in the last number of months give us great cause for concern. First of all there is a reduction in direct grant assistance to Congress and that will, and it has already begun to impact in relation to education and training, in relation to shop steward training, health & safety, equality. There is also the withdrawal of project and other activity funding and not just here in the Republic but also in Northern Ireland. And, then we have an issue which is clearly of great concern to the staff and to the affiliates of Congress which is the under-funding of both pension schemes, both the Republic and Northern Ireland pension superannuation schemes within Congress with a deficit now running in excess of 5 million Euros, and clearly that has resulted from the fall in equities, also the cost of annuities because of the low interest rates but also clearly we have been hit by the issue of longevity, and while we wouldn't wish ill on anybody in terms of life expectancy it is adding to the overall financial woes of the organisation in that we are very much failing to meet the minimum funding standard. And, as you can see from that slide there an excess of 5 million of a deficit in a small organisation such as ours, where the affiliation fees are about half of that deficit, it clearly does give you cause for some concern. However, that is the financial side. There is another side to that coin as well and it's this, and I think we have to be very conscious of it as affiliates. If the Defined Benefit Scheme in Congress was to collapse or was to be very severely damaged and if it was to get out in the public arena you can rest assured that there wouldn't be an employer in the country who wouldn't try to take advantage of what is happening within Congress in terms of our Defined Benefit Scheme and would try to follow suit. As you know many of them are already attacking Defined Benefit Schemes left, right and centre but this effectively would give them almost carte blanche to disband and dismantle the Defined Benefit Schemes that are left. And, we have a job of work here both financially and politically to protect the superannuation scheme and it will take a good deal of hard work on behalf of the staff and the organisation to get to grips with that particular problem.

Congress, as I said, is already experiencing collapsing income and in fact in the Number 2 Account which is primarily the Education & Project Account we expect that we could be down somewhere between 500,000 and 700,000 Euros this year. And that clearly will challenge us in delivering important services to the affiliates and to the membership generally. So, I suppose those of us who are elected already because of being Officers of Congress and those of you who are running for the Executive positions can sharpen your pencils in expectation that there will be a very important job of work to be done within Congress by the new Executive in relation to the financial difficulties that face us.

In relation to the Congress accounts then, that is just an overview that I wanted to give to you. I want to refer to the fact that page 146 of your Biennial Delegate



Conference Report contains the accounts for 2007/2008. In relation to the Number 1 Account which is the general fund, the Number 2 Account which is primarily the Education & Project Funding, then you have the Northern Ireland Training Services Account and the Northern Work Study Advisory Service Account. But just to give you a flavour of the situation. In 2007, the Number 1 Account, we were able to generate a slight surplus of 122,993 Euros and in the Number 2 Account we were able to generate a surplus of 289,585 giving a total surplus in 2007 from both accounts of 412,578 Euros. Now much of the Number 2 Account surplus was generated from monies which were carried forward from 2006 which were due from projects, and clearly it wasn't as if we had a great year but it was a combination of the 2006 and 2007 project income. In 2008 you will see that the situation was that in the Number One Account we generated a surplus over expenditure of 308,791 Euros and we generated a surplus of 40,946 Euros in the Number Two Account giving a total of 349,737 Euros in 2008. Now obviously that increasing income facilitated an increase in the activities which I already referred to. It also meant that we were able to shift from consolidated deficits in the previous years to a surplus in both 2007 and 2008 and the surplus position as I referred to earlier on enabled Congress to put 200,000 Euros both in 2007 and 2008 into a reserve fund to clearly stabilise the finances in the period being referred to.

So, just to make one or two other points which I think are important here. And it is not widely known but a number of the Congress staff represent Congress on State boards and other bodies and it's often referred to by some of the right wing media commentators and indeed some of the entrepreneurialists who are not short a bob or two themselves referred to adversely about Dave Begg or other members of Congress getting fees, exorbitant fees, from State boards and what have you, and while they are paid fees for the work that they do on behalf of the State boards those fees are fully remitted to Congress and therefore there is no personal financial gain whatsoever to the Congress nominees in relation to these bodies and I think it is important delegates that you know that, and that you are able to defend the people, people like Dave Begg when they are attacked in that disingenuous fashion by people with vested interest.

The other issue that I wish to refer to very briefly is that normally we would be coming to the Biennial Delegate Conference looking for an increase in the affiliation fees. We decided as an Executive that wasn't possible or tenable on this occasion. We do have cognisance of the fact that many affiliates have difficulties themselves and many of the affiliates because what is happening out there in the wider economy in terms of job losses and the imposition of increased taxation and levies and what have you will not themselves be proceeding with affiliation fee increases themselves and so reflecting on that we decided that we would try to live within the budget that's available to us and obviously that is a task that the new Executive will engage in. So, there is no motion before Conference to increase affiliation fees on this occasion.

The other thing is that the Standing Orders Committee made reference earlier to a collection on Thursday in relation to a hardship fund. Now there are many unions, many unions, who presently are involved in disputes and while dispute benefit is paid, in some cases there is a lot of hardship because of the financial commitments workers are under and the fact is that the strike pay doesn't in anyway match the loss in income, and what I asked Standing Orders to do was to allow a collection to be made on Thursday so that the monies will come back into Congress and if there are individual hardship cases resulting from any of those disputes that Congress will have some leeway in providing some assistance and so I want to thank the Standing Orders for agreeing to the proposition. I want to thank the Conference also for supporting it and I would ask you to be as generous as you possibly can on Thursday so that we can secure and support those who are most in need in fighting the struggle at the moment. So thank you for that.

The last thing then that I want to do Chair is I want to place on record my appreciation to the staff of Congress, but in particular to Sally Anne Kinahan who I work very closely with in relation to the financial matters, and she has been a tremendous support and indeed we work very well together in relation to these matters. And, Sally Anne, I really want to put that on record and thank you again and sometimes we take for granted a lot of this work which is as I said at the very outset isn't exactly the highlight of Congress activities but nevertheless very, very important work to enable us to have the capacity to take the fight to those to whom we have to struggle and campaign against. So, I commend the accounts to you for your approval and endorsement and thank you Chair and thank you delegates for your attention.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Joe. Conference, we have elected Joe to do one of the most difficult jobs in Congress and we have re-elected him again to do it, he does it so well on our behalf and it can be thankless, so on behalf of all of us I would like to extend our thanks to him for the great job of work he has done on behalf of us as Treasurer.

And, I would now like to call on our Assistant General Secretary, Sally Anne Kinahan who is going to introduce the debate on this section of the report.

### **Sally Anne Kinahan, Congress Assistant General Secretary**

President, delegates, thank you very much for this opportunity to address you at Biennial Conference 2009 and I am going to talk a little bit about the Congress organisation about some of the challenges we face around campaigning, communication, recruitment and organisation, but maybe just to start by saying that the section that we are dealing with today, 'Congress Organisation', covers

the work of the Congress Committees like the Strategic Initiative on Equality, the Women's Committee, the Youth Committee, the Retired Workers Committee, the work of the Disability Committee, the Congress Centers Network, the Trades Councils. And, I just want to acknowledge the work that has gone into making those committees effective by colleagues of mine but also by the voluntary input of those of you who are nominated are often given the task of getting involved in those committees, and I just really want to acknowledge the mountain of work that's been done over the last couple of years and to pay tribute to you for that.

In looking at 'Congress Organisation', as our Treasurer has already outlined to you, we are indeed facing a very challenging period in relation to the funding of Congress, and I know that we seem to be saying this all of the time but I don't think we have ever seen such an attack, if you like, on sources income that we would have relied upon or depended upon in the past, even things like equality measures for women. Colleagues, the reason why that is being removed is because the Government wouldn't pay the co-financing piece of 30 per cent to enable organisations like ours and others around the country to draw down hundreds of thousands, literally, from the European Union, so this is the type of challenge that we face in looking at funding of Congress. There are many other civil society organisations that have been dependent on such important sources of resources. Our income cuts will impact on delivery of important services, and as Joe has already mentioned, it is areas like capacity building of unions, it is areas like education and training. In fact, the LIFT Project with which I was very involved, we had hoped to run leadership development for women in the trade union movement but also for other groups that are under-represented, now the resources for that have been withdrawn from the movement so it is going to affect our ability to deliver very important services and we do need to address and stabilise the financial situation of the organisation whilst ensuring that priorities are met, which will cause us colleagues to look at what we do and look at what is of importance to us strategically and in terms of the impact that we need to make in the struggle that we face. Just in terms of responding to the challenges that are out there, there already has been much debate today, much discussion about the massive economic and social crises that we face. And, the fact that the reaction from the Government which was encapsulated in the *Building Ireland's Smart Economy* document which came out before Christmas actually was a renewal of failed policies. The trade union movement responded to that in putting forward a proposition around the *Social Solidarity Pact* and the *10 Point Plan*, which became *The Better Fairer Way Campaign* and I think it is very important that when we do something well to acknowledge that and to celebrate it and to learn from it. And, I just want to say that in terms of an effective campaign that was run by you the unions and your members, it is something I think that will go down in history of the movement. I mean first of all we spent over €600,000 on that campaign. We ran national and regional press ads like we have never run them before. We delivered in the Dublin area alone 250,000 leaflets to people's homes and we conducted billboard ads and we carried out what is known as 'guerrilla' advertising where we were putting up

posters around lampposts and spraying the pavements in such a way that the marks didn't say but it made a huge impact for the campaign. We conducted online and our campaigning included the development of a viral campaign about the 'Fat Cats', and we ran one of the most effective campaigns, ever not just in terms of the trade union movement, colleagues, but in terms of civil society. And, as has already been said, 150,000 colleagues, citizens, workers, families of workers joined the day of protest in Dublin. Colleagues, what that did is that it demonstrated the capacity of our movement to provide leadership when there was a vacuum to address the concerns of workers and citizens generally to mobilise support around those issues, to organise collective action and to run an effective campaign. We demonstrated real union strength. Colleagues, for us to becoming a campaigning movement, we can't just do it on a one-off basis, it has to be something that we embrace, that we build into our work, that we see it as us being of strategic importance in engaging with workers, members of trade unions and also citizens because we have a common campaign. We have a common fight on our hands and we have a fight, colleagues, in terms of our own power in society and in the workplace that we have to face up to.

Colleagues, two years ago we looked at the issue of membership and density. And, at that point we had 832,000 members and it was something to celebrate, over 600,000 in the Republic and 230,000 in Northern Ireland. But, colleagues, density has dropped to 36 per cent in the Republic and 37 per cent in Northern Ireland. Here we are in 2009, two years later, and our membership is going up again. There have been some fluctuations – it has gone up and it has gone down in Northern Ireland and in the Republic but it is up by 12,000, a net gain of 12,000 in two years. But, colleagues, that compares to 60,000 in the preceding two years before we got to Biennial Delegate Conference 2007. So if you look at where we are, we still have this massive, massive gap between where we are at in the workforce and where the total number of workers are at. So, what we have in fact is an increase in our density. Now if you remember two years ago we spoke about the challenge of getting our density up from 36 per cent to 38 per cent. Well colleagues we have arrived. We are at 38 per cent. And if you look at all of union members in the Republic we are probably at 39 per cent but we have done this on the basis of job losses in the economy. It has not been on the basis of our ability and our capacity to organise workplaces and recruit people in to membership and build union organisation. And yes we are facing very challenging times ahead. So we have made a net gain in density but the issue of union strength in the private sector remains. And, colleagues, very quickly looking at density from the last figures that we have from the CSO, we have high density in areas like education, public administration, health, transport, storage and communications but it is low in areas generally in the services sector - hotels, restaurants and services generally, business services. So if you look at the pink blocks at the top that is where we are but if you look at the huge areas of grey that is where we are not.

Colleagues, I would also remind you that the National Employment survey demonstrated where we are at in terms of earnings in the economy. Medium earnings are €15.39 an hour or were when this survey was done so half of the workers in the workforce earn less than that and of course for women it is lower again. Two thirds of workers earn less than 20 Euros per hour – that is actually less than average industrial earnings colleagues and 18 per cent were earning less than 10 Euros an hour. So if you look at where those people are located. They are in the services sector generally and we have a huge number now – in excess of 300,000 workers at least earning less than 10 Euros an hour. I suppose what is a commonality among those workers is that they tend to be in the sectors that have low density, low organisation.

So, colleagues, two years ago we endorsed an approach to extend trade unionism to reach workers recognising the challenge that we faced. We put to you a proposition around a collaborative initiative to develop a union outreach service and it would be something that would be complimentary to union efforts to organise, that we would target individuals in low density sectors and that we would develop a model and that we would test it before any roll out. Colleagues, we went through a process after Conference to identify and select creative and research partners to work with. We looked at the development of a communications campaign and support systems and we undertook further research to test the concept and the service model that we were putting forward with a view to carrying out a pilot. So, I just want to reflect for a moment on the findings of the research that we carried out and this was done with qualitative groups which were groups made up of representative samples of workers in those low density sectors mainly in the services sector. And we also included in that people who were already members of unions. So it was largely directed at the non-union workers and just in terms of what we found out about workers' opinions about unions – first of all it was very much a case among those who weren't in unions that they were large organisations that look after workers' rights, that they are involved in strikes and industrial actions – that's our business. They didn't necessarily see beyond that, that we are bigger than that, that we are more than that. There is the perception that we are a necessary evil. There is an acceptance that people perhaps don't like what they read about us or see about us but that ultimately we do a job defending the interests of the people who are in our membership but that we are not present in small workplaces, that we are largely for big workplaces. So, that is how the public out there, the workers in non-union sectors largely see us. And, interestingly that they had no understanding really about what trade unions are about or what it is we do and this is based on the fact that if somebody doesn't have a union in their workplace or they don't have a family member who is involved or who is a member of a union, they are likely not really to understand very much about what it is that we do. What were the advantages of being in a union when they were asked? Well to be part of a large group, to be included in a large group, to be fighting for your rights and entitlements, to have a sense of security and protection and that unions clearly take action, so that is all good stuff. It is all seen as good stuff but

what are the disadvantages? That we take actions only on the big things and not on the everyday things, well hello! I would say that unions absolutely deal with the everyday issues that affect people's lives but clearly it is not a message that we are getting out there. That there is a fear, and we know this from everything that we do, a fear of negative management reaction that could impact adversely on somebody in the workplace. But, interestingly people are sure what a membership fee gets and coming from the people who were union members there is clearly a sense of distance that they feel that perhaps that they are not engaged in their union, whether that is their fault or the fault of their union. So when we put to them the whole area of the union outreach service and asked them about it, the service actually appealed to people. They thought yes this is something that looks like it's a good worthy service but there was a general view that the advisory support that we were putting forward already existed and was available for free, and it was difficult to distinguish what we were talking about from other offerings that were out there, and clearly people felt that if you could get it for nothing and NERA had come on to the scene at this stage, why would you pay for it? But, I think what was quiet interesting was that many people who were union members said, oh we might actually consider paying more to get what we would consider more services from our unions so I think there is a kind of a communications piece that we need to work on.

But, colleagues, the outreach service, the model that we were putting forward was rejected, and it was rejected on the basis that what we heard back as well from people we involved in the research was that why would you offer us an outreach service rather than join a union? So clearly what we need to be presenting to the public is the opportunity to engage with a trade union and to be part of the trade union movement. So the proposition that we look to work on was how we could go about promoting and extending trade union membership? Now we went through and spent a lot of money on a recruiting and advertising agency, a design agency and consultant to work with us, and we have been through a heck of a lot of propositions that we have tested and the one that seems to have the most relevance with the public out there is the one that we are calling 'The Giant', I think some people call it 'The Beast'. Anyhow, just looking at what it would look like in terms of ads and these are just story boards to give you a sense of it. The idea being the workplace, somebody having issues in the workplace, talking about the problems that they are facing with their boss and outside you see people gathering together to form The Giant, the union giant, which of course scares the heck out of the manager and the manager immediately concedes whatever the work wants, ok. So putting forward the proposition that by being part of the trade union movement – my colleagues are laughing behind me because they know that is the way it works – that if you are part of the trade union movement you are likely to earn more and we know from again the national employment survey that there is a union premium and that that is the case. And clearly it was a huge success in that workplace and in other settings as well as to how this would work, putting forward the benefits of trade unionism, communicating this to a broad public and showing how unions protect,

defend and progress the position of their members. And, the idea was that we then take over Liberty Hall and that we would construct this banner over the front of it – these are the kind of ideas that the agency came up with that we tested and looked at in terms of extending and understanding, improving the understanding the public has about trade unionism so I am just showing you, this is for the CWU to organise – Post Office ok just showing you how we would communicate more effectively with the public out there, thing like putting these posters down in floor places, all the things that can be done – press ads, billboards, the whole lot.

Well colleagues, you know there a lot of things that we can do to improve public understanding about trade unionism and about offering people the opportunity to connect with their union and these are just some of the ideas that they came up with. But what we were presented with was a challenge. We have all these great ideas, all of these communication tools, but how are we going to test this? And, then along came NERA. And, as you know NERA is something that the trade union movement sought the establishment of, and to put in place more resources to defend people in the workplace to protect their rights and to ensure that their rights were delivered to them, and one of the things that was included in that was a Memorandum of Understanding between NERA and the Irish Congress of Trade Unions, that we would set up a central contact point for workers who wished to contact the trade union movement or to join a movement because recognising that NERA itself was very constrained in what they could offer – they can only deal with statutory entitlements, nothing beyond that – so with that opportunity of NERA we have actually been conducting a pilot to see how this extending the opportunity to join a union would work and we have set up ‘Union Connect’ and we are still concluding the testing and the evaluation of that. But, so far in the research we have done with the people who have availed of the service they believe it to be worthwhile, to be useful and that they do have an interest in joining a union. And, I know some people have been referred to unions with a view to setting union organisation in their workplace. So that is ongoing and it is something now that we need to deal with in taking it public because NERA can’t give us the types of flow that we need into it to actually see how effectively it will work. But the challenge is how we deal with it as trade unions, how we cope with an influx of people or how we organise workplaces when we are already overwhelmed, or to do it in such a way that it doesn’t undermine the attempts that we are making to improve the organisational capacity of our individual unions and to deliver in that area?

I want to quickly introduce you to the Youth Connect Project because I think this is very important for us and this is a new member of the family – the Workers’ Champion. Some people think that this new family was perhaps modeled on colleagues from the Executive but that’s not the case. We now have the long overdue SWAY replacement and this has come about as a demand from unions, from the Youth Committee, from participants in the LIFT project and from schools themselves plus from the research already mentioned to you, we have identified

the real issue of the lack of exposure to the concept of trade unionism among young people and the public generally, the limited understanding they have about trade unionism when there is no union in the workplace.

So, one of the things that the research has also identified is the lack of knowledge among workers generally who are not exposed to unions about their entitlements, about their rights and their poor recognition of exploitive practice. When we know that from research that the propensity to join is enhanced by an understanding of the role of unions as well as presence and looking at that challenge of the 15-24 year olds, the 25-29 year olds who are not in trade unions and we have this kind of hump that goes up with age, but if we don't capture people into trade unions when they are young we are going to have a problem as people grow into the workforce. So, just in terms of the Youth Connect programme – very quickly because I am conscious of the time – it aims to increase understanding among young people of the role and relevance of unions. It will provide access to union information and advice about work and rights and most importantly it will be a campaign network for young people and young workers and the components include the School's Resource Pack and programme, and I just want to thank the colleagues from the INTO, the TUI and the ASTI who have given their time to advise on this. A campaign network as I have mentioned, leaflets that are targeting young people, it is not just about going into schools, it is also about having resources for young people, a member card, information as I have said already and a range of other materials to make it a little bit sassy and interesting. And this is the family – we are going to do a lot of this work through a graphic representation, through a graphic novel. We are going to animate these and they are going to appear at a place near you and basically you will have: Frank, although that is not his definite name yet, who is the boss and everyone knows he is the boss, and then we have Eddie who really does not understand why he is treated so badly in the workplace ,and then we have Steve who is starting to wonder why he hadn't joined a union years ago to cope with the circumstances that he faced. And then there is Molly who we are calling the 'Workers Champion', who is part of the union and knows her rights. This is just a flavour of what it is all going to be like and if you see yourself in the characters, there was nothing intentional meant by it. So, in terms of the Schools Resource Pack targeting senior cycle secondary students, coming this Autumn we will be dealing with issues like Global Solidarity, we will be dealing with the unequal society, we will be dealing with workers' rights, we will be dealing with trade union solidarity and we will be dealing as well with the working world. And, one thing I just want to draw your attention to colleagues – a very important aspect of the Schools Resource Pack is a project that we have been working on with TASC and they are the people who have been standing outside the door handing you leaflets and they have organised a workshop on Thursday in conjunction with Congress to look at the whole area of the unequal society, and what we have done is actually developed a class analysis which looks at, based on peoples' earnings, where you are in society. And the real gap, this yawning gap, between rich and poor, this is being developed for use in schools and we



are going to develop it later on also for use in unions so I would absolutely urge any of you who are available, if you want to really understand how our society is constructed and this kind of issue about inequality, please come along to the TASC seminar on Thursday at lunchtime because they have been active partners with us in the development of these materials. So, these are just some of the resources that we have developed. They are going to be in production shortly for our youth activity and there is Molly, the Workers' Champion, going off to meet the rest of the family who are going to campaign on behalf of the trade union movement and extend membership hopefully to the workers of the future. They are arriving this Autumn and you know in all of this colleagues, we are going to have a debate on this issues now, I just want to say that we can't have a debate in sporadic one-off way. We have to be consistent, we have to get out there and campaign, connect, communicate and organise. So, colleagues, thank you very much.

### **Patricia McKeown, UNISON & President of Congress**

We are in fact now under very severe time constraints and the only way we can continue is to have someone move a suspension of Standing Orders if you are up for it, so I put that to you. In addition we would want the Standing Orders Committee to be on standby to make some decisions about extending the period of time for discussion on the agenda tomorrow and wherever else but most of this is inside the private part of the agenda, private session, so we would also be asking them to look at whether some of these motions can come out of the private session. I am about to put the financial report to you. This is your opportunity to ask questions or to make comment. Are there any speakers on the financial report? No thank you. Can I put the financial report for agreement? Is that agreed – agreed, thank you.

We now move to a Constitutional Amendment, it is the only one we have and I call on Galway Council of Trade Unions to move Motion 16 on the Election of the Local Reserved Panel.

### **Pat Hardiman, Galway Council of Trade Unions**

Pat Hardiman, here from the Galway Council of Trade Unions moving Motion 16 on the agenda. And, just to give you a background on this – this motion originally came up in the 1993 Biennial Conference and it was recommended for the 1995. The reintroduction of the Reserved Seat was supposed to support the reinvigoration of the Trades Councils. This hasn't happened. The Reserve Seat has become an issue. It hasn't been democratic and I would just like to say that we have heard Eamon Gilmore this morning and one of the things that reinvented the Labour Party was that the members in the Labour Party were allowed to vote for the leaders and we are asking that that is the case. Now this motion came up to Congress in Belfast. We had a motion in Belfast on the 12 July – we were asked to withdraw that motion and we did it in good faith on the

basis that this motion would be accepted – that they would look into this motion. Now, we don't want a row with Congress. We know that there were commitments given, whether there was an oversight, people can say otherwise but there were commitments given to the Trades Council that this motion would be accepted, would be looked at – not accepted, and that there would be a report back. Now there may have been an oversight but there were commitments given and as I said we know it is contentious so on the basis that those commitments were given we will accept a reference back. We will accept a reference back but those commitments were given four years ago. We accepted them on good faith, we withdrew our motion on the public holiday on 12 July because it would be decisive and were given commitments on this. So, on the basis of that we will accept a reference back and I think that when people were discussion this motion that they didn't realise that those commitments were given. So I would just like to ask for your support. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much. Is the a seconder for the Constitutional Amendment? Formally seconded, thank you. I am calling on Dan Murphy to speak on behalf of the Executive Council.

### **Dan Murphy, PSEU and Executive Council**

Chair, I am not sure Chair what the reference to discussions mean because the issue has come up on a number of conferences and the Executive Council has opposed it consistently. The purpose of the motion Chair is that in the election of the member of the Executive Council reserved for persons nominated by Trades Councils, the electorate should be confined to those delegates attending who are themselves nominated by Trades Councils. There was in fact an identical motion to amend the constitution at the last Biennial Conference two years which was defeated by the Conference. The role of Trades Councils is a very important one in that they provide a means for the affiliated trade unions to act together at local level and the significance of their role has been emphasised by Congress and Conference on many occasions. But in looking at the proposal in the motion Chair, it is necessary to bear in mind the history of the involvement of the Trades Council delegates in election at the national conference. For many years after the founding of the reunited Congress, delegates from Trades Councils were entitled to vote in all elections at the National Conference. While the delegates of some Trades Councils abstained in the elections as a matter of principle there was always a tendency for some of these delegates to vote in accordance with the wishes of the unions of which they themselves were members. And as time went by what actually happened was that some unions went around the country arranging to have their members appointed as delegates of the Trades Councils on the basis that they would look after their expenses and these delegates became for all practical purposes members of the delegations of their unions and voted in accordance with the wishes of the trade unions. There was a significant

increase in the number of delegates attending the conference from Trades Councils as a result, and indeed in the number of Trades Councils attending. There were even suggestions that some of these were no more than, if you excuse the expression, 'paper bodies' whose sole reason for existing was to appoint delegates from particular unions to attend the National Conference of Congress for the purpose of delivering their votes to the trade unions in the elections. Eventually this was identified for what it was – a clear abuse – with the result that the Constitution was amended so that delegates of Trades Councils were no longer entitled to vote in the elections. There was a considerable amount of unhappiness on the part of the Trades Councils about this and Congress eventually took steps to respond to it by making provision for a seat on the Executive Council to be reserved to nominees of Trades Councils and enabling the delegates from Trades Councils to vote in that election but in that election only. There was some reservations about this move at the time on the grounds that there was actually no need to make such a provision since the Trades Councils of their nature were local bodies themselves composed of trade unions and not national in character. In making the change therefore, the delegate conference was making a serious effort to meet the concerns of Trades Councils in terms of confining nominations to Trades Councils and in enabling the delegates of the Trades Councils to participate in the election. However, the conference was determined that the delegates of the affiliated unions should continue to be the electors in that election. If the Constitution were to be amended in the manner suggested in the motion it takes very little imagination to see how abuses of the sort which arose before would arise again. And, frankly delegates with the problems which we have confronting us, we might as well suggest that the election of women members of the Executive Council would be confined to women delegates. In the last analysis the Congress is a federation of independent trade unions who, while they retain their independence, have come together to pool some of their sovereignty to act together in their collective interest and of course finance the Congress as well as financing the Trades Councils. Given that trade unions must be able to decide who the members of the controlling body will be, and it would be wholly inconsistent with that to the voluntary election of any member of the Executive bodies other than trade unions. Trades Councils are also bodies composed of trade unions – they are not independent bodies – they have an important role to play in the movement at local level in the implementation of Congress policy. As I have explained Chair, the history of the involvement of delegates of Trades Councils in elections has been a somewhat fraught one and the current situation, while it may not be perfect in all respects, is a reasonable compromise which the Executive Council believes should not be upset now by the adoption of this motion. Accordingly Chair the Executive Council urges Conference to reject Motion 16 to amend the Constitution and as I mentioned earlier, at the last conference in 2007 rejected an identical motion.

If I may digress for one moment Chair, I would like to thank my successor, Tom Geraghty for his kind words earlier. This is probably the last time I will address

Conference which I have been attending from 1969, Tom, not 1971 – 40 years, so I would like to thank all of the people that I have met in the trade union movement over that time. They have been warm friends and comrades even if I have had arguments with them from time to time, I look back on my life spent in the trade union movement with great pleasure and warmth and thanks to everyone that I have made friends with in that time. Thank Chair.

**Patricia McKeown, UNISON & President of Congress**

Thank you very much Dan. I have no other speakers indicating on the constitutional amendment, where are you? The speakers' seats are over here. I was going to offer you the right to reply. The speakers' seats for everyone have been moved to hear so that we can see where you are. Come on ahead.

**Pat Hardiman, Galway Council of Trade Unions**

First of all I would just like to say that the Trades Councils can't bring massive amounts of delegates. You can only have two delegates at the most if you have a certain amount of membership and if you are under that you have one. And at the moment the reality of the situation is that things have changed since 1993. The reality, and I was talking to a delegate from, or an activist from the Sligo Trades Council and they said because their finances are so low they couldn't attend as delegates. So, the option is that we either invigorate Trades Councils and allow them to have the delegates, and they are only allowed them like the unions are allowed, they can't bring massive amounts of people in busses just to vote on elections, and the other thing is that we will accept a reference back on the basis of commitments given. Okay.

**Patricia McKeown, UNISON & President of Congress**

Thank you delegate. However, we are in a position that reference back has not been moved, so I therefore must move to the vote. Can I remind delegates that the Constitutional Amendment requires two thirds majority of the delegates voting, so Tellers might want to be on standby. I put Motion 18 to the vote. Those in favour please show, against – that is lost.

Thank you delegates. I have been advised by the Standing Orders Committee that we can remove Motions 17, 24 and 25 from private session and they will be rescheduled in the main debate. In the absence of anyone moving suspension of Standing Orders then I must close the private session of the debate. Are you moving suspension Seamus? Thank you very much. Yes, please do.

**Séamus Dooley, NUJ**

Séamus Dooley, National Union of Journalists and endangered species, a candidate for election, proposing suspension of Standing Orders. I am

suggesting until 6.15pm. I do that because I think if we leave it any less we disadvantage the speakers in further debates. So, with that I propose suspension of Standing Orders until 6.15pm.

**Patricia McKeown, UNISON & President of Congress**

Is there a seconder for the proposal? Is there a seconder? Thank you. Can I put that proposal to you - suspension of Standing Orders till 6.15pm. All those in favour, against? Can we do that again please and would you just put your hands up in the air? All those in favour please show, all those against – that is carried. Thank you.

I now call on the, we have moved three motions to the general session, so I am now moving to Motion 18 standing in the name of NIPSA.

**John Corey, NIPSA**

President, Conference, John Corey, NIPSA to move Motion No. 18. I would like to start by emphasising that my comments are not in any way meant to or intended to be a criticism of Congress staff who do their best with the resources available to them. Second, as a member of the Executive Council I also appreciate that Congress's finances are limited and that there are competing demands for those resources as Joe O'Flynn has outlined. And I also recognise again as already has been said, that this isn't a time for the trade union, any trade union or indeed my own to be able to commit to provide additional funding to Congress however desirable that may be. Paradoxically, however, I believe that that situation does then require that we are satisfied that the resources that are available are allocated fairly and efficiently. And behind this motion lies the question of whether or not the current allocation of resources is a fair one. And, I think I do speak for many Northern Ireland trade unions when I say that we do have a sense, rightly or wrongly, that the current share of Congress overall resources are not entirely fair. We can't make comparisons of membership, for example, a third of the Congress membership, affiliated members, is in the North and I also recognise, however, having said that that there are many counter arguments to simple statistical comparisons of membership North and South of financial contributions and of the allocations of staff. And, in any case I accept that it is a trade union principle that you allocate resources primarily on the basis of needs. So hence that sub paragraph a) of the motion in front of you, we do record that the review we are proposing should be based on contributions but also on needs and we accept that review would look at needs North and South. Sub paragraph b) of the motion addresses the second factor we think is relevant and that is to strengthen the trade union centre in Northern Ireland and I wish to articulate some points on this. The current Northern Ireland Assembly and Executive has been operating now for over two years. That is the longest period of sustained self Government in Northern Ireland since 1972. I think that is hard to believe at times. Two years ago at the Biennial Conference, then only a few

months into that new Administration, I had high hopes that we as a trade union movement in the North rapidly would move into delivering on the Congress Constitutional requirements objectives and functions and to be in a position of real engagement and influence with that Administration. Congress has fought for, and I believe obtained, a respected place in public affairs in Northern Ireland with limited resources. Our actions for example on peace and sectarianism has shown that there is a general support for the trade union movement, but as Patricia McKeown said this morning in her address, we haven't translated that yet into the level of engagement with the Northern Ireland Administration that does justice to our responsibility as a movement to represent a quarter of a million working people and their families in the North of Ireland. The fact that we have not achieved that is not attributable solely to Congress' resources – I accept that point. But I believe that if we are to deliver on that responsibility we need more resources at this point in time in Northern Ireland so that we can make a determined bid to establish this movement's proper role in direct involvement in determining the social, economic and public policies that affect working people. Because, I fear that as time passes on without Congress making its mark and having influence with the Administration, there is a danger that we could be passed by for many years to come.

Finally, point c) of the motion covers the issue of the Euro/Sterling exchange rate and I accept entirely that the point could be made that this could have been worse for us in the timing of the change for Euro/Sterling leading up to the end of last year, but the facts are that that Sterling exchange cost us an additional almost 20 per cent on our affiliation cost. And, I think it would be fair when a Euro/Sterling exchange produced that type of windfall, that Northern Ireland affiliates might have some understanding that the Northern Ireland Office could benefit more directly from that. I hasten to add that the point could also be made but what if it goes the other way, well I am operating in the good trade union principle is that you give, and we will take in terms of this issue. I emphasise though, finally, that this is a call for a review. We accept that it should address needs and demands of both North and South. We hope it can be taken forward positively in the interest of all trade unions and trade unionists in this island and the working people and families that we represent. I ask you for your support for this motion.

### **Patricia McKeown, UNISON & President of Congress**

Thank you John, seconder. If there are any speakers on this motion would you come forward now please?

### **Geraldine Kelly, UNITE**

Geraldine Kelly, UNITE. Chair, Conference, Motion 18 calls quite simply for the review of how we spend our money. It does not call for commitment, it does not

commit Congress to any additional expenditure. Whether it is palatable or not, there is a view in Northern Ireland that a disproportionate allocation of resources is made to the Republic of Ireland at the expense of the North. Paragraph b) states; the need to support effectively the North, the Northern Ireland Committee's capacity to represent campaigning matters and concerns to affiliated trade unions in the context of the Northern Ireland's Executive devolved Administration. The motion sets out the changed circumstances in Northern Ireland, which have created greater demands that is engaging with the new Executive at Stormont. Colleagues, please support the motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Are you speaking to this motion? Yes.

**Brian Hewitt, UNITE**

President, delegates, Brian Hewitt, UNITE. I am speaking in support of Motion 18, Allocation of Resources. I will not repeat all of what has already been said except that it is time now to review the deployment of resources. Please support Motion 18. Thank you Comrades.

**Patricia McKeown, UNISON & President of Congress**

Thank you Comrades. Thanks very much delegates. There are no further speakers. I put Motion 18 to the vote. Oh, pardon me, I nearly froze the Treasurer out there! There is an Executive Council response to Motion 18, you would be surprised if there wasn't NIPSA, wouldn't you.

**Joe O'Flynn, SIPTU and Congress Treasurer**

President, colleagues, first of all I just want to say that on behalf of the Executive we support the broad thrust of the motion in fact and we recognise that our affiliates and the Northern Ireland Committee are operating in not just very difficult economic and industrial climate but are also to the fore in championing the peace process and indeed in maintaining the peace process and therefore it is a very challenging and very different environment than that in the Republic and we recognise the work that has been undertaken and we want to continue to support that work in to the future. We are clearly as I referred to earlier concerned about reduced funding particularly from some of the State agencies in relation to activities involving education & training, health & safety, equality and indeed several of the jobs in the Northern Ireland Office are actually supported from this funding, so if the funding is curbed or reduced then clearly there is a further adverse impact in relation to the overall position of Congress. I also just want to refer to the fact that there was an actual review of the Northern Ireland Office a little over three years ago, resulting from which a new post was created in Communications & Policy, and therefore there was an additional post added to

the resource in the Northern Ireland Office. However, notwithstanding that and as John said we can go into stats all day long, there is a situation whereby the overall expenditure in the Northern Ireland Office actually exceeds the level of income but the real point here is that as a Congress we are committed to very solidly supporting the work of the Northern Ireland Office and indeed the staff and affiliates in Northern Ireland and we will incorporate this review in to the overall general review that we now have to undertake in relation to the financials of Congress generally and so on that basis, Chair, what I would suggest is that the motion clearly is incorporated in to the overall job of work that we need to undertake in respect of Congress generally.

**Patricia McKeown, UNISON & President of Congress**

Thank you Joe. Do you want to exercise the right of reply? No, ok, thank you. Can we put Motion 18 to the vote please, those in favour please show, those against, abstentions. That is carried, thank you.

We now move to Motion 19 in the name of SIPTU, 'Commission to Review Trade Union Membership in Ireland'. And, again if there are further speakers on this motion please come forward now.

**Brendan Hayes, SIPTU**

President, delegates, I think Sally Anne set out some of these statistics earlier on that are extremely important. And, earlier on in the afternoon we had quite an extensive debate about the economy where we were quiet clear that we weren't responsible for it and we weren't responsible for what happened to our Celtic Tiger. But there is one thing we are responsible for and that is for the future of Congress, for the future of the trade union movement, for the affect a declining trade union movement in our economy will have on the interest and futures of working people. If you go back to twenty years ago when we became involved in the Social Partnership model, there were roughly slightly under 600,000 trade union members in the workforce and there were roughly about 400,000 non trade union members in the workforce, so 600,000 workers were in trade unions, 400,000 workers weren't in trade unions. If you look at the situation since then we have grown relatively modestly, we feel we did very well, we take great comfort in the fact that we grew to around 650,000. But the workforce grew to nearly 2 million, so the 400,000 workers that weren't in trade unions increased by a million and the number of workers that were in trade unions increased by less than 100,000. Something fundamentally went wrong. There is something broken in our movement and we can't afford to ignore it. It is widespread. It cuts across the entire trade union structures. If you look at the rate at which the trade union movement density is declining, we are at the stage now where in 2003 there were 37 per cent of workers organised – we are now down to 31 per cent. But it doesn't stop there. Sally Anne has already indicated that we have an age problem. The bulk of our membership is in the 45-54 and the 55-59 age group.



That is not sustainable in the long run. We have a problem with gender. We are at the stage where 38 per cent of males in 2003 were involved in trade unions, 59 per cent weren't. In 2007 the number of males involved in trade unions had reduced to 30 per cent and the number of males not involved in trade unions increased to 66 per cent. For females the figures were 35 per cent and 62 per cent between 2003 and 2007, and we are now at 32 per cent and 65 per cent respectively. So again the number of females involved in trade unions is declining. It doesn't stop there. The number of married people involved in trade unions is 40 per cent, the number of married people not involved in trade unions is nearly 60 per cent. In the area of the number of single people who are organised is down at 22.8 per cent, the number of single people who are not involved in trade unions is 74 per cent, the balance didn't indicate.

Again it cuts even deeper in the education area. We know the number of people who have primary level qualifications or below. We have 28 per cent of them are involved in trade unions, 70 per cent are not. The number of people who have third level degrees or higher, 11 per cent of them are involved in trade unions, 80 per cent of them are not. And for anybody feeling comfortable about their own industry – the story is as bad. Other production industries, 32 per cent are involved in trade unions, construction – 22 per cent, financial and business services – 19 per cent, health, one that you would think was very well organised, less than 50 per cent, education, one that you would be absolutely convinced was totally organised, according to the quarterly national household survey, 60 per cent is organised. And it cuts across other groups as well. In the craft area, again you would expect that we had massive trade union organisation in craft, we have 27 per cent. Now this is not a sustainable arrangement. It will affect our capacity to influence Government. You wonder why we are ignored. It is not possible to be taken seriously in the long term as a proportion of the workforce we are heading towards 20 per cent. Four out of five workers soon will not be members of trade unions. And it is important to bear in mind that you don't decline in a straight line. You reach a point where you become irrelevant and that graph just drops dead, that is the experience in other countries. In our view, our organisations are jaded. We can deny it all we want but we know that our organisations are not as robust as they need to be. We don't engage well with young people. We don't adapt to technology. The way unions communicate with workers is not effective. It is totally ineffective and we have already heard that from Sally Anne this afternoon. What we are proposing is that it is time that we sat back and took time out as a movement. That we set up a Commission to review the trade union movement in this country, to review its structures and its operations. We need as a union and as a Congress, in the interests of working people, to reflect on what we need to do to make ourselves relevant in the future. We ask you to support this resolution and to set about doing it immediately to build our credibility and our reputation. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Brendan. Secunder?

**Peter McLoone, IMPACT**

Thank you President and delegates. Peter McLoone from the IMPACT trade union. In speaking in support of this motion, I want to stress how necessary it is that we give this priority, because we have been talking about this problem at this Conference since 2003. And if we are now going to take the measurers that are proposed in the motion, I think we need to recognise that this priority cannot be pushed to one side by other demands no matter how pressing these demands are, because the litany of problems that we face as a trade union movement are that we always allow the problems that confront us internally to take second place to other problems, and failing to recognise that the size of the problems that we face in dealing with the economy are a direct cause of our failure to tackle the decline in organisation. And, I hope that the approach that we take to progressing this motion is not a Commission that will report back here in two years but a Commission that will set the direction, will set the priorities, and that the affiliates will be prepared to act to give effect to some of the outlines of the recruitment programmes that we need to put in place and that we will do that over the course of the next two years. If we end up here in two years time talking about this as we have for the last three Conferences, we will do a great disservice to the members we currently represent and those that we are seeking to represent in the future. And it is a damning indictment I have to say that we are now talking about this to a hall that is 40 per cent full, and this to me, and has been for the last three Conferences, the biggest single priority and challenge that we face. And we have to get to a point, and I say this on behalf of a reasonably sized trade union, there are too many of us competing against each other and this Commission has to get us to recognise that it is not just about recruitment and organising, but recognising that the way we are structured at the moment will not do the job. Young people, this current generation, cannot relate to us in the form that we currently organise and present ourselves to the public. I urge support and action to progress this motion. Thank you very much.

**Patricia McKeown, UNISON & President of Congress**

Thank you Peter. Are there any speakers on the motion? As I said to you earlier today in respect of the motion on young people which has been ruled out of order, that the Executive Council wished to make a statement, so I am introducing Patricia King, Vice President in order to make that statement on our behalf.

### **Patricia King, SIPTU & Congress Vice President**

Thank you President. Delegates, you will be aware that the Youth Committee has for some time sought observer status on the Executive Council and a motion on that subject was ruled out of order by the Standing Orders Committee. Therefore, that particular issue will not be debated at the Conference. The Executive Council of Congress wants to assure Conference of their full support for the work of the Youth Committee and in the context of this motion I want to stress the absolute importance of all the affiliates of Congress, none more than promoting those promoting the involvement of youth in the wider trade union movement. The Commission envisaged provides, we believe, an ideal opportunity to examine in a strategic manner how best this can be achieved and the Executive Council is absolutely committed to giving the Youth Committee a voice directly on the Commission. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Patricia. I now move to put Motion 19 to the vote. Those in favour, against, abstentions? That is overwhelmingly carried. I think Conference we have room for one more motion so I am calling on the Communication Workers' Union, UK, to move Motion 20.

### **Lawrence Huston, CWU UK**

Conference, Lawrence Huston from the Communications Workers' Union, UK to move Motion 20 on behalf of my union. Conference, this motion originated from our Black & Ethnic Minorities members who had their annual conference in Belfast this year for the first time and a very successful event it turned out to be for the CWU UK and indeed for the trade union movement in Northern Ireland. The Irish Congress of Trade Unions, like its sister Congresses in Britain, has a vision of a society free from all forms of discrimination and where human rights are guaranteed. The TUCs in England, Scotland and Wales have a number of different structures in place to fight discrimination. As well as those structures, the trade union movement works in partnership with employers, Governments and other bodies to try to bring about social change. They believe that they can only achieve equality of outcome and full participation in society if they are all involved. Without the help of the trade union movement, it is arguable whether or not we would have come as far as we have today. We have achieved a great deal on the equality agenda as we have been vociferous in making known our concerns that affect members in society at large. That is something we can be justly proud of. Most of you here today would have heard of the racist attacks in Belfast on a community of Romanians which made headline news throughout the European Community. Those attacks resulted in over 100 Romanians having to leave Northern Ireland with many having no other option but to return to Romania. The attacks which were led by a small group of thugs were so violent that Belfast's Lord Mayor spoke of the stain of shame they brought to the city, a

sentiment I am sure we can all agree with. This is just an example of hate crime in Northern Ireland. Other minority groups have also been targeted in the past even when they have been established as part of the local scene for years, for instance the Chinese community in South Belfast.

Many people see racist attacks and hate crimes as something more insidious than the sectarian disputes that still flare up in certain parts of Northern Ireland, especially at this time of the year. What is sad about all hate inspired attacks is the rate at which they have been increasing. In 2004 it was estimated that there were 453 racist hate crimes in a year in Northern Ireland. Compare that to the last twelve months when this has risen to over a 1,000 representing a 100 per cent increase. Moreover, not only has the crime rate increased but the level of violence has also rocketed. Added to the above crime wave we now have the BNP established in Belfast in a call centre in two locations. A well oiled little fascist support factory smack bang in our face in the middle of Belfast. The BNP and other right wing organisations are seeking to gain respectability and in some parts of the UK are now mainstream and as a result decent citizens in Northern Ireland are being hoodwinked.

You may be wondering what this all has to do with Motion No. 20. My union believes that it has everything to do with the motion because black and ethnic minorities are being targeted and abused at an increasing rate. They need a safe platform to be able to host and voice their concerns. They need to be able to do so without fear and intimidation from organisations such as the BNP and others whose aims are both subversive and racist. Black and ethnic minorities need to know that they have friends within the trade union movement who are prepared to listen, support and give them a voice on the platform. Black workers and ethnic minorities should have a right to articulate and express their views. They must have the right to take part and contribute to society and most of all to be treated as equals.

Conference, a diverse and inclusive society is one that is vibrant and full of life because it brings together all different parts into one. Let us believe in ourselves and move this issue forward. Let us show those racists, fascists and those opposed to equality and inclusiveness, that the trade union movement is still a force to be reckoned with by giving black and ethnic minorities a platform of their own. Give them the voice they need and deserve. Please support Motion No. 20, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Lawrence. Seconder?

### **Pamela Dooley, UNISON**

President, delegates, Pamela Dooley, UNISON seconding Motion 20 and I am going to keep this short because we are running out of time. Our island has changed beyond recognition over the last ten years. We are no longer an island made up of white people. The diversity in our population is welcomed and it is welcomed from all countries. We now need to make the space and give the opportunity for a voice to our many black and minority ethnic members and their communities. In my own union, our black and ethnic minority members are represented and participate fully in all our structures and work closely with other structures to ensure that race equality is kept at the heart of all our activities. It is essential that the Congress ensure that black and ethnic minorities are given equal opportunities with other disadvantaged groups to influence our Congress policy. I support.

### **Patricia McKeown, UNISON & President of Congress**

Thanks Pamela. Any further speakers? Executive Council speaker.

### **Seamus Dooley, NUJ & Executive Council**

President, delegates, Seamus Dooley, seeking remission on behalf of the Executive Council. May I say at the outset that the Executive Council warmly welcomes this motion as it highlights one of the shortcomings within our movement which we must address and which we must address urgently, and if you don't believe that last statement then look at this hall. This hall is completely unrepresentative of black and ethnic minorities within the workforce. Black workers are an integral part of the workforce. They are visible in our shops, in our restaurants, in our bars. They are visible in media organisations, not as journalists but in the low paid jobs – the cleaners, the security guards but yet while they are visible, they are invisible in our movement. It is a sad reality that we have failed with some notable exceptions to embrace ethnic minorities to provide the space that the proposer of this motion has spoken of. Why then is the Executive Council moving remission? In moving remission I would point out that I represent in the NUJ, a union which has a proud record of being attacked by the BNP, who's General Secretary and officials have actually been targeted, whose offices have been picketed by the BNP. Daily we struggle with their activities and we share in the concerns of communication workers in relation to the rise of the BNP both in the UK and in the Republic. We need to recruit and work with black workers, North and South. We need to build alliances with civic society and to work with all ethnic communities. We do not, however, accept as a Council that the structures proposed by the motion in itself are the most efficient way of doing this. We seek remission because we do not accept that the holding of a conference at this time would be the most effective or efficient means of addressing something which we must address and which we must address as a

priority. I am well aware that often remission is seen as a means of banishing to the limbo of forgotten things in Parnell Square, motions which are inconvenient, which are awkward, which are well intentioned but which are too difficult to handle – ask the Youth Committee. But on this occasion I give an absolute assurance that the Executive Committee is fully committed to the principles underlining this motion and if this motion is remitted that it will be implemented in a strategic manner not in the first instance by a conference but by involving black and ethnic minorities in a strategic approach which will change the landscape of this union and in particular the structures of this union which has rightly been identified as male, stale, middle-aged and white. With that I propose remission.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Seamus. Remission has been moved. Is there a seconder for remission? Thank you, formally seconded. Does CWU UK accept remission? Do you want to speak on it or are you happy to accept? Thank you very much indeed Lawrence. The union is accepting the proposal on remission and I put that proposal to the vote. Those in favour of remission please show, against, abstentions. Thank you very much for that Lawrence.

We have time for one last motion. He is looking at me with big doe eyes. I have to let him up here so Fermanagh Trades Council, you are on.

### **John Martin, Fermanagh Trades Council**

Many thanks President from the boys and girls from Enniskillen for allowing this last motion. Chair, Conference John Martin to move Motion 21 standing in the name of Fermanagh Trades Council. It is sad that fourteen years after Motion 63 was passed at the Biennial Delegate Conference of ICTU in 1995, I stand before you to move this motion. The fine words contained in the document Retired Workers and Congress and the original motion have never been implemented. And very little has been changed in the treatment of retired workers by both the constituent trade unions and by Congress itself. Retired members should be seen as an asset to the trade union movement. A member does not cease to be a trade unionist on the day that he/she walks through the factory gates or the office door for the last time. They still have a valuable contribution to make and a lifetime of experience to offer. A retired members' section should be a central part of each union and should play a full part in the structure and organisation of that union. Please take a small step to make this happen. Remember, that their today is your tomorrow and support this motion. Conference I move.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much. Is there a seconder for the motion, formally? Thank you. Any speakers to the motion? Why did I not think there would be? I now put the

motion to the vote. Those in favour please show, those against, abstentions. That is carried. Well done Fermanagh.

I am just about to make a few more announcements if you would bear with me for a moment. You are going to like this one. We have a propensity for the old Lambeg and the Bodhrán. So in response to that Irish Aid is hosting free African Drumming workshops on Thursday and Friday in Boardroom 2. The workshops are twenty-five minutes in length and you can register at the Irish Aid stand in the foyer.

TM Rowland Jewellery in the Spa Foyer is offering its customers entry into a draw for a watch and a €500 photography voucher donated by Redmonds of Roscrea. You need to go there and make a purchase to enter.

Two very important announcements – at 9pm tonight in the Grand Hotel, Denny Street, Trade Union Friends of Palestine is having a medical aid for Gaza fundraiser and all unions are asked to submit teams of four for the quiz. If you haven't done so please do so fairly quickly but make sure that you get yourselves around there at 9pm.

We are also at this Conference having a delegates' only raffle of a special signed and framed edition of that iconic Gaza print by the artist, Robert Ballagh and those funds are being raised for the Bethlehem Maternity Hospital in Jerusalem with which Congress has a special relationship and the tickets are being sold for €10 or £10, I don't know what I think about that as an exchange rate, but I recommend that you buy them and the tickets are on sale I think from UNITE and other union delegations.

So, thank you very much for your cooperation on the extension of Standing Orders. Those who are attending the President's Reception – it takes place at 7.30pm in the floor above us and we will see you all bright and fresh tomorrow morning. Thank you delegates.

## Wednesday 8 July Morning Session

### Equality

09.30 – 10.30

#### Patricia McKeown, UNISON & President of Congress

Conference, I would like to call on the Chairperson of Standing Orders to make a report.

#### Michael Sharp, Chairperson of Standing Orders

Good morning Conference. Michael Sharp, Chairperson of the Standing Orders Committee giving Standing Orders Committee Report No. 4 which is a verbal report. We are in a position delegates where a number of motions fell off the agenda yesterday. There are eight motions that we have not taken at all and one motion, Motion 12, where the debate was interrupted and the President has given a commitment that that debate will continue. So, in all there are nine motions from yesterday. Now we don't feel that there is going to be a lot of possibility of making progress on any of those this morning so the strong likelihood, we feel, is that they will go to tomorrow and I will explain in a few moments what is going to happen tomorrow. But as regards to this morning's business, we want to try to make sure that everything that is tabled for this morning is actually taken this morning. Now the possibility obviously is, as you will see there are seven motions and an emergency motion and two speakers, all to be taken before 10.30am when Martin McGuinness is timetabled. In fact, effectively the guest speaker from the Congress Disability Committee will be taken at 10.15am so we think that it is unlikely that all the business that is scheduled between now and 10.15am will actually be taken, so what we recommending is that after when Martin McGuinness has spoken and then the motions on the Northern Ireland debate – 33, 34, 35 - when those are taken it appears to us that there could be some time available then and what we are recommending is that we then return to wherever we had got to on the Equality motions and try to finish all of those. Between then and 12.45pm we have a slight, sort of another change which has been brought to us. Martin Mansfield from the Welch TUC who was scheduled to speak tomorrow has advised us that unfortunately he is not able to attend. The reason he is not able to attend is apparently his children have come down with Swine Flu and he is doing us the favour of not carrying the virus with him and infecting all of the trade union movement in Ireland, so we would obviously thank him for that and we would wish his children a speedy and full recovery from their ailments. But, in fact it is helpful because Grahame Smith from the Scottish TUC who is here but has offered and is prepared to transfer to tomorrow, so in fact Sheila Bearcroft from



the TUC will now be taken at 12.45pm rather than 12.30pm. So, we reckon that there will be some time available after Motion 35 and before 12.45pm to be able to conclude whatever is not taken in the Equality Debate before Martin McGuinness arrives. So, is everybody clear on that?

Now, in relation to tomorrow, as I said there are another nine motions that fell off yesterday that we think we will have to slot in as best we can tomorrow. We are recommending that Conference starts at 9am rather than 9.30am and that everything is moved forward half an hour. So therefore where things are tabled for 9.30 in the morning they will now start at 9am, right up to the fraternal address which, as I said, will now be given by Grahame Smith, STUC not Martin Mansfield, that will now be taken at 11.15am rather than 11.45am, so there will be, we would think, time available either immediately before that or after that before we are timetabled to move to the debate on Partnership at 12 O'clock. Our recommendation is that that time would be used to go back to the debate on Motion 12 and then continue on Motion 13, 14, 15 and see how far we get. Obviously Standing Orders will review the situation again probably at lunchtime tomorrow if not before then.

We would urge speakers to be as succinct and brief as possible. We are very loath to cut speaking times but we may be forced to do so in order to get all the business in but we are not going to propose that at the moment. But, we would ask that everybody stick very rigidly to the time constraints they are given and as far as possible motions are formally seconded and unless there is something very important to say that we try to get to get through the business as fast as we can. Could I also remind any delegates who have not yet collected their voting cards that the facility to do so exist this morning – if you see Liam Berney or Fergus Whelan – but it will not extend beyond this morning. So, if you do not get your voting cards this morning, you will not be able to get voting cards tomorrow and as a result of not getting the voting cards, you will not be able to get ballot papers. So, anybody who has not got their voting cards please do so with Liam or Fergus this morning.

That is everything on Standing Orders Committee Report No. 4 and I move it to you, thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Michael. Is there a seconder for that formally? Thank you. It was a lot to take in. Do you all know what he means? Okay, can we agree that please, can we agree that verbal Standing Orders Report No. 5, I think it was? Thank you.

Ok, let's move straight into business. We are now at the Equality Section of the agenda. That is Section 2 in your main EC Report – Society and Chapter 2,

Flexible Working & Equal Treatment. I am calling on Sally Anne Kinahan to introduce the debate.

**Sally Anne Kinahan, Assistant General Secretary**

Thank you President, delegates. Perhaps if I could just start off by acknowledging the presence in the hall of some invited guests who are observers from various organisations with an interest in Equality, and I would particularly like to extend a very warm welcome to Renee Dempsey the new Chief Executive of the Equality Authority in the Republic of Ireland. Colleagues can I also thank you for the motions that you have put in and to the Executive indeed for the motions they have put on the agenda today on the Equality issue. And to acknowledge the priority that this matter, this important area has been given by the President during her term in office.

Colleagues, two years ago we actually themed our Conference around the 'European Year of Equal Opportunities for All'. And we heard about the progress that is being made in combating discrimination, adjusting for diversity and in promoting equality in Ireland in recent years. Since then there have been dramatic changes. They have been attributed to the fiscal difficulties that we have been experiencing and that you heard so much about yesterday. However, colleagues, I would put it to you that the abolition of organisations such as the Consultative Committee on Racism and Interculturalism and the spectacular reduction in the funding of the Equality Authority could only be seen as measures to emasculate the voice, the champions of equality in Irish society. This move did not start in 2008, in fact it was already underway because there had been efforts to reduce the influence of the Equality Authority by moves, for example, to bilocate it to the middle of the country and those steps had been resisted by its board. In fact all of these actions led to the resignation of the then Chief Executive Officer, Niall Crowley, who was a very prominent guest at our last BDC, but it also led to the resignation of the trade union representatives on the Equality Authority - my colleague, David Joyce and Louise O'Donnell from the IMPACT trade union. Colleagues, it is clear to us that these efforts were, they are in fact, an attempt to curtail and roll back the advances made for those who are most vulnerable or exposed to inequality in the country. At the time these cuts were happening, were taking place, the Equality Tribunal was reporting a record number of new claims; cases of racial discrimination had increased by over 100 per cent. Employment equality claims had increased by 44 per cent and there was a significant body of work relating to disability, age and gender. Further evidence, colleagues, if needed on the extent of discrimination that people are experiencing in our society is available in the very good report that was produced by the ESRI and the Equality Authority last year on the experiences of discrimination in Ireland. But, also we know from what has been happening with the persistent gender pay gap and the fact that we lag behind every other country in Europe, the original EU 15 when it comes down to leaves, when it comes down to issues like paternity leave, paternal leave. And you know

colleagues the challenge that we face when we look at that. In fact I don't need to tell anyone in this room about the challenges that we face on this Equality agenda because you encounter it on an everyday basis in the jobs that you do, whether you are activists in the workplace or officials working for union organisations. But, neither do I need to remind you colleagues that the very principles we stand for are under attack because fundamentally the free market model, the neo-liberal model requires an element of inequality to survive. It is adverse to rights, to regulation and to protection and it thrives on flexibility particularly flexibility on labour. Its badge of success is the creation of wealth for the very few and that fact is that the vast majority of our citizens and our workers have been left behind in the recent boom because of that model but we also know that the most effective way to combat it is the organisation of workers into unions and to have behind them the infrastructure that would protect the rights of citizens and of workers. It is quiet clear that equality must be part of any plan for recovery for our country and the Government's approach so far has been misguided and it is wrong. Colleagues, the report that you have in front of you outlines the work that has been done to date and I want to acknowledge the work of colleagues who have been involved in it, but the pursuit of equality needs to be further embedded in our work and we must not give up the struggle because we know that in countries where there is a high union density such as in the Nordic countries that we aspire towards, that there are less people experiencing low pay and there is greater equality. Colleagues, I am opening up the debate now and I call on you to redouble your efforts to make this a priority in your union's organisation. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Sally Anne. We move now to Motion 26 in the name of the Executive Council 'Equality'. I call on Clare Treacy to move.

### **Clare Tracey, INO & Executive Council**

Thank you President. Good morning delegates. My name is Clare Treacy from the Irish Nurses Organisation and joint chair of the Women's Committee, and behalf of the Executive Council I would like to introduce Motion 26 on the subject of Equality. As Sally Anne has already stated, all has changed utterly since Bundoran 2007 where we met under the banner of 'Equality for All'. Cutbacks, subsequent resignations, abolition of important bodies and a general sense that equality is only for the good times, has been the flavour of the past nine months. The need for a strong trade union movement that promotes equality for all is all the more important; therefore, this motion seeks to rally all of us to rise to this challenge. As the motion states, the Government sought to use the cover of the recession to row back on hard won rights including disproportionate cuts to our equality infrastructure and reneging on our national care strategy. This despite the evidence to show that there is a strong relationship between equality and productivity. Motion 45 on Thursday will deal with the National Carers' Strategy

so I'm not dealing with it here today, other than to say that we condemn the Government for the scandalous decision to abandon the National Carers' Strategy as agreed in *Towards 2016*.

Economising on rights infrastructure is a false economy. It is becoming more widely recognised now that there is a strong link between equality and the health and wellbeing of a society. The recent book *Spirit Level*, I am sure many people have read it, by Richard Wilkinson and Kate Pickett, highlights where in countries where there is big gap between the rich and the poor, mental illness, drug and alcohol abuse, teenage pregnancies and obesity are more common. The homicide rate is higher, life expectancy is shorter and children's education and performance are worse. What Wilkinson and Pickett are saying is that it is not only the poor that suffer when a society is unequal but the majority of the population suffer. Societies with large income inequalities become socially dysfunctional. In essence they have made the business argument for equality by proving that everyone and not just the poor in our society benefit from a more equal society. This certainly questions the wisdom of recent policy in the Republic to dismantle the equality and human rights infrastructure by slashing the budgets of the Equality Authority and Human Rights Commission and dismantling organisations such as Combat Poverty, the Committee of National Planning of Action Against Racism and the Women's Health Council – they have all simply disappeared.

This financial and economic crisis offers an opportunity for taking measures to correct the market and provide solutions for women's employment to address the gender pay gap and to promote women's participation in decision making.

The issue of violence against women is one that is also affected by recessionary times. Women's Aid, North and South, have reported that there has been an increase in the number of women seeking help through their helpline and services in response to a growth of violence against women in the home. While violence against women existed in the boom years, it is clear that the recession brings greater risks to women in the home. Women's Aid reported an estimated 213,000 women throughout Ireland for whom home was the place they experienced injury, severe abuse, fear and terror. Governments both North and South are reneging on our international human rights obligations on gender-based violence by not implementing the Convention for the Elimination of Discrimination Against Women. Violence in the home is a trade union issue and we must lobby the Government to, at a minimum, immediately adhere to our international obligations. The Women's Committee recognises that the workplace can play a key role in raising awareness about domestic violence.

Finally, I want to say a brief word about our own structures. Ensuring that our own structures genuinely reflect the diversity of our membership is not only the right thing for us to do as a movement but also sometimes that can unleash a wave of creativity and ideas that can greatly benefit our trade unions. Initial

results from our equality audit finds that women are only 15 per cent of General Secretaries and Regional Secretaries, only 22 per cent of Deputy General Secretaries and 33 per cent of trade union officials. In contrast, women make up 85 per cent of those providing administrative support to trade unions across the country. These figures show that we have our own challenges in the representation of women in trade unions. So, colleagues, I urge you to support this motion not only by raising your voting cards but by going back to your own trade unions and workplaces and working to ensure that these aims become reality. Delegates I move the Motion 26, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Clare. Secunder.

**Taryn Trainor, UNITE**

Delegates, President, Taryn Trainor, UNITE and Chair of the NIC ICTU Women's Committee seconding Motion 26 on Equality. I would like to focus on the domestic violence element of this motion but before I come to that I would just like to highlight how this recession is adversely impacting on our women members here in the Republic. There is now a trend with companies trying to eliminate some part-time positions in favour of having one full time employee do the work of two part-time employees. Women are also seen as the chief redundancy option because of the break in their service due to their family commitments and the jobs can be done either by contracting out or incorporating them into other functions. One of the major issues is how do you continue to afford to pay for a full time child care place when your working week has been reduced to three days? And when our members are being faced with redundancy it is taking up to three months before they receive any social welfare. This is clearly unacceptable.

Our Women's Committee is very concerned that violence against women is increasing and we are committed to making it a campaign priority. We are making it a campaign priority because domestic violence impacts greatly on a woman's working life. Many abused women suffer physical injuries, sleep deprivation, low moral, poor self esteem and heightened anxiety levels, all of which draw attention to their performance and can lead to discipline because of sickness and absence. Many women experiencing domestic violence are also forced to leave their employment by their abusive partners. The trade union movement is not going to resolve domestic violence but we can ensure that women experiencing it have a safe and supportive work environment. This can be done by encouraging employers to implement domestic abuse policies which support victims and signpost them to outside professional bodies for help. It is a welfare issue and they should be afforded the same support which alcoholics can avail of within the workplace. Health Minister, Michael McGimpsey has recognised this as a serious problem and has introduced the 'Tackling Violence

at Home' strategy. The Belfast Derry Domestic Violence Partnership is an advisory working group which is part of this strategy and our committee has representation on all four of its steering groups. Michael McGimpsey also recently stated in Northern Ireland domestic violence has reached disturbing levels with statistics showing that 11,000 children here are living with domestic violence on a daily basis. Every year six people, mostly women, are killed and over 700 families have to be re-housed as a result of violence in the home. The cost to society is a staggering 180 million but the cost to families and children is much greater. Just while we are on the subject of cost, why should any working women have to incur a cost to protect themselves from continuing violence because they can't afford a 'Non Molestation Order'. This surely contravenes their human rights especially when the perpetrator can avail of legal aid because he/she has been accused of a criminal offence and the victim cannot. Victims should not have to pursue 'Non Molestation Orders' to protect themselves. This sort of bureaucracy is expensive and it is time they were scrapped, so our Committee will be urging MLA to liaise with the PSNI to devise an alternative form of protection which doesn't incur a financial cost. Support Motion 26, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Taryn. Speakers to Motion 26.

**Pamela Dooley, UNISION**

President, delegates, Pamela Dooley, UNISION and member of the Congress Women's Committee, Northern Ireland, speaking in support of Motion 26. We are supporting the motion despite the fact that it lacks ambition. If we were to capture every resolution passed at Congress Conferences over the past 25 years, we would discover a comprehensive set of policies agreed by this movement but not yet put in place. As the motion acknowledges, there has been some progress, but truth be told that progress has been secured in the main because the Irish and British Governments had little choice but to comply with the flow of equality rights established through European Court decisions. And as well, we all know that Court is turning against workers and will most likely turn against women's rights if we can't halt the destruction of social Europe. Both the British and Irish Governments are signatories to the UN Convention of the Elimination of Discrimination Against Women better known as CEDAW. Both Governments are periodically reviewed by the UN Committee. Both Governments have been found seriously wanting. Sex discrimination has not been eliminated in Ireland, North or South. The equal pay gap is growing. Women still face enormous barriers in work, in society and in the political arena. Working class women face the greatest obstacles to equality of opportunity. It will therefore come as no surprise that I am echoing what the President said in her opening speech. I will put it a bit more bluntly. It is time for us to get our act together again. Women in the movement were more powerful when we

campaigned together for our rights within this movement, in the workplace and in society. At the last Biennial ICTU Women's Conference, a resolution was carried which can restore the agreements which successive Congress Conferences reached on how to prioritise and mainstream women's rights in our union and inside ICTU itself. Little or no action has been taken by the Executive Council since that resolution was carried. That has to change from today because women will bear the brunt of this recession. Equality and human rights has to be at the core not only on what we say but what we do. We have to work together on a North South basis as we once did and make us strong and effective with both Governments. We have to negotiate real equality deals with employers and use the best examples that already exist. For example, the agreements with health and local government employers in the North that establishes employer union networks to try identify and deal with domestic violence being perpetrated against women workers. This is being done and it makes a real difference. I hope this motion will kick-start that work. I for one will be putting my energies into it, so too will my union. I know other affiliates will do likewise. It is time for Congress to take a lead.

**Patricia McKeown, UNISON & President of Congress**

Any other speakers to 26? Thank you.

**Noel Ward, INTO**

President, delegates, Noel Ward, INTO supporting the Executive motion and we support the motion and we can confirm to delegates that not only in the private sector but in the public sector too employers can be lukewarm about equality principles and we want to highlight one particular infrastructural issue about the equality infrastructure that has a major chilling affect in the public sector. It is not surprising I suppose that a Government which, as we heard at length yesterday, fosters and reinforces inequality through its taxation policy, through its income levies, through its tax breaks for the wealth, that it is less than committed to an equality agenda which challenges the Government. And we are right to worry about the undermining of equality and of the equality agenda in times of recession and private sector unions as Clare said in her moving speech this morning, will have to underline the business case for equality. In the public service we have to underline that case as well, the efficiency case for equality but also the case based on justice and equity and that equality is not just an extra for the good times. There is one big legislative logjam to be addressed and maybe a recession is not a bad time to address it. In education and in health many state funded employees work for and are employed by religious run institutions. And those institutions, many of them denominational schools and colleges, are exempted from employment equality law on the basis of supposedly protecting their ethos. Now the nature of that ethos will be examined later in the debate on the Ryan Report, but I leave that aside. But, the vaguely framed exemption from equality law has a pretty chilling effect on many workers in the public service,

especially those whose sexual orientation or those whose marital status may not be in line with denominational teaching. Equal opportunities and rights have to extend to all - to women, to men, to private sector employees, to public sector employees, to religious employments and to secular employments or else they don't live up to their name. Equality for some is not equality, so the exemption for denominational employers is unnecessary, it's inappropriate and it's threatening to the rights of state paid workers. And on the 27 May, there was a little chink of light in relation to this where in the Senead debate on the Ryan Report, Minister for Equality, John Moloney gave, and I quote, "a serious commitment to re-examine the exemption clause". We welcome this but we must work towards delivery of it to delete this superfluous exemption from equality law would be one way to ensure that many public service workers have their entitlement to avail of equality legislation, so we support the call for constructive work on the equality agenda and we seek this as one in both public and private employments. And, in concluding Chair, I just want on behalf of my own union and in other unions pay tribute to the leading work of David and Pauline on behalf of Congress in the equality area. Thank you very much.

**Patricia McKeown, UNISON & President of Congress**

Thank you Noel. No more speakers on 26, any other speakers on 26 please come to the front. I think GMB is already there but would IBOA please come and be ready to move as well?

**Anne Speed, SIPTU**

President and delegates, first of all I just want to congratulate our colleagues, Pauline and David on the excellent new equality website and invite delegates to access it. It has got a lot of interesting information, very useful and I think it is a very big step forward in the work by the Equality Department in Congress so thank you colleagues.

Secondly, I want to pay tribute to the work of an organisation called the Equality Rights Alliance which is an organisation of over 80 different constituencies which came together to protest and champion the cause of those of us who were very disturbed by the cuts to the Equality Authority budget and the disillusion of some of the other organisations affected by that Government decision. It remains to be seen what the capacity of the revamped Equality Authority is, and I note the new CEO of that organisation is here today and we will await developments, but the criticism doesn't go away and the Equality Rights Alliance to which my union SIPTU and ICTU as an organisation are affiliated, will continue to be a champion of advocacy of equality rights and the need for strengthening of an equality rights infrastructure which is a central part of this motion, which is probably one of the most important features of this motion. And, I do want to say at this present point and time that that alliance is seriously considering lodging an official complaint with the EU Commission in a challenge to a decision of the Government in this



state to cut those budgets and dissolve those organisations as undermining a decision which undermined EU equality Directives. So, that is a very serious development and I am sure that those involved in state agencies will take serious note of that today. There is a growing concern about the silencing of descent and I know that there has been some media commentary and some editorials in leading newspapers and that doesn't happen without an underlying awareness of exactly what is happening to voices of descent. So, in conclusion, I want to commend the resolution and I see a very close link between this and Motion 36 which calls for all-island strategies on building a human rights infrastructure and I think there will be a very close correlation between that motion if adopted and this motion, Motion 26. So, delegates, I commend it for your strong support, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Anne. Are you speaking on 26? Ok, come ahead. This is last speaker I am taking on Motion 26 given the size of the agenda here.

**Teresa Walsh, SIPTU**

Good morning brother and sisters, Teresa Walsh from SIPTU. I welcome this motion on the four main points. I won't go over the four main points because of time constraints, but I have to say that unless we get the women on the ground to join the trade union movement, all of the above no matter what progressions we make on them will be negated. Employers will tell us that women are not a driving force in our economy and how do they do this? They do it by ignoring our rights and needs as women workers. Anne Speed spoke earlier, yesterday I believe, about the numbers of women in employment now rising up to about 53 per cent. How many of these members are women on a trade union? What jobs are these women doing and what will they be doing in the future. Some of them will be in hotels, cleaning, shop assistants, carers, child minding. Lots of these women are segregated, they are working alone and they are on minimum wage. Who will become the most vulnerable people in the workplace – women. Women in this economic downturn will be the ones to face the absolute wrath, disdain, disrespect, harassment, bullying and intimidation by employers. Why? Because they can. How can they do this? Because these women are not members of trade unions and they don't have the proper representation, protection and support and I encourage and I actively ask every here to go back to your own trade unions, go back to your branches, to your regions and to ask three questions and tactically work on these questions and that is: How can we encourage women to become trade union members; how serious are we the unions that we want women to join us in the trade union and just what campaigns are we planning? Ask the questions, get the answers, if not do it yourself. Thank you.

## **Patricia McKeown, UNISON & President of Congress**

We now move to Motion 27 and I call on GMB to move the motion on The Pay Gap.

### **Joe Watson, GMB**

Chair, delegates, Joe Watson, GMB moving Motion 27 on The Pay Gap. Conference, our motion is not a complicated one. It is really quite simple. There is one phase in the pay gap between the high earners and low paid workers, many of whom are just above the national minimum wage. Conference, cleaning staff in Belfast City Council where I work earn between £12,000 and £13,000 per year. If we compare that to head of service on about £100,000 per year, then we see that the most common method of pay rises based on generic percentage rates for all employees, it is grossly unfair and unjust. It also has the compounded fact year on year to sudden and widening pay differentials. For example, the number of years local Government authorities have seen generic pay rises of 2.5 per cent. For a cleaner in the Council this meant £299 per week of an increase. For Head of Service it represented £2,500. It couldn't be any fairer could it? In conjunction with this we had spiralling food, heat, energy prices which have severely impacted upon the low paid and their families as a larger percentage rate of their disposable income is eaten up. Yet local Government generic percentage increases are usually the norm. On the odd occasion like last year we saw the lowest paid workers receive an extra £100 per year. While welcomed, it is hardly earth moving. Conference, a book published this year by two British academics, Professor Richard Wilkinson and Kate Pickett entitled *The Spirit Level*, provides enlightening and progressive comment in relation to pay differentials and the impact it has on low paid workers and their families. They state that almost every common, social problem in developed societies reduces life expectancy, drugs, crime, murder rates, obesity, mental illness – the list is endless – as a primary root cause and that root cause is economic inequality. They also point out that every one loses in an unequal society because it is not the absolute levels of poverty that creates the social problems and this is crucial comrades, think about this, but it is the differentials of income between the rich and the poor. It couldn't be any clearer, clear as a bell, differentials between income in the rich and the poor. It is a powerful and compelling piece of work which we as trade union should take on board when we look at wage negotiations and the strategies that we employ. We can make a start at narrowing the pay gap by capping salaries for high earners by advocating the public sector posts should pay no more than say £100,000 a year. The concept of which comprising in today's climate would go down well with the public who are fed up the chosen few jumping on the gravy train. Secondly, we need to ensure that future pay claims are not based solely upon generic percentage increases. I am aware that my colleagues in the MOD trade unions recently negotiated a three year package which included bottom loading and I think that would be worth further inspection.

Conference, another report this year by my own union and the child poverty action group states; one in four low paid jobs are in the public sector. Not only does this highlight poor employment practice across central, local and devolved Government and the supply chains, but it is perverse. The Government is paying low wages to many employees on one hand while topping it up with tax credits on the other. Government can lead by example by ensuring its own pay policies are more progressive which this motion here today, that's the essence of it.

Conference, if Government can bail out the banks to the tune of trillions of pounds, although it failed and corrupt directors got bonuses of up to £21 million, and find billions to prosecute more, they can surely wage a collective and progressive movement must impress upon Government that their members be treated with respect, fairness in pay and equality cannot be ignored. Supporting our motion would represent a starting point.

Conference, I leave you with this thought – during the momentous strike of 1912 in Orange, Massachusetts led by a woman. The slogan they galvanised around was 'we want bread but we want roses too'. Unfortunately, for many of our members that still rings true today. Conference I move the motion.

### **Patricia McKeown, UNISON & President of Congress**

Thank you delegate. Are you seconding the motion? Just before the seconder starts can I say to Conference, the General Secretary and I will just leave the platform for a period to go and receive the Deputy First Minister of Northern Ireland and bring him into the conference hall. The debate will continue.

### **Carol Laverly, GMB**

President, Conference, Carol Laverly, GMB seconding Motion 27. Conference, this motion is about trying to reduce economic inequality amongst the workforce. It is of particular significance to female workers, many whom work part-time in low paid jobs. I work for Belfast City Council. This year the employers' side tabled an offer of 0.5 per cent. If this was to be accepted by the unions it would mean that I would receive an increase of £48 per year after tax or to put it another way, just over a £1 a week. Not really life changing is it? If we were to apply the same rates to Head of Service this would mean a whopping increase of £500 per annum resulting in an ever increasing pay gap which perpetuates economic inequality within the workforce and also between the sexes. This motion also acknowledges that low paid workers should not have to live a life of continual grind by receiving a wage that just keeps their heads above water. We are also discerning about some of the finer things in life not only for ourselves but for our future generations. I and thousands of other workers insist, in fact demand, that nothing short of a liveable wage will do. This is a necessity if we are to have our dignity, self respect and an end to work poverty. The current

method of negotiation means that the pay gap is widening year after year with low paid suffering the most. Surely we as a movement cannot condone or tolerate continued pay inequality but if we remain steadfast, united and focussed in the negotiations to ensure that the low paid are not further marginalised, then we can begin the process of tackling the pay gap in the workplace.

Conference, our motion seeks to protect low paid workers from further exploitation and a life of mere existence. I urge you to support the motion.

**Jack O'Connor, SIPTU and Vice President**

Thank you delegate. Do we have speakers on Motion 27? Anyone offering on Motion 27? Doesn't appear to be so can I call on the IBOA to move Motion 28?

**Margaret Browne, IBOA**

Margaret Browne, IBOA, the Finance Union also ICTU's Women's Committee. Delegates, after the loss of jobs and incomes one of the first casualties of the recession is likely to be compliance with employment standards and at the heart of many of the employment standards established in recent years is the principle of inequality which is being promoted unambiguously by this movement. There is a real danger that many of the gains which were secured from employers and Government may now be eroded as senior managers offer workers the choice between a job on their terms or no job at all. We have all encountered managements which were less than eligible terms or no job at all. We have all encountered managements which were less than enthusiastic about the equality agenda. They adopted a minimalist approach to the cost of compliance instead of recognising the opportunity for mutual gain by transforming the work environment. Some became a little more equality conscious during the height of the economic boom, when a tightening labour market prompted them to attract married women into the labour force. And while of course we took advantage of this situation to secure enhanced equality policies, many of us know that we were not witnessing a Damascus Road conversion by management but simply employers trying to make a virtue out of a necessity. Of course some managements have gone further for equality but these have been the exception rather than the rule and there is now a real danger that the better employers from an equality perspective will feel pressure from their competitors to claw back on work-life balance provisions, while those who never embraced the equality agenda in the first place will use the recession to justify their regressive attitudes. In another time we in the Republic might have expected the state authorities to exert moral pressure at least on backsliding bosses. But the coalition Government in Ireland has given an unambiguous signal to bad employers that a blind eye will be turned by a savage cut in funding for the Equality Authority in last Autumn's budget. These cuts have so undermined the Authority that the Chief Executive, as already been referred to by Sally Anne, Niall Crowley resigned. Also she referred to the fact that the ICTU nominees on the Board of

the Authority also resigned. And, while to their credit the two IBEC nominees did the same, however, IBEC has since replaced them and Niall Crowley has been replaced with a civil servant. And while I mean no disrespect to my colleagues in the AHCPS, I believe that an important factor in the Government's choice of replacement is the belief that the new Chief Executive will be more amenable to Government priorities. In case any doubted the Government's attitude the muzzling of the Equality Authority has been accompanied by the demise of the Combat Poverty Agency which finally closed its doors last week. Also the National Consultative Committee on Racism and Interculturalism was also wiped. The Human Rights Commission was also (*piece missing, tape changeover*)...The Equality Framework under the guise of budgetary necessity contrasts sharply with the approach taken by the British Government and in particular Labour's deputy Harriett Harman who recently launched a new equality initiative which is attempting to push out the boundaries of equality further in certain areas, also reminded employers of their obligation to treat all their employees fairly and warned them against using the recession as an excuse to abandon the principles of equal treatment. Work-life balance issues are also more relevant during recessionary periods because the pressures of family life are rarely more acute. Rowing back on these entitlements for men and women is not merely a matter of inconvenience for those affected. It is also a source of severe disruption and stress with the most profound implication for future generations. It is opportunistic, unjust and short sighted in the extreme. Economic recovery cannot be built around policies of slash and burn. It will take hard work, skill and commitment to restore the health of the economy. Any measure which prevents workers from delivering these vital elements is therefore ultimately self-defeating. Delegates, I move the motion.

**Jack O'Connor, SIPTU and Vice President**

Thank you delegate. Do we have a seconder?

**Carol Scheffer, Communication Workers' Union (Irl)**

Carol Scheffer, Communication Workers' Union and ICTU Women's Committee seconding Motion 28 on Equality. The trade union movement has long campaigned for equality and diversity strategies to be adapted into workplaces. These have ranged from flexible working to diversity awareness issues and many other measures that have had a real impact on working lives. Crucial research had been presented prior to the current pressurised economic climate that clearly stated the business case for organisations to be equality and diversity compliant. Moreover, these findings are every bit as valid today as they were during the boom era. So when equality and diversity is dismissed as the placing of the wealthy or something that acts as a sweetener in employment the evidence shows that the business case for equality and diversity makes positive sense towards economic recovery and we must continue to make the business case in our members' workplaces. The current economic climate has been used by

some as a 'get out of jail' free card to avoid the equality agenda. Indeed, we don't have to look very far to see where that inspiration came from when those at the top made the decision to brutally cut the budget of the Equality Authority and to do away with the National Consultative Committee on Racism and Interculturalism. You may well ask what is to be cut next with the equality agenda in this country now standing on a knife edge. What is needed is stewardship and forward thinking so as to bring the equality agenda back to where it should be and the trade union movement will take up that role. As trade unionists we know that equality is not a luxury but a necessity in order to protect the conditions of the most vulnerable in society. We must also ensure that the recession does not serve to widen the gender pay gap or that it does not impact disproportionately on any minority group. Our unions must put out the message that we will not trade off or make concessions on equality when the difficult decisions are being made. We must galvanise our aims and improvements towards working conditions and keep equal opportunities at the helm of our agenda and continue to do so well into the future. Please support the motion. Thank you.

**Jack O'Connor, SIPTU and Vice President of Congress**

Thank you delegate. Speakers?

**Annette Dolan, TUI**

Delegates, Annette Dolan from the Teachers' Union of Ireland and ICTU Women's Committee. Delegates, for our members in the Teachers' Union of Ireland the implications of the moratorium on the filling of promotional posts in second level means that there will be a drastic reduction in the number of promotional posts being filled and that in to the future only vacancies for Principals and Deputy Principals will be filled. For our members in third level, the situation will be even worse where only a third of vacancies will be filled. In a situation where in to the future there will be limited promotional opportunities. Will the already low percentage of women in promotional posts increase or will the tiny percentage of those employed with a disability increase? Delegates, what do you think?

Last week I happened to meet an employer in a social situation from the private sector who openly admitted that all things being equal if she had a choice between a 28 year old male and a 28 year old female that she would give the job to the without hesitation to the male because the female would be more likely to have children, take maternity leave and take parental leave. Delegates in order to ensure that candidates are not discriminated against by employers on any of the nine grounds including gender, age, race or disability, what is required is very effective watchdogs and enforcement mechanism. We have very effective watchdog mechanisms and bodies in the form of the National Consultative Committee on Racism and Interculturalism, the Human Rights Commission and

the Equality Authority whose effectiveness was sapped by the withdrawal of funding. But as for the enforcement mechanisms in the form of the Equality Tribunal the inordinate delays in the hearing of cases, delays of up to two years has rendered it completely ineffective. We call on Congress to campaign that the funding for the Equality watchdog bodies is completely restored and as for the Equality enforcement body, the Equality Tribunal, we call that additional staff are appointed to that body in order that cases are heard quickly. It is necessary delegates in a time of limited promotional opportunities to ensure that posts are filled in an open, transparent and fair manner. The reality for equality for all of us is the monitoring of statistics. That is the barometer of how effective we are as a society and is something that we need to do in all of our unions and through ICTU in the months and years ahead. Thank you delegates.

### **Jack O'Connor, SIPTU and Vice President of Congress**

Thank you Annette. Now I just wish to alert you delegates to the fact that we are just approaching 10.30am and the time allotted. Are there any other speakers offering on Motion No. 28? No speakers offering on Motion 28. What I intend to do now delegates is to put Motions 26, 27 and 28 to the floor and then to move to the debate on Northern Ireland which is scheduled to commence at 10.30am and to invite Peter Bunting to introduce the debate. I am sorry but that appears to be the way it is. I am in the hands of Standing Orders so all those in favour delegates of Motion No. 26 please show, all those against, abstentions. I declare the motion carried. Motion No. 27 – all those in favour of Motion 27 on the Pay Gap in the name of GMB please show, all those against, and abstentions. I declare the motion carried. And on Motion 28 on Equality in the name of the IBOA, all those in favour please show, against, abstentions. I declare Motion No. 28 carried.

And now as it is half past ten, I am moving to the debate on Northern Ireland and I invited Peter Bunting, Assistant General Secretary to introduce the debate, Peter.

## Wednesday 8 July Morning Session

### Northern Ireland

10.30 – 12.30

#### **Peter Bunting, Assistant General Secretary**

Chair of Conference, I am delighted to introduce the Northern Ireland Section of the Conference at a time when we face ahead to the challenges and opportunities of the next few years. When I last addressed this gathering in Bundoran two years ago the global economy and our small part of it was in a completely different place. It seemed solid and impenetrable, driven by an ideology which comforted the comfortable and where the free market was the only ideal left for the furtherance of the human species. Well all that seemed solid has melted into air. We ought to be clear on who caused the mess we are in. The collapse of the banking system was caused by the criminal irresponsibility and greed of those at the very top of the banking sector and by a generation of politicians who facilitated their unregulated avarice. And it was also promoted by the corporate media hacks. Remember how they were telling us all to buy, buy, buy? Remember their solution to all public sector problems – downsize and privatise? What do these discredited hacks say now? Well it is apparently all the fault of the public sector and if we cut enough we can return to the good old days. As the other Marx - Groucho once said “The good old days are good because they are gone”. We must prepare for the fight back against those who planned to slash public services in order to preserve a banking system we have brought at a hugely inflated price and whose bosses still behave like selfish brats. Last week the CEO of one of those banks we own announced that he deserved a bonus of ten million pounds.

Contrast that selfishness with human generosity of spirit that is led by the Visteon plant in Belfast. The workers in Visteon were models of efficiency and innovation. They developed technology which made cars safer and contributed to the wealth of that corporation. What thanks did they get? Their technological innovations are now being made in South Africa, their pensions are in cold storage and their futures shattered by corporate greed. Their bosses have fled with their pensions intact, their questionable reputations protected and their share options guaranteed. This was an act of corporate mugging. This is the worst sort of anti-social behaviour. And still when the Visteon workers and their comrades from the trade union movement took to the streets to demand justice they displayed a sense of solidarity and humanity which shamed their employers into at least improving their terms of redundancy, although their battle for their pension entitlements still goes on. The Visteon were and remain an inspiration. The loss of their jobs and other mass layoffs from FG Wilson, Nortel, Shortts, Seagate and other manufacturing plants prompted the Minister for Enterprise,



Trade & Investment to agree to Congress's proposal for a manufacturing sub-group where all interested parties would identify difficulties and opportunities for that economic sector. Without manufacturing at its heart, the timid private sector will never fully develop.

But while the recession grinds on, Congress is pushing hard for the creation of a Workers' Protection Fund similar to the Pension Protection Fund introduced by Gordon Browne. And that will ensure that those facing redundancy that their moral and financial impediment through a mechanism of being preferential creditors. The structure of labour arbitration is also in urgent need of reform and we have been lobbying for a new system to replace the present structures of industrial tribunals which are too costly and too slow. In short, the industrial tribunal has become a cash cow for the lawyers and an albatross for both workers and employers. Congress has delivered a detailed proposal to the review of this system and our arguments appear to be winning converts to our side of the debate. We are part of a consortium of interests promoting a Green New Deal which in the short term would create 24,000 skilled jobs and make the housing stock of Northern Ireland more energy efficient. We will work with politicians and help them make the right decisions on vital economic issues such support for manufacturing, developing our skills base, upgrading our public transport, improving our relations with Europe and restarting a meaningful bilateral forum between the offices of the First Minister and Deputy First Minister and the trade union movement.

We are in talks with Government over the future of public transport making the case for a system which is responsive, sustainable, efficient and popular. We know we can achieve these because we can look back on our recent successes such as taking principal risks on the issue of water charges. In the face of opposition for most civil society and every political party in the Assembly, we advocated a campaign of mass non-payment which attracted huge public support forcing a major u-turn from the parties which make up the Northern Ireland Executive. We continue to make principal stands on vital domestic issues such as the Bill of Rights, the representation and integration of ethnic minorities, Academic Elections, which is the 11+ and the ongoing scandal and waste of the private finance initiatives. A Bill of Rights which is inclusive of economic and social rights as a basic entitlement for all workers and is a long overdue peace dividend for the people and communities who suffered more than most during the conflict. The growth of new communities and migrant workers and their families has been a great opportunity for our movement and the establishment of the Congress Migrant Workers' Unit has been a hugely significant initiative. The union does more than give information to migrant workers. It offers representation, promotes the entire trade union movement and offers vital lessons about the depths to which unscrupulous employers are willing to stoop. The most dramatic case involved the treatment of Pilipino fishermen working semi-legally under transit visas and treated like those lost generations of Irish children incarcerated in industrial schools. We used the Freedom of Information

legislation to find out and exposed the fact that two thirds of businesses inspected by Her Majesty's Revenue & Customs were paying their workers below the minimum wage.

The children of Northern Ireland deserve justice also. The present system separates them by creed on the first day of primary school and largely by class on the first day of secondary education. We have taken on powerful class interests and most of the Belfast media over academic selection. Shamefully our political class have allowed it, in fact encouraged the debate to become sectarianised. The present situation is unfair, inefficient and intolerable. The impasse is a disgrace to our democracy and the Northern Ireland Executive. This is more unfinished business.

We are developing our network of union learning in the workplace and colleges. We have recently signed a Memorandum of Understanding with the Sectors Skills Councils to accompany our Memorandum of Understanding with the Open University. A skilled workforce is more than a better paid workforce. We need to invest in all skills, in the capital of literacy, numeracy and empathy through the networks we have. The Union Learning Representatives trademark the ICTU Migrant Workers' Unit, the Belfast Unemployed Resource Centre, Global Solidarity activists, Disability Champions right across all work places. Equality training is vital for workplaces and broader society. It helps harmonise and humanise those perceived as belonging to the others.

Justice for migrant workers is also intimately connected with justice for working people abroad. When missiles and tanks were let loose in Gaza we took the lead in constructive opposition to the ongoing atrocities. Thousands attended the 'Ceasefire Now' rally in Belfast last February, including significant numbers of our Islamic citizens making their political presence noted for the first time on the streets of Belfast. I had the privilege of speaking with Muslims in two main Belfast mosques on the day before the rally and I am glad to note that many members of that community have since publically supported other causes to which we espouse.

When we see wrongs committed in the name of prejudice and discrimination we challenge and strive to right those wrongs. We do so because we understand that for any society to respect the principals of equality and solidarity it must have justice. Consistency counts. There is no moral difference in our support for newspaper sellers from Romania, from our support for the workers of Visteon or the unfairly sacked traffic attendants of Belfast. Leadership has been shown by what First Minister, Peter Robinson called 'the political class', especially in the aftermath of an attempt to dislodge the democratic progress by micro-groups who have no right to describe themselves as either dissident nor Republican. We showed the leadership for a civil society which was reeling in the shock after the murders at Massereene and Craigavon and thousands responded with a show of strength at Belfast City Hall. Civic virtues were on display that day, not

guns. Thousands of working people across Northern Ireland joined us in massive trade union and Trades Council rallies in Belfast, Derry and Newry and in other villages and towns inspired by our example. In turn we were supported with a flood of emails, phone calls and letters from our sisters and brothers across the trade union movement literally from Galway to Gaza. We all have a job of work to do. We need to fix the gaps in social housing to repair the social infrastructure which marginalises and alienates those who feel disenfranchised, and then leads them to support anti-democratic elements whose solutions are based on hatred.

There is work to be planned for a vibrant and sustainable economy after the downturn. An economy that rewards skilled workers and innovative industry – an economy that cherishes people like those who worked in Visteon and Seagate and Bombardier, and does not see them as collateral damage in the rush to reward shareholders. We also need a trade union movement whose members and activists possess the skills for operating in a plural democracy and who instinctively grasp the necessity of empathy and evidence so all workplaces are secure spaces for all who work in them. A political relevant trade union movement is one that promotes the understanding of the system we have and harvesting the skill of the mind necessary to fix and make fair that system one room at a time. I commend this section of the report to you.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much Peter. Now delegates, at this time I am pleased on your behalf to welcome back to our Biennial Conference, the joint leader of Government in Northern Ireland, Martin McGuinness, Deputy First Minister.

## **Guest Speaker**

### **Martin McGuinness, Deputy First Minister of Northern Ireland, MP, MLA**

Good morning Ladies and Gentlemen.

I am delighted to join you here at your Biennial Delegate Conference in the beautiful surroundings of Tralee in the beautiful county of Kerry.

It seems hard to believe that it is two years, virtually to the day, since I last addressed your delegate conference.

On that occasion we were gathered in the equally beautiful county of Donegal on the North Coast and I know that the Derry delegates here are centre stage at the Congress which is most appropriate. I don't know how many Monaghan delegates are here – could they put their hands up. Just tell Dick Clarkon to go easy on us on Saturday in Clones.

At the time of Bundoran we were just a few short weeks into the fledgling new institutions and the new partnership between our various cultures and traditions but since then what I have previously described as the fragile flower that was planted has indeed continued to grow and I think taken ever firmer root. On my way down here yesterday I met with George Mitchell at Queens University. I wasn't able to go to his event last night because of this very important event in Tralee today, but it was very interesting to talk to him about situation in the Middle East and the huge responsibilities that he has now at the behest of President Obama to contribute to what is one of the most difficult conflicts on the planet, and also tremendous to reminisce with him on our own experiences and some of the more humorous aspects of our negotiating process. We were talking about the time whenever he brought us all to Regent Park in London to the residence of the United States Ambassador and it was for a three day period of intensive negotiations, but at one stage of the proceedings he decided he would have a dinner late in the evening and that all discussion about politics or peace processes would be banned and people should only talk about their likes and dislikes and in my case fly-fishing, and our families and so forth. I reminded him about the conversation I had with David Trimble. George was sitting in the centre, David Trimble was to his left hand side and I was to his right hand side. I had never really had a conversation with David Trimble about anything other than politics and I leaned round him and said 'David, what do you like to do'? He says 'well I love the opera'. A few weeks prior to that I had been given a CD of Andrea Bocelli and I said to him, 'what do you think of Andrea Bocelli'? He said 'Ah, he is only third division'. And of course I knew very little about opera and I didn't know if he was first, second or third division. But I was sitting in my house about

a month later and there was a concert on the TV late at night and this woman came on and she was doing the introductions and she said that the person that I am now going to introduce to you has been described by Luciano Pavarotti as the greatest tenor in the world today and who was it but Andrea Bocelli. So that was how much David Trimble knew about the opera.

Of course since George has been with us there have been many, many challenges which have taken many, and indeed varied forms, and there are those who have attacked the institutions and the whole concept of people working in partnership. Some of these people are within the political process and you are all well aware of who they are. These are people dedicated to the destruction of the Good Friday institutions and of course there are also those who have sought to return to conflict who are absolutely dedicated to plunging us back into the misery of the past with their attacks on soldiers in Antrim, the killing of Stephen Carroll in Craigavon, and of course the killing of Kevin McDaid in Coleraine. And there are those who have propagated sectarianism, racism and hate crimes, but be in no doubt whatsoever these wreckers behind these attacks will fail. They will fail because the vast majority of our people are in favour of joint working, in favour of partnership, in favour of building a prosperous and inclusive society for the benefit of all. And if you were to examine the outcome of the European election results from the North and compare that to the referendum on the Good Friday Agreement in 1998, where whenever that referendum was put to the people of the North and indeed all of the island of Ireland, around 71 per cent voted for the Good Friday Agreement and 29 per cent voted against. If you examine the voting figures in the European Election you have a situation where 86 per cent of those people who voted, voted for parties who are in the institutions and who say they are committed to making the institutions work and less than 14 per cent voted for a party that is dedicated to the destruction of those institutions and against power-sharing and I think that represents a real indication that people in the North are continuing to move forward to agree that working together is far, far better than staying apart.

And I want also to acknowledge and thank the trade union movement for the positive role that you have played in standing up against sectarianism, racism and hate crime and against those who would wish to return us to conflict.

We have also found ourselves subject to a hugely difficult and immensely more challenging economic environment than we faced two years ago. Two years ago you could not have imagined that when you came together again so many of your members would have lost their jobs. And I too want to pay tribute to the Visteon workers who stood up for themselves and for working people in the North and received huge support, rightly so, from the community. I think they are deserving of our praise for the contribution that they made to workers' rights.

The severity with which the global economic downturn has hit us I think exemplifies the risks faced by our small open economies. It teaches us that our economy needs to be based on solid foundations.

I could quote from a virtually endless list of predictions and projections which provide the cold facts and figures of falling economic output and contracting world economies but we are all familiar with them.

I am more concerned about the effects that this downturn has inflicted on the lives of ordinary people throughout the island of Ireland. Effects which you as trade unionists, and myself as a political representative, are all too painfully aware. The recession cannot, and must not, be used as an excuse to drive down terms and conditions of employment for ordinary workers. Ordinary workers cannot be asked to pay the heaviest price for a crisis that is clearly not of their making.

It is their lives and futures and indeed that of their children and grandchildren that we must focus on improving. And while we work to address the employment and banking crisis we must ensure that the most vulnerable in our society continue to be protected.

The fragile nature of our economy reinforces and validates the decision of our Executive at Stormont to make the economy the top priority of the Programme for Government.

The Executive agreed a package of measures in December which were designed to protect people from the worst effects of the recession. The package included energy and fuel poverty measures, such as, maintaining investment in energy efficiency in domestic houses and providing £15 million to help those most vulnerable to fuel poverty. More than 100,000 households on pension credit and income support received £150. Yesterday's budget announcement of £20 million to the housing maintenance budget was a conscious decision by the Executive to support and identify needs in housing and to support the construction industry and as a result of that decision around 800 jobs have been secured.

I am clear that the initiatives I have outlined taken by the Executive are reactive or rather defensive. They are designed to target resources to those most affected by the current recession. Those living in poverty, our families and older people living on benefits and small business and construction industry.

Let's be clear. The underlying assumptions about growth and managing the economy North and South, have failed. We are not facing a natural disaster. Our economy has not been brought to its knees by a force of nature. This economic disaster has been global and man-made. And our small island, our families and communities, are bearing the brunt of that.

We need to look at how we get out of this recession. We need additional new measures, measures which are proactive.

Our aim is to redress poverty and disadvantage and build a fairer and more equal society and to build an economy which is characterised by high productivity and a highly skilled workforce. We must strive to be the best educated workforce in Europe even when faced with the current financial constraints. This is the vision of sustainable economic growth.

The challenges we face in relation to the economy affect us all and it will require a united front to overcome them.

Our work can only be successful if we work in partnership.

- Partnership at a political level.
- Partnership with you the trade union movement.
- Partnership with business.
- Partnership with the community and voluntary sector.
- Partnership across the length and breadth of Ireland.

That partnership approach is fundamental and I am convinced that if we work together we can emerge from this present crisis more quickly and stronger.

Last week in Belfast myself and Peter Robinson chaired the second meeting of the Cross Sectoral Advisory Forum which we set up to draw together representatives of groupings across all sectors of society and at this point I would like to say a particular word of thanks to your own Assistant General Secretary, Peter Bunting who continues to play a leading role in that forum. The six sub-groups that we established will all be chaired by Government Ministers and I think that is a very real indication of the importance we attach to this development.

Earlier this week I was in Dublin for the latest plenary meeting of the North South Ministerial Council where Ministers from the administrations North and South gathered together to discuss the many matters of mutual interest.

Both those meetings, I think, are examples of the partnership approach and will play a part in helping us turn the corner.

We have seen examples of this already.

At Monday's NSMC meeting in Dublin it was very pleasing to confirm the Irish Government's commitment to the A5 and A8 roads projects to Derry, Donegal and Larne which will see major infrastructure investment being made before the end of this year. Anyone I think also who doubts the interconnected nature of our economy only has to look at the potential effects NAMA and that's why in the

course of that meeting it was important that we tasked the finance ministers, North and South to come together and to come back to us with a report on how that situation could be managed to ensure that we move forward in a less treacherous way as is possible given the difficulties that exist within the property markets.

I am extremely conscious of the contribution that the construction industry makes to the economy of the North and how we in Government can continue to support it. The total output from the construction sector during 2008 was in excess of £3.2bn and it currently employs some 65,000 people, including the self-employed.

With Government and the public sector funding some 40% of the total construction industry turnover, it is estimated that this level of investment supports some 25,000 jobs.

Through the Investment Strategy in the North the Executive has overseen unprecedented levels of investment in roads, hospitals, schools and infrastructure which has seen spending close to £1.7billion, a level more than twice that of just a few years ago.

Accelerated productivity growth is fundamental to increased competitiveness and to long term sustainable economic performance, North and South. However this competitiveness must be based on innovation, creativity and improved work skills and not on creating a low wage economy.

Across the island we need to grasp opportunities to co-operate to our mutual economic benefit. The Comprehensive Study of the All-Island Economy makes this crystal clear. Where the border creates impediments to faster economic growth, where public goods such as infrastructure and public services could be more efficiently provided on a co-ordinated basis then we need to collaborate and work to mutual advantage.

There are steps that we can take working together to achieve a strong competitive and socially inclusive island economy. Island-wide economic clusters is one such example. Progress in key areas has already been made, such as research and development; co-operation in the education and health sectors; skills training; energy, transport and telecommunications; and of course Project Calvin which has now come ashore on the North Coast and which will be up and running in the Autumn of this year, is another example of how technology and telecommunications is helping us to improve our competitiveness worldwide. And of course trade and investment promotion.

We cannot tackle the challenges we face alone. To help us deliver on our priorities, the Executive is committed to fostering and promoting North/South co-operation and collaboration, including through the North/South Ministerial



Council. We will continue to take forward mutually beneficial and practical co-operation. This will help us deliver real benefits, particularly on infrastructure, trade and business, tourism, agriculture and health service provision. And in tackling major issues that confront all of us, such as social exclusion and barriers to mobility, drugs and other crime, the environment and transport.

The work of Intertrade Ireland, which I think has been and has proven itself to be a huge success. This is key to accelerating trade and business growth across the island. It creates an environment which makes it easier to do business thereby increasing the competitiveness of individual companies and the economies, North and South.

So, these are challenging times for us all. These are times of great concern for your members, many of whom have lost their jobs or have seen their incomes fall over the last year. However, I do believe that with the right steps, including continued all-Ireland co-operation, we can start to get the economy back on track and promote sustainable economic growth in the longer term as we eventually emerge as we surely will from the current economic downturn. I believe the trade union movement has a key role in building that better future and it is indeed an honour to work with all of you.

Go raibh mile maith agaibh.

**Patricia McKeown, UNISON & President of Congress**

I have now got great pleasure in calling on the General Secretary to respond.

**David Begg, General Secretary of Congress**

Deputy First Minister, first of all I want to repeat what the President said in thanking you for taking the trouble to come down and talk to us today. The sheer logistics of the whole thing must take nearly two days out of your schedule so we really are very appreciative of that commitment and very honoured because you are clearly the under the system, Joint Head of Government and it is certainly a great honour to receive you here again today.

I think that what you said will be very congenial to a lot of people and for I suppose a few minutes anyway you were able to hear quiet a good deal of what Peter was saying in his review of the situation in Northern Ireland and there was a certain synergy I thought between what you were both saying.

I think a lot of people will be very conscious probably that working in partnership in Government is not just the simple thing of coming in every day and doing the business that presents itself. It is a constant strain and commitment and you are doing so against the background of very acute difficulties in relation to sectarianism and racism and even the dissidents as you mentioned that emerge

and I think a lot of us here would be very admiring of the stance that you have taken in that regard in facing down those threats and we wish you well in your continued work to make Government work basically in Northern Ireland.

In regard to the All-Island economy which you spoke about at some length. I think in fairness it can be said that that has been a theme which has been embraced by President Patricia McKeown for her presidency and through her work in Intertrade Ireland and as President of Congress has forced, as far as we can, that item on to the national agenda including its incorporation in the *Towards 2016* agreement that was negotiated with the Government here some time ago. I think that one of the points though that I would make about it is that it is quiet hard for us at times to make an impact in this area because whenever events are organised or events that should involve, one would think trade union participation, it seems to me that every time this comes up we have to make an input and a request to be involved and there is something almost demeaning about it that you have to every time knock on the door to be accepted as a partner in all of this. It really is a great difficulty to try to overcome that because it is just simply the repetitive nature of it and the sort of exclusion that it seems to represent. And if you are involved on that grace and favour basis it is not the same. It is not the same as being able to be playing your full role in something that you believe in, in a very committed way. But nevertheless, I think we have to keep at that and I think also that Peter was speaking about the potential for the bilateral forum in Northern Ireland and I was very pleased to hear what you said about that. I think that there is a feeling on our side perhaps that the potential of that forum has been as yet unrealised. That there is more potential in it that could be driven and from our point of view we are very anxious and willing to try to do that and we would very much welcome your commitment and support in that involvement.

The final thing I would just reflect on is that looking at the events of the last couple of years and the enormous changes that have taken place since all of us met in Donegal, one thing which has struck me very forcibly is about the situation in Northern Ireland in terms of the economy. I mean for many years we have had an enormous amount of criticism that it was so heavily orientated towards the public sector and the great belief was that we must reduce the public sector and develop the private sector and all and of course there is no reason no to develop the private sector but it seems that one of the outcomes of this recession is that people are going to have to review the relationship between states and markets and the importance of the state and from that point of view I think its fortunate lets say that the impact of the recession could be much worse if the public sector didn't play the role that it does in the Northern Ireland economy and we would exhort you to bring whatever influence you can to bear to sort of see off the people who want to denigrate it and reduce it and to realise basically the value that it has.

So, once again thank you for coming. It is a great pleasure for us to receive you and a great honour for us that you have come and we wish you every good fortune and good luck with the very important work you are doing for peace and reconciliation and economic development.

**Patricia McKeown, UNISION and President of Congress**

Thanks very much David and once again thank you very much Minister. We are going to continue now with the Northern Ireland section of the report and I am calling on AHCPS to move Motion 33, and if Equity could be ready as well to move Motion 34. AHCPS, thank you.

**Paddy Carpenter, AHCPS**

Paddy Carpenter formally proposing this motion. President, delegates, Deputy First Minister, yesterday and this morning we heard a number of references to the work being done by the Northern Ireland Committee of ICTU. In the President's speech and in other contributions from the floor, we heard of the role played in supporting the Visteon workers and their fight for a decent and fair redundancy deal. I think it right sometimes to acknowledge this work that is being done on our behalf and by the movement that we are all member of and that we should take pride in it. At one level it is very, very hard when you look over the history we have had in the 70s and 80s where ordinary workers going about their daily work were being murdered and all that they were trying to do was earn a wage to provide for their families. Society in the North has been divided right through its history over the last 300 odd years. However, there were always very good examples of where people were mixing freely and this in very many examples was down to trade unionists who were solely focussed on rights of workers, just that, ordinary workers – that is all they were interested in.

Over the last decade and even before that, ICTU took the lead in civic society and in some of the darkest days gave the public an opportunity to show their abhorrence of violence in a non-political manner. ICTU down the years has accepted members of all religions and none, of all nationalities irrespective of race or colour. It can be proud of its record in seeking to create a society based on equality for all. In recent months the Committee has been to the fore in organising protests at the murder of police officer, Stephen Carroll and the two young soldiers at Massereen barracks. Over 10,000 people came out on the streets and attended protests in Belfast, Derry and Newry. When you look back over where we have come from and where some people would like to bring us back to, this is nothing short of a miracle when you think of the courage this took. The Committee over a long period of time has been operating in very, very difficult circumstances. Leadership can often be a very lonely role to play and in Northern Ireland not only did it take courage but it took an awful lot of perseverance by a large number of people over a very long time. Equal pay for women, fighting sectarianism in the workplace and getting out and working in

disadvantaged communities that nobody else seem to show any kind of regard for, is just some of the work that is being pursued. It is interesting to read in the Annual Report about the research done to challenges in getting workers to join trade unions. But the work on the ground and communities, the ICTU Committee in Northern Ireland has shown people that they can help build better communities that are tolerant and accept and welcome differences, be it on religious, racial or any other grounds. In recent months, and I am not disregarding the work done over very many years or anything like that, ICTU has been very, very active in organising rallies against some dreadful kind of racial attacks that have taken place. These attacks should act as a wake up call to all unions in the South as well because it shows us what can very easily happen if people think that they can get away with this. So, it is very, very important that people understand that this will not be accepted in workplaces, communities or anywhere else.

I commend the motion to delegates. I think sometimes we have to acknowledge the work that is done by our organisation on our behalf and on a personal level, I have always been very, very aware of the work of the Committee in Northern Ireland and I just want to commend the motion to Conference, thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you delegate. Is there a seconder? Are you seconding? Formally seconded. Okay, I invite you to move Motion 34, come ahead.

**JJ Murphy, Equity**

Thank you Madam President and Deputy First Minister it is nice to see you. Fellow delegates, we are living in one of the worst recessions in my lifetime and I have been around for a year or two – you would know to look at me. Industries are under the cosh and factories are closing at an alarming rate. People are being dispensed with as business seeks to protect itself and the workers are always the first casualty. The public sector is seen as an easy target both by Government and by the private sector, thinking that if you deflect the blame then your worst excesses will be forgotten or overlooked. It will be a difficult fight for us as trade unionists seeking to protect those things that we always hold dear like social and welfare gains that always seem to be under threat. For us in the cultural sector the fight will be even more pronounced as the arts have traditionally been seen as a soft target. That is a very blinkered view that they are to be seen as a soft target. We have a slogan in Equity ‘Arts Means Jobs’, you will see it on the banner that we have at meetings. Let me tell you that in Northern Ireland more people work in the cultural sector than work in farms. Across the water more people go theatre than attend premier league football matches. Some five years ago the Arts Council of England did a survey on the effect the arts had on the economy and they came to the conclusion that the economy benefitted by £100m. The investment at the time was £10m – it was £10m very well spent. Now on the principal that God helps those who help

themselves, we have a proposal in Stormont at the moment for furthering the theatre, in particular for extra funding. It is based on a marvellous scheme in Scotland known as the National Theatre of Scotland. They don't have a building of their own – they use a building and other facilities that are already there. They are financed directly by the Scottish Parliament and they stage plays under their own steam and in cooperation with others. It has had a huge effect on Scotland not only at home but abroad because they had a marvellous show called 'Blackwatch', which I didn't see but I understand that it was something to be wondered at, and it was taken on a worldwide tour so it was acting as ambassadors for Scotland as well.

We must not allow funding investment in the Arts to drop. You will know that in Northern Ireland we are bottom of the league - £6 per head – that went up by about £1.17 by the way, so we now have about £7.50 per head. Here in the Republic it is more than twice that. In Scotland it is twice that and it is about twice that in England. Wales, by the way, followed the example of Scotland and they now have the National Theatre of Wales, in fact they have two national theatres – they have an English speaking one and a Welsh speaking one. Couldn't we do the same here? What we have proposed to Stormont by the way is supported by all the political parties and is held in high esteem by the Committee for Culture, Arts and Leisure. So we have got to do it. We cannot allow our industry to collapse due to lack of investment. Forget about the word subsidy, forget about grant, it is an investment that means jobs. That is my way of seeking your help to ensure that all of Ireland, not only the Arts as well but also as an industry that needs investment. Do please support the motion. Thank you madam.

**Patricia McKeown, UNISON and President of Congress**

Thank you delegate. I am not sure if our timing system is still working, maybe something to do with electricians being on strike! It is back again.

**Seamus Dooley, NUJ**

President, Seamus Dooley, NUJ seconding Motion 34 and in doing so reminding Conference of O'Casey's description of Larkin as a man who would put a loaf of bread on the table and a rose in a vase and that is at the heart of this motion. It is a timely motion as the Arts are under attack and they are under attack North and South. Greed and short sighted policies within a number of institutions know no boundaries. The message has to go out from this Conference that the Arts are an essential and integral part of the cultural landscape of this island and I say that as someone who represents broadcasters and journalists and I am sending that message here and now to RTE, and UTV in particular, to the BBC and in any cost cutting measures which are implemented North or South of the border we will say do not adopt a short sighted policy either in relation to the Arts or indeed

to education because Arts and Education and central to the cultural life of this island.

President, may I just in conclusion beg your indulgence on the Northern Ireland paper. I wasn't quick enough on 33, we should celebrate victories and in relation to Motion 33, I would like to acknowledge the full support of the Irish Congress of Trade Unions for one of our really successful campaigns and that was the campaign on a major and sinister challenge and that was the use of anti-terror legislation to lock up a journalist and I thank all of you for your support for the Suzanne Breen campaign. Thank you very much.

**Patricia McKeown, UNISION and President of Congress**

Thank you very much Seamus. Can I call on Belfast Trades Council to move Motion 35.

**Kerry Fleck, Belfast Trades Council**

Good morning Conference, Kerry Fleck from Belfast Trades Council to move this motion. This is a short motion but one none the less that we think is extremely important. We have discussed the current crisis of capitalism and Congress has put forward, at least in the Republic of Ireland, its alternative for dealing with the immediate crisis. Why we all recognise the need to convince the population that the trade union alternative is the only way forward, we need to give consideration to how we build our case in the community. Are we keeping our support especially among the disadvantaged, about how are we in partnership with these sections of society, mobilise our forces for a people's alternative. We need to move beyond our own rhetoric and put in place concrete initiatives to strengthen the links amongst all those sections of society that are suffering from the current crisis. Workers who have lost their jobs, families who have lost their homes, migrant workers suffering from increased racist attacks and the local communities who continually bear the brunt of this system which has inequality at its heart. Conference, the list of disadvantaged groups is almost endless to list them. What I would say is that the trade union movement is the only body that has both an alternative to the current crisis and the capacity to mobilise society to ensure the trade union alternative is at the centre of attempts to move out of the current financial quagmire. We need to translate these sentiments into real intervention on the ground and make sure that it is the trade union voice that is heard, that the interest of the disadvantaged are highlighted and articulated and that Government policies are shaped to meet these interests. I move the motion.

## **Patricia McKeown, UNISON and President of Congress**

Thank you very much. Is there a seconder for Motion 35? Formally, thank you very much. All motions in the Northern Ireland section of the report are now open for debate.

## **Patrick McGinley, NIPSA**

Patrick McGinley from NIPSA to support Motion No. 33. First of I have to clear up something the Minister said. He was talking about Derry and Monaghan something do with qualifiers and back doors. I am from County Antrim and I wonder could somebody explain what the back door was you know! I would also like to thank the Association of Higher & Civil Public Servants for putting this motion on and that comes from a lowly civil servant in Northern Ireland but I am also hoping to change that status very quickly once the Minister has got around to sorting out our equal pay claim. That is immediately after they have appealed the Thatcherite anti-trade union laws which we also have a party to. But to return to the motion and I do welcome this motion in Northern Ireland. Unfortunately, I have to say from our viewpoint while we appreciate the congratulations and such which were offered, we might be at the stage when we need a wee bit more. For years in Northern Ireland there was a crowd of people trying to get the message, a blunt and simple message across, that sectarianism kills workers. A very simple message but it was hard to get people out on the streets. Understandably it was hard to get people out on the streets because people wanted to keep their heads down and keep a low profile. Unfortunately, too often in the Southern part of Ireland these days people still have that attitude because they tend to think, ah here that's those mad illuminate people up North, just let them deal with whatever they are doing and we will keep out of it. More and more, I am glad to see, are travelling to the North shopping, travelling to the North on holidays and slowly but surely the entire country is beginning to be what we would call 'normal'. We also need that when we organise protests. Perhaps we could organise some of these protests in Dublin and Cork and Galway. Perhaps instead of having a Northern Ireland protest we could have an All Ireland protest called by ICTU. When it is called by ICTU maybe we could have it in Dublin just to send a message right across. In the North we have made strides. If you look at one of those protests there is a photo of the NISPA banner and underneath it is a gentleman standing there with an alleged Loyalist UDA background. Now that man is attending a protest, he is also an erstwhile golf partner of the President's husband Marty McAleese so you might know who I am talking about. But he is at this protest – he is protesting against sectarian killing. Right behind him we have banners carried by Sinn Fein Youth. That is how far we have come in the North of Ireland. We have got both sides together at protests against killings and that is what we need to build on. We appreciate the congratulations, we appreciate the motions and the emails and everything and we would also appreciate, hopefully, a mass protest in future organised by ICTU for the whole of the country. Support the motion.

## **Patricia McKeown, UNISON and President of Congress**

Next speaker please.

## **Eugene McGlone, UNITE**

Eugene McGlone, UNITE speaking on behalf of Motion 33 but also wanting to address the Northern Ireland section of the report and in particular direct your attention to page 121, the Report of the North South Committee. Can I just say that while Peter gave us a very detailed run through the work of the Northern Ireland Committee in the preceding two years, it is notable, very notable that one of the most important aspects of the work of the Northern Ireland Committee under the heading 'North South Committee' hasn't been able to develop as it says quite clearly in the report from March 2008. And I think that is something that we as a Congress could say that we are not going to tolerate this time two years hence. That this work is vitally important and we have to drive it forward and we are committed not only to say that we want to drive it forward but we have to commit ourselves to taking the action to make it work. And in saying that can I remind you of the two motions that we dealt with yesterday evening; Motion No. 18 standing in the name of NIPSA on Allocation of the Resources of Congress, and Motion No. 19 standing in the name of SIPTU dealing with a Review of Congress' Constitutional situation – how we deal with our internal matters. Now, the importance I think of those two motions should reflect the directly in the work of the North South Committee. I can see how the three things can be separated and I think that we have an obligation not only to make the two motions work but to make them work into the work of the Northern Ireland Committee and the North South Committee which is intricate to the work of Congress. So in respect of the report I congratulate the Northern Ireland Committee and in particular the office of Congress who have put together and put in a fierce amount of work on behalf of this movement in Northern Ireland and thank Peter for the report which he has delivered. I think it is very comprehensive.

Briefly, in respect of Motion No. 33, can I say that like everyone else in this hall, I welcome that motion but I do think that it is time we started looking around at more than what we have been doing over the last number of years, difficult years in relation to the demand for the peace process that I think we have been intricate in helping to bring about. And I think we now need to be saying lets focus outwards, lets stop looking inwards and I think we have started to do that and the motion does, and speakers spoke about the rallies that we have held recently in Belfast and that was outward looking and if those of you remember the words that Peter Bunting spoke at the rostrum in the Belfast City Hall – it was about not looking at the world through the goggles of our own sectarianism and I think its time we stopped doing that. I commend the motion, I commend the report. Thanks President.



**Patricia McKeown, UNISON and President of Congress**

Thank you Eugene. Thomas.

**Thomas Mahaffy, UNISON**

President, fellow delegates, Thomas Mahaffy, UNISON speaking to the section of the report and generally supporting all motions. From the Government's own reports we know the patterns of discrimination, disadvantaged and social exclusion in Northern Ireland remain high and damaging and are in the same place as in the past. Nearly one third of our children live on or below the poverty line. One quarter have literacy and numeracy problems. There are more older people living in poverty and without services. Our community faces racism every day, our people suffer some of the worse health and equalities in Europe. In communities already suffering disadvantage, there is little or no chance of a job. We have the equality tools to put that right, to target objective rights and to change the patterns. We now need the political will at the highest level in our own Government, the British Government and the Irish Government. It means getting our priorities right. For the first time in many years health is no longer top of the agenda. The real reductions in health spending and the lack of funding to reduce suicide and prevent cross-infection are now all too clear. Our intensive lobbying of political parties resulted in several millions being returned to the health budget but that deficit remains. Education also lacks the resources needed to change outcomes, particularly in working class areas. The community and voluntary sector is again facing systemic crisis in funding. There have been real successes. Using equality tools we have halted pay file in its tracks. We have new public procurement guidance with trade unions fundamentally involved in its production. We and our allies have reinforced the centrality of socio-economic rights for inclusion in the Bill of Rights. Opinion polls show massive cross-community support for this. I would also take this opportunity to congratulate all those involved in the Greater Belfast and Shankill Health Employment Partnership. This has the Belfast Trust, UNISON and communities working together to get quality jobs for those previously excluded. It has just won a major UK health services partnership award and is a model of real partnership working that makes a real difference. The crucial issue in taking forward the peace process while dealing in politics with an Executive that does not have fiscal autonomy remains a priority of energising our trade union structures to build support for the trade union agenda. This requires the fullest engagement and participation of all our members. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Next speaker.

### **Antionette McMillen, NISPA**

Antionette McMillen, NIPSA supporting Equity's Motion No. 34. This motion comes up every year and I think it is a very important one. And I think we also forget very much that our young people in Northern Ireland very much are active within youth theatres. We have the Youth Lyric, we have theatres in Derry and whatever, and our production assistants are actors and whatever, give very much of their valuable time to those people. I myself have a daughter who is involved in one and her confidence has grown significantly from when she went to the Youth Lyric. There are many, many groups like them who are giving their time freely. Many actors who give their time freely as well in order to help the young people in Northern Ireland and the wonderful thing about that is that it doesn't matter what your creed, your colour or your race is in these groups, especially in Northern Ireland. They do a very, very valuable job and the difficulty with it is that there is no funding. In the North at the moment theatres are at the lowest stage they could be at. There are hardly any theatres. I know certainly in Derry - the refurbishment of the one in Derry, they have done an excellent job there. But we would like to see more of that and I have to say that Equity, every year this motion comes up and every year you keep having to bring it up. And if we want to invest in our young people that is the place to invest because within those groups there is no sectarianism. Those kids get along great. They work together and they are happy together so please support the motion.

### **Patricia McKeown, UNISON and President of Congress**

Next speaker.

### **Ann Donnelly, UNISON**

Ann Donnelly, UNISON speaking on the Northern Ireland section of the report. I sort of listened to the other speakers this morning and agree with an awful lot that was said, but I think what Pamela has quoted on poverty and the affect its having on our children and the education of our children, I would like that every single trade unionist here today would go home and the Minister will go back to Stormont with a plea that at the centre women are in the home trying to run it on poverty wages. They have children's education to cope with and I think that it is very, very important that we go home or we go to our workplaces and we ask our managers to set up a domestic violence system where people could come or at least find out why the woman who was two years ago was bright and cheerful, is today down and out and she is almost at a nervous breakdown point. I think you will find behind that it is domestic violence and the stress and the strain of the recession. Thomas also said, I think, two years ago we started off bright. The Minister for Education was in Bundoran, Patricia became President, today we are in the depths of recession. And, I think what I am asking and I think going around the houses on it, is that this Northern Ireland thing – women must be at the

centre of it and especially on domestic violence and poverty, that the women are carrying the biggest load. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Ok, thanks Ann. As there are no more speakers on the motions or this section of the report, can we take the vote on the motions please? All those in favour of Motion 33 please show, against, abstentions. It is carried unanimously. Those in favour of Motion 34, please show, against, abstentions. Thank you, that's carried. Motion 35, all of those in favour, against, abstentions. That is carried. I put to you for agreement Conference the Section 5 of the Biennial Report, Northern Ireland, Chapter 1, Investing in Peace, Chapter 2, The Work of the NIC, Chapter 3, Education Skills and Solidarity. Is that agreed? Yes, thank you very much indeed.

That concludes our debate on that section and enables us as agreed by you first thing this morning to return to the Equality Debate and we now move to the Emergency Motion on the Ryan Report and I call on Sheila Nunan to move on behalf of the Executive Council. Sheila, sorry just before you do so, everyone, the Deputy Leader has to leave and we would like once again to thank him before we move into this debate.

**Sheila Nunan, INTO**

Thank you President, Sheila Nunan from INTO on behalf of the Executive Council and I think that it is terrific that Standing Orders has allowed us the opportunity to bring this particular emergency motion in front of you. Colleagues, 2009 in every sense of the word has been a most defining one in our history and while the economic catastrophe has left us reeling, the publication of the Ryan Report has left us stunned and shamed. It stands as the most comprehensive investigation ever conducted into child abuse and examines a horrific legacy of physical, emotional and sexual abuse suffered by over 30,000 children living in institutions. And however grim the reading is and it is very grim and however searing the accounts are of systematic abuse and they are many, and however shocking the scale of it is and however damning its exposure of unimagined abuse is, we have a duty to read it. It is a very powerful testimony to the deliberate denial and widespread failure of institutions of church and State to protect children. And so today colleagues we are asking you, consistent with the theme of this conference, to add our voice of welcome for the seminal report and in demonstrating our solidarity we salute the courage and bravery of all of those who gave personal testimony of their experiences to the Commission. I think what the Ryan Report does is to throw down to us a challenge in Irish society and that to guarantee on our watch we will learn from it and we will use it to benchmark the worst of our failures to protect children and to drive us to seek the highest possible standard of childcare and protection that must be the hallmark of a civilised society. And these standards can only be truly achieved if they are

accompanied by political, budgetary and policy choices. Ryan Report will be entirely meaningless if the recommendations are not fully implemented. And I want to focus particularly today on the recommendation which will be a key instrument for personnel who are working with children. That is the full implementation of the Children First guidelines. These are national guidelines for the protection and welfare of children and we are calling for regular and appropriate training. Child abuse of course has not disappeared with the Ryan Report and while institutional abuse has been significantly reduced children will always be vulnerable and those of who represent those working in settings with children want to ensure that they are equipped to carry out their roles in monitoring and protecting children. I think its really important that we try to inject a note of optimism in this really dark chapter of our history and I think that there is a consensus that the settings for children now are safer and happier places and that our training, those of us working in settings with children, has been informed by more enlightened theories around child-centred theories. And denial thankfully has appeared to be replaced by awareness that abuse can happen, that abuse has happened and that abuse will happen. And we have a more mature attitude in that regard and that particular awareness has led to a demand for training. It's instructive for me just to set out for you just how that has happened in the primary school setting. The guidelines were introduced in 2002 by way of information seminars inviting a single member of staff to attend an information day and to bring that information back. Following the review of the Ferns Report, and again I think its encouraging to note that it was a principal teacher there who was pivotal there in forcing that investigation, that the guidelines have stood the test of time but the critical analysis in the review was that implementation is patchy. The Kilkenny Incest Case was to be the war to end all wars in terms of 'it would never happen again'. And what we learned from that was that one hundred different contacts had been made with agencies at the time but still the case came up so what we have to do now is we have to say that everybody needs proper training. Teachers are saying to us they are fearful. They are fearful that they will miss the signs of abuse, they are fearful that they will make the wrong referral and damage relationships with parents and the worst fear that they have, is if they do make a referral nothing will happen. And that is where we have to link it to the economic discussion. How do we achieve the kind of society that we want where child protection will not be a casualty of the recession and it has to be recession proofed? The downgrading and the downscaling of the public services is already impacting on the delivery for the training for teachers in a critical area like this and we will find that the priorities of Government will be pushing rightly towards issues like maths and science, and issues to do with child protection sliding down the scale.

So, it is very important today that we carry forward a message of hope that people want to ensure that we will never let it happen again. That professionals working with children want to be guaranteed that they can have the highest level of training. That the interagency communication between teachers, social

workers, guards and care workers can be strengthened so that people can interpret the guidelines and make sure that they are moving in the right direction.

I thank you for your time delegates and ask you to unanimously support this very important motion.

**Patricia McKeown, UNISON and President of Congress**

Seconder for the motion? Formally seconded. Speakers to the motion.

**Pamela Dooley, UNISON**

President, delegates, Pamela Dooley, UNISON speaking on Emergency Motion 1. Much as I support most of what our last speaker has said, I have a fundamental problem with this motion. The fundamental problem is it says in the motion; 'Conference endorses the recommendations of the Ryan Report' and under Number 2, it says 'to prevent, where possible, and reduce the incidents of abuse of children in institutions and to protect children from such abuse'. That is not nearly strong enough. It has to be 'eradicate'. We can't just do where possible and reduce it, we have to eradicate it. I really, really have got a fundamental problem with how this is worded.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Thank you Pamela. Further speakers?

**Patsey Doyle, INO**

Good morning. Patsey Doyle with the Irish Nurses Organisation. Our union would like to support this motion. We say that on a number of counts. I think it has been very easy for a lot of people to be spectators on the Ryan Report and to have deep moments of reflection and moments of silence after reading this document, but the testament to this document and to the documents that are going to come after this document, all worse than what has gone before, is that we give an undertaking that as people who support the people who work in the field dealing with these allegations, that we are there for them. That we support them when they are fearful of handling allegations because that is a huge issue out there for people who have to handle them. And I think that we need to be brave, we need to be courageous to go forward lightly with respect for the people who have had this trauma in their lives, who have difficulties sleeping at night because of the trauma that they live with. And then we have to turn around and look at the people who don't seem to have any difficulties sleeping at night which is the Government which is now cutting the support for these organisations. The cuts that have taken place for 'One in Four', the cuts that have prevented 'Children First' taking its place in the order of things and where we have children who are being on long waiting lists waiting for counselling, we

have children in our own sphere waiting on trolleys, waiting for operations – all sort of things that are now part of the sad legacy of the Report and that is now the suicide rate. Because as these issues come out in to the domain again it brings it back for people and we have an increase in suicide. And, I think in terms of the INO's position on this motion, we would strongly support it. Thank you very much.

**Patricia McKeown, UNISON and President of Congress**

Next speaker.

**Berni McCrea, UNITE**

President, delegates, Berni McCrea, UNITE, Health Visitors' Section of UNITE. I would like to support the motion regardless of how it is worded. We have to weigh in behind this. I do believe that training is vital for teachers and anyone who is in contact with children at all. I have worked as a health visitor for 25 years and it was part of my job to observe young children and one of the things we looked for was signs of abuse, changes in behaviour, alertness, anxiety and children just watching apprehensively sometimes the adults who were around. Children are everybody's responsibility – everybody – and that's the whole community. I am not really prepared for this speech because I have only just seen the Emergency Motion this morning but I felt that I had to speak to it. The community must be aware of what's going on and look at children. Institutions are closed areas but the inspections must be carried out thoroughly and done conscientiously and monitored and I think people should be aware of institutions within their own area. Within the last probably twelve months, I am on the Disability Committee of ICTU and David Joyce, the Equality Officer has been asking questions around the sheltered employment and the vulnerable people who work there, so I think we must be aware that not only children need protection but vulnerable adults as well. And we all have to take that responsibility. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you Berni. Are there any other speakers to the Emergency Motion? Does the mover want the right of reply?

**Sheila Nunan, INTO**

Thank you President. I just want to make one quick point to Pamela. I think, you know, accepting what you are saying about the phrase 'all possible support', I think that there should be no doubt in delegates' minds that the Executive Council is treating this as a very fundamental human rights issue and it will get, what she is referring to, would be taken on board in terms that is not in any way

to diminish the standard we would be seeking to secure what the motion is trying to achieve. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Ok, thank you. Can we move to the vote? I put Emergency Motion No. 1 to you. Those in favour please show, those against, any abstentions? That is carried unanimously.

We now move to Motion 29 on The Quality of Life for Older People standing in the name of the Executive Council and John Carr to move.

**John Carr, INTO**

Colleagues, I am proud to propose the motion this morning and I acknowledge the briefing from Peter Sands. And although more accustomed to demanding public investment at the other end of the age continuum in the form of pre-schools and small classes, today I want to focus on the well-being and the inclusion of older people in our society. And my proposing this motion today in the name of the Executive Council is an assertion that trade unions have a roll to play in all stages of our lives before, during and after employment. And we believe in all people, want investment for everyone and demand quality life for the whole community, particularly our elderly. And we are talking about a sizeable amount of people. At the start of this decade just over a quarter of the population were aged 50+. That is over one million citizens with almost half of these aged 65 and over. Population projections indicate these proportions growing to almost double over the next twenty years. In real terms this will mean nearly a million individuals over 65 years. While the motion before you specifically refers to health and transport, I believe our key objective must be the achievement of high quality public services for older people whenever, wherever and in whatever form they are needed. But in ascertaining the need for a world class health service I want to state unequivocally that this movement remains committed to free universal health care as a hallmark of a decent society where social solidarity and inclusion are not optional extras but essential ingredients. Health care at the moment is under intense scrutiny by all the political parties and there is an emerging commitment to universal health care. But we must ensure that we don't hand health care over to private insurance industry. In whose interests would it be to hand the nation's health care to private insurers? Why do we even consider that financial middle people might have a useful role to play in health care provision? There are demands to replicate the Dutch model of health care in Ireland. The Dutch model depends heavily on risk equalisation and strong regulation. Ireland's commitment to risk equalisation leaves a lot to be desired and our regulatory reputation lies in tatters. The free market has failed in banking. We must ensure that we do not transfer that failed ideology to health care.

Fianna Fáil on the other hand remains committed to co-location. The social reprehensible idea of segregating sick people according to their financial means must, like the PDs responded, be committed to the dustpan of history. Co-location must be exposed for what it is. It serves the financial interests of investors whose sole motives are profits and greed. Co-location is a financial, political and philosophical failure. It is time once and for all to put an end to it.

Despite the economic downturn, major investment must be found for a world class health service particularly for older people. Because there is no escaping the simple fact – other countries have better systems because they invest more. There is one simple reason why the Dutch have a better system than we have. They spend 9.3 per cent of GDP on health, Ireland spends 7.5 per cent of GDP on health – that’s why. We will never, ever have a proper service for the elderly people in this country until like Britain we enshrine their entitlements in legislation and ensure that the necessary funding is provided as a right. Properly developed community care services are key to older people. It is criminal to put older patients out in to community care systems that are effectively struggling due to \*\*lack of resources. A properly resourced home help system is also vital and necessary if we are to keep older people in their communities. A world class health service for older people is not utopia. It should be the birthright of every Irish citizen copperfastened by a lifetime of work and tax compliance. And those who’s only aim in life is to use, exploit and benefit from the work of others should be forced to make a fair contribution to that service.

In the area of transport we need to ensure that societal exclusion and isolation are not determined by where one lives. Human beings need to be connected. We need to be able to link with family, friends and communities. Meeting those needs is as important in Downings or in Dingle as it is in Donnybrook in Dublin. People in the West of Ireland are entitled to a transport system that enhances the quality of their lives as much as the people who live on the Eastern seaboard. Public services like transport must foster inclusion and social solidarity and reduce isolation and exclusion. And for that reason public transport must receive proper state investment but the evidence at the moment is that the rural transport scheme is gradually being run down due to lack of resources. Again transport is not a bauble for the rich and the wealthy to exploit for profit and private gain. Older people must not be abandoned to the market forces where some anonymous bureaucrat decides that certain routes are not economic. Creative solutions must be found and integrate the transport needs of pupils going to school in the morning and afternoon with the social needs of the elderly. The busses are there, the transport service is there and it could be used to help elderly people particularly in isolated areas. Whether in transport or health we must continue to advocate that equality and dignity of life for older people triumphs over ageism. We must continue to argue that older citizens are treated and dignity and respect and not viewed as merchandise to be exploited and then disregarded. We must campaign to ensure that older people relevant and



accessible top quality services and I commend this motion to you. Go raibh maith agat.

**Patricia McKeown, UNISON and President of Congress**

Thank you John. Is there a seconder for the motion please? Formerly seconded thank you. Are there any speakers to the motion? Thank you.

**Joan Gaffney, MANDATE**

Joan Gaffney, MANDATE trade union. President, fellow delegates, with the downturn in the economy our least well off are most at risk especially the elderly, many of whom are former members. It is imperative that the trade union movement continues to voice our ongoing concerns for our senior citizens. The Government tried to remove the medical card, the same Government did nothing about the 'fat cats' in the banks who brought this country to its knees and the tax payer having to bail them out. However, they are prepared to go after the elderly. Recently a major report was carried out in the national press into the abuse of our elderly citizens are suffering. The report highlights an abuse that is being endured by a percentage of our elderly. The Government's callous actions with regards to the care of our elderly is abuse on all our senior citizens. Those men and women work hard for their country and deserve to be treated with dignity and respect. We support this motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much. Next speaker.

**Catherine Harte, UNISON**

President, delegates, Catherine Harte, UNISON supporting Motion 29. For many years, UNISON, my own union have campaigned for properly funded services delivered to older people. Campaigns that included properly funded public sector care homes and for properly funded public care in the community which is regulated and of a high standard. Our older citizens have a right to choose how they should be cared for. This is nothing less than they deserve and is fundamental to their wellbeing. The health service in the North is undergoing a sea of change. Money saving projects and changes to how care will be provided for older citizens in the future. We must ensure that any changes are of benefit to our citizens, that quality care remains within the public sector. Conference, many of you may have seen the recent Panorama programme giving evidence of the type of community care received by our most vulnerable at the hands of private care providers which was nothing less than abuse, where carers were given so many clients to look after they did not have time to meet the clients' needs. Why? So the private company responsible for delivering community care could take on more clients and increase their profit margin. Having effective

public services are the only way we can achieve, ensure and sustain a high standard of care for our older people. We are all getting older and the day we need these services gets closer. When that day comes we may not be in a position to choose the service we would like or who would provide them. Support Motion 29 for quality services for those in need.

**Patricia McKeown, UNISON and President of Congress**

Ok, next speaker.

**Fred Brown, NASUWT**

My partner is a Home Help. Some of the clients that she works with she is only allotted a quarter of an hour with them. That may be the only human contact that these people have from day to day. It is demoralising for the Home Helps, it is demoralising for the Social Workers who administer to and are over-burdened with unnecessary paperwork. Very often the Home Helps are the first people who pick up on abuse, and there is quite a lot of abuse of elderly people, and they may be the first people to pick up on health issues. And, to some extent those people who are getting the Home Help service are the lucky ones because there are other people who are not getting any sort of support at all. Home Helps get very little in the way of training. They have absolutely nothing in the way of professional progression. It is a disgrace to our society that people who have worked hard all their lives are left in this condition at the end of their lives and I pray to people who might abuse them in all sorts of ways. And, they are being abused by the system at the moment and there are further cuts that are being planned on this. We should be putting more money into the Home Help service and in to all other services that are there to protect and help elderly people and we must fight any attempt to make any further cuts. Please support this.

**Patricia McKeown, UNISON and President of Congress**

Thank you Fred. Next speaker.

**Carmel Kerrigan, UNITE**

Carmel Kerrigan, UNITE and Vice Chair of the Retired Workers Committee of Congress in the Republic of Ireland speaking in support of Motion 29. President, General Secretary, delegates, I would like to thank the Executive for having submitted Motion 29 to debate. Also, for the high profile in the report contributed to the work of the Retired Workers' Committee. Older people have an entitlement to a standard of living in retirement which can only be achieved with adequate income and general services including health, care, housing, transport and more. Motion 29 makes particular reference to development and maintenance in the areas of health and transport but I do believe inclusion of the wider issues must be our overall objective with the entitlements enshrined in

legislation. Apart from the erosion of the benefits which has resulted from inflation, pensioners are being targeted for cutbacks in income and general services to rectify and economic and financial crisis due to an imbalance in income and expenditure under Government mismanagement. We must take time to reflect on restoring the balance between economic choices and the way in which issues of concern to older people are addressed. Older people are dependent on services that are in place and available to them. On income they cannot create extra wealth from activity in retirement. In working life they continue to pay for their entitlements with pay related and tax deductions, not by choice, but mandatory by legislation. There is a moral obligation which obtains for the administrators and regulators on the services and wealth distributors. The support of Conference for Motion 29 will greatly enhance the campaigning groups to achieve their objectives. Please support. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Carmel. If there are no further speakers to that motion we will move to the vote. All those in favour of Motion 29 please show, against, abstentions. That is carried. Thank you. We now call on Belfast and District Trades Council to move Motion 30, Women's Right to Choose. If you are intending to speak on this motion please come forward. I am trying to get through all of the remaining motions in the Equality Section of the Agenda before we have our guest speaker.

### **Kerry Fleck, Belfast Trades Council**

Kerry Fleck, Belfast Trades Council. Comrades, it is time we faced up to the reality of women's experiences in Ireland regarding the right to choose. We can no longer accept a 19<sup>th</sup> century solution to a 21<sup>st</sup> century problem and we need to accord to women the respect and dignity of the health care needs they deserve. Every single day in every part of the world where abortion remains illegal women die trying to end pregnancies. The World Health Organisation estimates that 70,000 women every year die from back street abortions but no matter how strict a country's abortion laws, you will never hear of a wealthy woman dying from an illegal abortion. When it comes to abortion the law is the same everywhere – one law for the rich and another for the poor. What women desperately need is contraception which is reliable and not being just to their health. No contraception is 100 per cent effective and many women who have an abortion have been using some form of contraception. Anti-choice campaigners say women use abortion as contraception – this is nonsense. Women have more sense. They know that it is easier physically and emotionally not to become pregnant in the first place than it is to terminate a pregnancy. Women do not take abortion lightly. It is a difficult decision for any woman but given the choice between bearing an unwanted child and an abortion, many women do choose an abortion. They do this as a way to exercise control in their own lives. Abortion is not a moral issue, it is a political one and an equality one. A woman faced with

an unwanted pregnancy should be allowed to decide for herself in accordance with her own conscience and beliefs whether or not to go ahead with the pregnancy. If a woman does choose to end a pregnancy it should be free and easily available. This is not what happens now. At present the person who's life will be most intimately affected is not allowed to make that decision. Instead it is being made by politicians, doctors, lawyers and clergy. Recently the ..... choice was brought to the fore by the Alliance for Choice campaign in the North. The campaign effectively explored issues of women's rights, equality and what crisis pregnancies mean to women. During the campaign it became clear that anti-choice arguments are out of date and irrational. Recent surveys from CEDEFOP show one in five women will be victims of violence including sexual violence in their lifetime. Women in Ireland have no right to abortion even in case of rape or incest. The recent CEDEFOP report shows Governments in Ireland, North and South are failing women in not protecting their basic human rights. Studies show in Ireland that 12 per cent in all pregnancies are crisis pregnancies and what do we do with many of these women in crisis? We make them scurry around like criminals and fugitives. Abortion should be decriminalised. Around 40 women a week from the North alone travel to have abortion. 130,000 women from the Republic have travelled to Britain for abortions since 1968. The cost of the procedure can be up to €2,000. The difficulties of raising this money means that women from Ireland having abortions in Britain are three times as likely as British women to abortions after twenty weeks of pregnancy. For those who can't afford to travel abroad the situation often becomes desperate. 11 per cent of GPs say they have seen the result of amateur abortions and many other women turn to suicide. For many working class women the reality of poor and expensive house, low paid jobs and no affordable childcare means they cannot contemplate an unplanned pregnancy. Many women who have abortions already have children. For these women it is often a choice between giving the children they already have a decent life or continuing with the pregnancy that will push their family over the edge of the poverty line. It is women's lives that are affected and it is them who deserve the right to choose. Make it safe and make it legal. Support the motion. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Is there a seconder for the motion?

**Pamela Dooley, UNISON**

President, delegates, Pamela Dooley, UNISON seconding the motion. The issue of a woman's fundamental right to choose control over her own body is one that is highly emotive. It is a profound moral issue. It is a highly personal decision. No state should pronounce on it from a religious perspective. It must be treated according to international human rights standards. In our divided society in the North that is the test we applied in all our work on the Bill of Rights. There has been a new conversation in our society, attitudes have changed and as a result

all civil society organisation, except of course for the churches, and most political parties in the North have now signed to an agreed form of wording which would give women the right to choose. The issue is still contentious but there has to be a mature debate. Most of the unions in the North have a clear right to choose policy. I know that this is not the case in the Republic but it is time for the debate to be renewed. Many delegates at this conference will remember the tragic death of Ann Lovett in Granard all those years ago. A young schoolgirl, a victim of incest died giving birth in a lonely churchyard where everyone, everyone knew. Then there was Joanne Hayes, a young woman in desperate need of support following the tragic death of her baby, who was pilloried in open court. They were followed by the X Case – a letter of alphabet behind which was a schoolgirl. A rape victim whose plight along with the other two put Ireland in the international spotlight for all the wrong reasons. This movement was in uproar over the plight. Laws were promised but not delivered. All went quiet for too long. Unison supports this motion and welcomes the fact that the debate is once more being renewed and not before time. I ask you to join us in support of the Belfast Trades Council in their courageous stand.

**Patricia McKeown, UNISON and President of Congress**

Next speaker please.

**Clare Treacy, INO**

President, delegates, Clare Treacy, Irish Nurses Organisation and Joint Chair of the Women's Committee. Delegates, this motion deals with an extremely difficult issue. However, we cannot continue to ignore it as it is a real issue affecting women and men every day. In 2007, 5042 women left the Republic of Ireland to go to England and Wales to have an abortion. 1295 women left Northern Ireland to England and Wales for an abortion. We cannot continue to export our own problems. We must at least campaign to remove the 8<sup>th</sup> amendment from the Constitution and replace it with modern legislation that would provide for abortion in defined circumstances. It is simply not acceptable to criminalise women who are victims of rape or incest. President Obama in his first 100 days in office chose to deal with the abortion issue and I will quote what he said: "Maybe we won't agree on abortion but we can still agree that this heart wrenching decision for any woman is not made casually, it has both moral and spiritual dimensions. So let us work together to reduce the number of women seeking abortions. Let's reduce unintended pregnancies. Let's make adoption more available. Let's provide care and support for women who do carry their women to term. Let's honour the conscious of those who disagree with abortion and draft a sensible contentious clause and make sure that all of our health care policies are grounded not only in sound science but also in clear ethics as well as the respect for equality of women". And colleagues, I commend this approach as the sensible way for the ICTU to view this complex issue. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Next speaker.

**Fred Brown, NASUWT**

Fred Brown, National Union of School Masters Union of Women Teacher. While this clearly is an issue about human rights and about women's rights, it is not just an issue on those things, it is also a class issue. Those who are wealthy enough can easily get a termination here in Ireland without having to leave and get a good quality of healthcare to follow it. For those who are struggling financial for whom an unwanted pregnancy is going to lead to an even greater struggle economically, it is not only a very expensive thing to have to do and something which is going to cause a great of deal of personal distress in coming to make the decision, but it is also very difficult to get advice and to obtain the right value of medical help. There is a risk therefore for women who take this option that they are going to end up with a very poor quality of healthcare, dangerous treatment and sometimes tragically resulting in not being able to have children when the time is right for them. Colleagues, I would urge that you would all support this motion not just as a matter of women's rights, important as that is, but also as a matter of the rights of all of the children who are involved as well. Because for those children who do end up as being born in the situation where they weren't wanted in the first place and where with all of the difficulties which result from that, it is a very poor outlook for them as well. It is a very poor outlook for the whole of the family that has to cope with that situation. And it is extremely distressing for the women who have been put into that situation where they are having to cope in a situation where increasingly the economic realities are going to get worse, and worse and worse. Please support this motion.

**Patricia McKeown, UNISON and President of Congress**

Next speaker.

**Antoinette McMillen, NIPSA**

Antoinette McMillen from NISPS supporting this motion. All the things which I was going to say which other people have said, so I'll just cut short some of the points I don't think have been mentioned. The ability for a woman to have control of her own body I believe is critical to both her human and her civil rights. If we don't allow women to have fundamental reproductive rights then where does the control of that woman stop? Is it acceptable then that the Government could force the woman to use contraception or force the women into sterilisation. It is fundamental I believe and a fundamental trade union principal that the individual has a free choice and free will to choose what they want to do. It's fundamental that the person has the ability to establish their own morality and decide what is right for them and what is right for their body. Conference, I know

that this is a difficult motion and it is an emotional motion and it is difficult for people to come to terms with it. But I would urge you to consider on how you are voting on the basis of your own moral values or the moral values that are pit upon you by the outside. Allow people to have their own free will, allow them to make their own moral choices in life. As trade unionists I think that the only position we should be taking is one of equality and equality in all of its forms, and that means giving women the right to choose, and make their own moral judgements on what is right for them. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Next speaker.

**Tony Fitzpatrick, INO**

Colleague, Tony Fitzpatrick, Irish Nurses Organisation and in the past I would probably never have got up to speak to a motion like this and I hope, as you can all see, that I am a man and maybe men should have a say in this regard as well. I was speaking to a member of ours in recent times who works in the area of family planning and she opened my eyes completely with regard to this issue because I wasn't aware of the situation as it existed here in Ireland and my eyes were closed and I hope that this Conference will open its eyes to what is a very significant issue. As Clare has already stated, over 7,000 women in Ireland North and South go to Great Britain, so 20 women every single day from airports in Cork, Limerick, Shannon, Dublin etc jump on a plane or flight, hopefully not Ryan Air, but with Aer Lingus or whoever and take a flight out of this country to receive medical care. And, I think that is an important issue that we shouldn't export a problem. We should deal with that problem and have a proper debate about that issue. Mirror some of the words Clare spoke about Obama's approach to this – I think we do have to look at it from a health and education point of view, the education of young women and ensuring that they are fully aware of what their options are in this regard. I think it is not for me or indeed for anyone else to make a decision for any woman in this country. It is up to that woman as an individual to make choices and as it has been said is often a hard choice to make. It is a very emotive issue. I believe though that women have a right to choose not only in this area but how they give birth in this country, whether it is military led services, consultant led services etc, women have the right to choose, therefore I support this motion and I urge Conference to support the motion as well. Thank you.

**Madeline Spiers, INO**

Madeline Spiers, Irish Nurses Organisation and I support this motion. The reason we are in this mess is because we have very weak legislators, pretty awful politicians all around but in this particular area they have I suppose been subdued by the particular history that we have as a very Catholic country and I

think one of the speakers this morning in the Emergency Motion said it all – we are at a time of immense change and the Ryan Report puts it back to us and we have to ask questions ourselves. Who sits on the boards of our hospitals? It is a known fact that *Opus Dai* are the majority of the board in Vincent's Hospital, the Mater Hospital, are not asking the right questions. Boards of hospitals should be open and transparent and we should see what their agenda is. We need this motion passed, we need sensible dialogue. It is a question of human rights and we need a Bill of Human Rights for all of our citizens. And certainly if any of my daughters had the misfortune to be raped and become pregnant, I am in a position that I could do something about it, because I have a little money and I would find it but why should the rest of our children that we are supposed to respect and treat with equal rights, be subject to a life of poverty and despair because we cannot address real needs. So, let us support this, I know you will but further than that, get your politicians to support this, I know you will but further than that get your politicians to challenge this area which has been left idle for so long. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Executive Council speaker.

### **Anne Speed, SIPTU**

Anne Speed, SIPTU and Executive Council. I just want to put on the record that I think 99.9 per cent of what has been said from the platform this morning, I personally agree with as a woman and a trade unionist and I know that there are a number of people in the hall who would profoundly agree too, but I as seeking on behalf of the Executive Council remission back of the motion and I want to explain why. First of all, I do want to say that we fully agree with the sentiment, the motivation for the motion where we talk every day about exporting our citizens, actually our women, to solve what is called 'the problem' but not really. It is exporting our people to vindicate their rights, their human rights. We also recognise that there is a compelling economic pressure on women having to travel and we do understand that no matter what our moral or political views are on the question, that this problem will probably intensify in a period of recession and we are going to have to deal with the outcomes of that as previous speakers have said. But the motion makes particular calls on Congress. First of all it calls on us to campaign with pro-choice organisations – it doesn't specify how we would do that or with what organisations, and secondly it calls on us to support legislation operational in England, Scotland and Wales without specifying what that legislation is. It also talks about amendments to the legislation – again we don't know what those amendments are, it is not in the body of the motion and it refers to situations in other European countries of which we do not know the detail or what the options are in other European countries or how they dealt with the question. So, we are seeking remission back because we believe collectively and we do have individual different views on this, but collectively we believe we



are ill-prepared to adopt this motion. We are not properly informed and we believe that we have to address that. And I want to say personally and I don't know if I am stepping outside my brief, but I do want to say that this is not an attempt to bury this debate and I can assure you that there is a genuine commitment on behalf of everybody on the Executive Council but particularly those of us who support the pro-choice position, to deepen the debate and to prepare ourselves to adopt a position whatever that position will be to move forward on. And, I think that the criteria we should be using for that debate is first of all to inform ourselves. There are expert advocacy groups and we need to bring them in to inform us as to what the situation is in both the Republic and in the North. We need to develop an understanding of what a rights based approach would look like because that is the call from a number of the speakers from the platform and we need to prepare ourselves to adopt a position which allows all of the trade union movement to step forward in solidarity because delegates, at the end of the day, irrespective of your moral views, that is what will be required of us from women in difficulty or women seeking to vindicate their rights, acts of solidarity. So, if are to work out a comprehensive position, a position that everybody feels that they can step up to irrespective of their views, then this is the process we believe we should engage in. We are committed to doing it. I have said it on the public platform and there is no stepping away from that. So, I would ask you to support the remission back and I call on my colleagues and sisters and brothers in the Belfast Trades Council to support the call for remission back.

### **Patricia McKeown, UNISON and President of Congress**

Thank you. Is Belfast Trades Council accepting? Come ahead. Belfast Trades Council is accepting the proposal to remit. Its ok, you get the change to vote on it. Is there a seconder for remission? Formally seconded. You can now vote on remission. Those in favour of remitting Motion 30 please show, those against remission. Remission is lost. Tellers please. Ok, thank you, delegates it is an individual vote. Would you assist the Tellers by raising your, you don't have a Credential Card if you have exchanged it but you do have a voting stub, those in favour of remission of Motion 30 please show. Definitive 222 for remission, 103 against remission. Remission is carried. Thank you for your cooperation.

Thank you all for that debate, it is one that you have heard that we will revisit.

### **Terry Kelliher, CPSU**

Terry Kelliher, CPSU. I just want to make a point. A load of people came into the room for that vote and voted in favour of remission. I don't think they heard the argument. I think it is very undemocratic and I think shame on those.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much for that. Maybe we do have to consider adjusting our Standing Orders to close off the doors when we are having a card vote but that will be up to you to make those proposals.

Ok, thank you delegates. Two more important motions in this section and I would like to get through them. Can I call please on John Corey on behalf of the Executive Council to move Motion 31, Rights of People with Disabilities.

### **John Corey, NIPSA**

President, Conference, John Corey on behalf of the Executive Council to move Motion No.31. I do feel though that there may be many other people in this hall better qualified than I to speak on the needs of people with disability because I think that those of us who consider that we don't have a disability cannot every really understand or appreciate what it is like for a boy or a girl or a man or a woman as a human being to have to cope daily with a disability. When I was doing some reading for this motion I came across the work of a man called Michael Oliver who was the first professor of disabilities studies in the UK and I think his writings should be compulsory reading for all of us. As well as a leading academic, he is a campaigner for people with disabilities and I do believe it is worth taking a few seconds or minutes just to comment on Michael Oliver's articulation of the disability issue and some of you may be familiar with it. Essentially, Oliver argues that an individual model of disability underpins how society and the medical world views disability. In this model disability is represented as a tragedy and disabled people are perceived as victims of some tragic happening or circumstance. The individual is cast as a victim and is disempowered. On the other hand Oliver indicated a social model of disability. He challenges the way it spread perception of disability that an individual's disability is a problem to be addressed. Instead Oliver's social model locates the real problem with wider society. Disability is an issue of exclusion from everyday life. It is wider society that is the barrier for the person with the disability. Inaccessible buildings, the unequal access to employment just to name just two and I'm sure other speakers can identify others, and some of the data is shocking. For example, in the North 56 per cent of households where there is a person with a disability are in poverty and that compares with just 29 per cent of households where there is not a person with a disability. And, for us as trade unionists the fact that in the North just 32 per cent of people with a disability have a job compared to 79 per cent of people without a disability. That is a gap of 47 per cent. Now I couldn't turn up very easily comparable data for the South, and I think that might be in itself an issue as to how the Irish Government collects data on persons with disability. To do proper comparable statistical tests, but one report I came across indicated that the gap between those with a disability having a job compared with those in employment without a disability reads between 25 and 40 per cent and that depended on which survey was use. But what is certain is that there is already a huge gap before this current recession and having made and identified these points, I think it is appropriate that this

Conference should pay tribute to the tremendous work that is done by the Disability Committees North and South. As recorded in the Executive Council's report, I also believe that the development of the Disability Champions is a major step forward to help us progress our responsibilities to people with disabilities.

The motion goes on to call for both the Irish and UK Governments to ratify without reservation the UK Convention on Rights of Disabled People. Governments signing conventions is one thing, implementing it without reservations is another and neither Government is in that position. The motion refers to developing and implementing a comprehensive employment strategy for people with disabilities. If I could return to Michael Oliver again – he developed a phrase – there should be nothing about us without us. That means that Congress in developing the strategy should do so working with the people with disabilities with expertise on their needs.

The last area I just want to comment on. The overall thrust of this motion is to have this Biennial Conference reaffirm, notwithstanding the recession, that as the trade union movement in Ireland, we must continue to strive to remove barriers for every person with a disability. Now, I am at the time of life where you maybe spend a bit more proportion of you time looking back on what you have done rather than looking forward to what you are going to do and if I look back as a General Secretary of a union, I think I would say that I don't feel that I have done enough in that role for people with disabilities, and I don't feel that the trade union movement does enough for people with disabilities. People work very hard on disabilities, people are working very hard now on developing the Disability Champions and developing that role but we can't leave it to those people. Everyone must play a roll in addressing the needs of people with disabilities. What we must be about as a movement is to a world, a society where a person with a disability has the right to participate in employment equally with a person without a disability, where a person with a disability has equal access to goods and services, including public services, for a person with a disability to have no lesser standards of living than any other person without a disability. For all of us to recognise that a person with a disability is not a person with a problem, it is the failure of society to deliver the equality is the real problem. I move this motion on behalf of the Executive Council.

### **Patricia McKeown, UNISON and President of Congress**

Thank you John. Next speaker.

### **Joe Roe, CPSU**

Good afternoon delegates. Joe Roe, CPSU formally seconding Motion No. 31. Delegates, this is one of the most important motions you are voting on. In this time of great economic downturn the Government, both North and South, are looking to cut costs and more likely than not the cuts will fall at the weaker end of

society. Disabled people already have to overcome many difficulties to even apply for a job so it is imperative that the trade union movement continue to strive for the employment and retention of people with disabilities in the workplace. Delegates, I have a disability. I make no apologies for having a disability because it was something that was given to me. All I am asking ICTU to do and to continue to do is to progress the further employment of more people with disabilities. So, delegates, please support this motion. I would also like to refer to the excellent Disability Champion training course. I am a Disability Champion. I would urge any other member of any other trade union to also become a Disability Champion to try and understand the difficulties of trying to exist in a world that is not exactly flat or welcoming to people with disabilities. Thank you delegates.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Next speaker please.

**Mary Maher, NUJ**

Mary Maher, National Union of Journalists. Delegates, I think it would be a safe bet to assume that 90 per cent of us gathered here have at some time in our working lives described a fellow worker as mad, bonkers, barking, balmy, daft, not the full shilling, away with the fairies, and because the workplace has its share of eccentric people we have become used to and very at ease with the language – the slang language applying to mental illness, and I don't really have a problem with that. I think it is just not surprising. I think the problem is that we are not familiar with and we are certainly not at ease with the realities of mental illness. The world health organisation on the basis of data collected from seven countries lists depression as the leading source of disability. One in ten disabled are suffering from depression. And the next line quickly to put it in context, iron deficiency and anaemia, injuries due to falls, alcohol abuse, bi-polar disorder, congenital anomalies, osteoarthritis, schizophrenia, obsessive compulsive disorder. I don't want you to think that I am making a special plea here, I'm not. I think our mindset should expand to include all forms of disabilities, those in the mind and the physic as well as in the body. I think we are not too different from any other country in our reluctance to deal with mental illness. The UK Department of Health conducts regular surveys to see how people's attitudes to mental illnesses are changing and in 2008, they asked people, I quote, "Do people with mental health problems have the same right to a job as anyone else", and 27 per cent of people said no, they don't. Furthermore they asked what proportion of the population do you think has a mental health problem at some time in their lives and only 13 per cent got it right – it is one in four – that is 25 per cent and those are the ones who go and seek help for mental health problems. God knows how many who do not. Most people thought it was much smaller than that – one in 10 or 20. We are not different from other people, I think we are the same so I would like to just put this up. We need to change our minds and

we need to accept that disability is not abnormal. It is a human condition. It is like the Kerry Gold Ad, not one about butter. Disability – it is part of what we are. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you Mary.

**Deirdre O'Connor, INTO**

Deirdre O'Connor, INTO and Congress Disability Committee. I just want to fill in some of the statistical gaps that were identified by the proposer of the motion. Just to refer to some of the statistics about disability and work in Ireland. There was an OECD report published in November, 2008 that was entitled: *Sickness, Disability and Work* and it noted that in Ireland only 1 out of 3 people has a job, one of the lowest shares in the OECD and this low employment rate has changed little over the past decade despite strong job creation in all other sectors and it has even fallen over recent years. The share of working age people receiving long term sickness and disability payments moved from below the OECD average in the 1990s to above average in 2007 and stood at 6.3 per cent of the labour force when the report was published, so there is a significant challenge there in getting people with disabilities into the labour force and into employment. People with disabilities also face a very high poverty risk in Ireland – 1 in 4 persons lives on half the median income, more than double the share of people without a disability. And this report also, in the language of the OECD reports, noted that Ireland faced what they termed 'formidable' policy challenges in raising the employment rates for people with health problems and in tackling lower incomes of households with persons with a disability. However, it also noted that there was only a minor challenge in relation to controlling incapacity related public spending. So, there is no difficulty in controlling spending in the area. Enabling people with disabilities to access and retain jobs is key to meeting the challenges of poverty in those areas. The motions also refers to the employment strategy and the Disability Committee, Congress is represented on the Consultative Forum for the Employment Strategy for People with Disabilities, which was set out in the *Towards 2016* agreement, and the Committee has noted recently a concern. We welcome publication of reports in the areas of supported employment, acquired disability and wage subsidies but that strategy seems to be moving in a direction which seems to emphasise getting people off benefit rather than positive strategies to get people into employment.

I also just want to refer to just one other cut which I think is extremely important in this area and that is deferral of the implementation of the EPSEN Act or the Education for Persons with Special Education Needs Act. It has been identified that underachievement in education for people with disabilities is key to they not being able to access employment. The Education for Persons with Special Education Needs Act is designed to provide proper education for people with

disabilities and the deferral of that is holding back people with disabilities from accessing employment. I urge you to support the motion.

**Patricia McKeown, UNISON and President of Congress**

I can take one more speaker. Now between the three of you, make a decision.

**Deirdre Murphy, UNISON**

President, Executive, delegates, Deirdre Murphy, UNISON, Newry. I am disabled although I don't visibly look disabled, I suffer from dyslexia and so do my children and my life at school was hell and I am one of the lucky ones that I was able to gather myself together, educate myself when I left school and improve my self esteem. I have met hundreds of people through my years of work and in my social life who are even afraid to admit they are dyslexic when a conversation start or when they find out about it, they are afraid of the label. The label to me when it was identified in my 30s was like winning the lotto because I could then say that I am not stupid just because I didn't present on paper the way most people do that don't have the disability and I urge you all to leave here, I urge people in education to look at the children that are failing and I would like to commend the First Minister for taking the action he did on dismantling what I think amounts to child abuse – the 11+. The exam system is dreadful for dyslexics – it inhibits them, it does absolutely nothing so I just urge you all to be mindful of the fact that I am disabled but it is not visible. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Ok, I am going back on my decision. UNISON, I did mean you to give way to the Chairperson of the Disability Committee in the North, Bernie.

**Bernie McCrea, UNITE**

Delegates, I thank you President for allowing me to speak. Bernie McCrea, UNITE union and Chair of the NIC ICTU Disability Committee to support Motion 31 and I am also a carer of a disabled person. The motion emphasis the importance of focussing on the active engagement of people with disabilities in the Labour Markets and John and Deirdre have already referred to this. With regard to statistics, there is a sort of general statistic we use and that is that 50 per cent of people with disabilities are unemployed and this is sort of UK wide. This can rise to as high as 98 per cent in people with certain disabilities, for instance mental health disabilities or intellectual disabilities. I believe, and really this is my only message today, I believe that the trade union movement should take the lead in providing for disabled members and take the lead and show employers what should happen. It is important to attract more people into the union and to become active. And if we do this we have to make sure that the meetings are disability friendly, that there is material in accessible form for

people who have visual or hearing or other sensory disabilities and also I refer to the girl with dyslexia – dyslexia is very widespread, much more than so than we would realise, so meetings have to be accessible to people. We have clear legislation in the North and South to protect the rights of disabled people and just remember that equality is not a fair-weather friend. It is not optional. We have to acknowledge the rights of disabled people. Thank you Chair.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Bernie. I am sorry, I do have to conclude the debate there. Can I now put that motion to the vote. All those in favour please show, against, abstentions. That is carried. Thank you very much indeed. With the forbearance of our special guest, Sheila Bearcroft, President of the TUC, we are going to move Motion 32, composite, and amendment. I am asking you to do it in record time.

### **Mairead McCafferty, NASUWT**

President, delegates, Mairead McCafferty, NASUWT. From the outset that I should note that the Irish Government knowing that we were going to be discussion this motion today has already published the Civil Partnership Bill in the South last Friday which just shows you the power of the ICTU. Justice Minister, Dermot Ahern published the Bill which gives same statutory protection to lesbian and gay couples across a wide range of areas but not all. It stops short of marriage. While many see the Bill as a significant step forward for LGB people, many however see this as a discriminatory and second class piece of legislation, others have described it as insulting and akin to apartheid. In our Governments, North and South, there are does who do not accept it however to perpetuate such equality of apartheid in the 21<sup>st</sup> century. This is to be condemned. We are all only too familiar with the outrageous and intolerant statements made by politicians who use or rather abuse their public office as a platform for their fundamentalist beliefs. In Northern Ireland the public prosecution service said statements by Iris Robinson were not, not to have any action taken as a result even though complaints were lodged under the Hate Crime legislation. Only last Friday, Tom Frawley, he is the Assembly Ombudsman in the North stated that the case warranted no further action under the Code of conduct for MLAs. When the Chair of the Assembly Health Committee can refer to same sex relationships as an abomination and indeed if she can cure us with a nice psychiatrist, she presumably keeps in her closet. When she can do this without sanction that is the abomination. Many Christians, both within the LGBT community and the cross society here do not support such unchristian tenets or attempts to disenfranchise them. We have an international legislation protection in relation to religious freedom and freedom of expression. This is vital in an open, free and democratic society. It is also the case, however, that with such rights comes responsibilities. These rights shall be subject to such limitations as are prescribed by law and are necessary in a democratic society for

the protection of public order, health or morals or for the protection and rights and freedoms of others. This is something perhaps that many politicians would do well to remember. There are still 75 countries across the world where same sex relationships are prohibited and nine countries where they are punishable by death. Despite repeated condemnation by the UN Human Rights Committee, discrimination and denial of people's basic human rights due to their sexual orientation continues. Human rights are universal. Their application should never be qualified. In Northern Ireland and indeed the whole of Ireland we have a long way to go in achieving full equality for LGBT people. Our union and the ICTU are making significant advances in progressing and addressing the prejudices, discrimination and bigotry experienced by many as a result of homophobia. While we may have legislative protections in place we continue to have a responsibility to educate. And, as a teacher, I feel a particular responsibility in that respect as I'm sure all other teaching unions I am sure who are represented here today. But all of the affiliate unions here have a role. We achieved the protection and human rights equality for all through the Global Solidarity campaigns, through the local and national campaigns that people have already alluded to. Yesterday we heard about the situation in Palestine and Columbia. We heard about the rise of the BNP in Northern Ireland. NASUWT is actively involved in a campaign against the BNP as are other unions. This Congress reaffirms its commitment to true equality. We must, as the motion says, denounce any attempt to discriminate against LGBT people or denigrated them in any way. It is not acceptable. It is never acceptable to say that you are allowed on the bus but you have to sit at the back. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Thank you. If you don't cooperate and reduce your speeches voluntarily you are not going get through this. Do you hear that seconder?

### **Seamus Dooley, NUJ**

President, last year this motion was proposed in one minute flat because we ran out of time. All I can say to you is that we are quiet happy to cooperate but sometimes gays and lesbians need extra time. Seamus Dooley, NUJ seconding this motion and in doing so can I say to you that we already cooperated to agreeing to a composite - a very civil partnership – I would recommend it to other unions. I am also happy in the spirit of cooperation to say that we accept the motion from the Irish Nurses Organisation, the amendment to this motion. We do so because we recognise that what has been achieved through the civil partnership is a welcomed development but it is not enough. And to quote Connolly, or to paraphrase Connolly, our demands most modest are we only want the earth even though gays and lesbians know that the right to civil marriage may indeed cost the earth.



The screens this morning when I googled the Civil Partnership Bill flashed up a warning, the computer admitted a shriek, it flashed and it said 'access barred', unacceptable risk, sex. I think that is a fairly neat summary of the current bill – access barred because what this Bill does is it prejudices, there is an inherent prejudice in this Bill, and that is that gays and lesbians cannot be allowed near children. And this from a State and this from a church who has had its own shabby record in that regard. But this Bill is of a piece. It is presented by a Minister who is too worried about infringing civil liberties to tackle crime rather than investing in public services, by a Minister who is obsessed with blasphemy and by a Government which has torn up the agenda on equality rights which has torn up the very fabric of equality rights, through the abolition of Combat Poverty, through the attack on Niall Crowley and the Equality Authority and here I acknowledge the presence of Niall Crowley's successor. And, I want to make it clear that I regard career civil servants as a noble profession and I disassociate myself from any implication that they are otherwise. But I will say this much – the treatment of Niall Crowley is a metaphor for the policy of this Government. What we do today is to send out a signal here – we demand equal rights, equal opportunities for all people and this motion is not special pleading for gays and lesbians, it is part of our equality agenda and this time we will take time and we will implement that agenda. I second the motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you Seamus. INO to move the amendment and remember they just said they would want to accept it.

**Clare Treacy, INO**

I accept that they are accepting it. The amendment seeks that the ICTU to renew a campaign to seek legal recognition for the rights of same sex couples and affirms civil marriage as the only option that affords equal rights to same sex couples. I want to emphasise that we are seeking civil marriage not church marriage. The ICTU has campaigned for the rights of same sex partners. It has campaigned for tax rights, pension rights and has supported legislative changes to allow for recognition for same sex couples. It has done this from an equality and human rights perspective. You will be aware that the Civil Partnership Bill has been published and I will very, very briefly tell you what it is. It is a menu of separate and limited rights. It allows for same sex couples to have their big day out. It offers recognition around succession and inheritance. However, it is silent on the tax benefits that marriage currently provides in the same circumstances. So the effect of this is that there is a legal right to be recognised as surviving partners with regards to property but the right not to pay inheritance tax is not in the Bill. The Bill allows for the role of a civil partner to be accepted as the next of kin and importantly, and I think every heterosexual person in the audience should listen to this, it also deals with heterosexual relationships because it provides for regulation for both same and opposite sex couples who are not married or are

civil partnered and who split up after living together for at least two years. As Seamus said, it does not offer any reference whatsoever to children with regards fostering, guardianship, custody, adoption, nothing about pensions. So, in effect, and I am finishing up, the Bill could be characterised as being about death and splitting up instead about being about love, commitment and family. I am sure delegates that you will agree that it is not too much to ask that same sex couples be entitled to love, commitment and family and I ask you to support this Amendment in pursuit of equal treatment for all. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Secunder for the amendment.

**John O’Gorman, IBOA**

President, fellow delegates, John O’Gorman, delegate from IBOA, the Finance Union and a member of their Equality Sub Committee. I wish to second this amendment to the composite motion. I find it opportune that we should be speaking on this motion so shortly after the eagerly awaited and much delayed publication of the Civil Partnership Bill in the Republic of Ireland. This Bill is a major step forward in the transformation of Irish social legislation. This Bill has guardedly welcomed by most areas of the Irish media, the equality and LGBT organisation and the public at large although there was some criticism at the recent Gay Pride festivities in Dublin. This criticism mainly stems from the fact that it is felt that this Bill is only a ‘half way house’ and perhaps a bit of an ‘Irish’ solution. Perhaps as I said it is only a half way house. It is contrary to human rights law to discriminate against anybody on the basis of any aspect of identity including sexual orientation. The argument about the right to marry is really an argument about the right not to be discriminated against and unfortunately this Bill will enshrine this discrimination into Irish law. If this isn’t an Irish solution what is? Another shortcoming of this Bill is that it has nothing to say about children living with same sex couples. These children could be the natural child of one partner from a previous relationship, having being adopted by one of the partners or be the result of a decision to have children through assisted human reproduction. If a biological parent or an adoptive partner were to die, the child would have no legal relationship with the remaining partner. The legal status of such children is already uncertain and this still does not address this problem. Consequently, there is a children’s rights issue that requires urgent action. In conclusion I would urge Conference to support this motion and to ensure that the Irish Congress of Trade Unions continues to fight all discrimination and in particular support the work of bodies such as Merge Equality in their fight to have suitable legislation enacted that affords the rights of same sex partners to enter into civil marriages. Thank you.

## **Patricia McKeown, UNISON and President of Congress**

Ok, thank you. You are going to make it. We need to move now immediately to the vote and thank you for your cooperation. Don't forget the amendment has been accepted by the movers. Those on favour of the amendment please show, those against, abstention. The amendment is carried. We now move to the substantive motion. Those in favour of the motion as amended please show, those against, that is carried.

Thank you all of you for your cooperation, do find another way of getting into this debate before the Conference is over. I want to thank, for her perseverance, our guest Sheila Bearcroft. Sheila is the President of the British TUC. She has got the particular distinction of being the first Welsh woman to fulfil that role, so the Celts get in everywhere. You are very welcome Sheila and I would like now to invite you to address Conference and I would ask the rest of you to please stay in your seats. Sheila assures me that she has not got a long speech. I would like you to stay with us.

## **Sheila Bearcroft, President of British TUC**

President, Congress, it is a great pleasure and a privilege to bring you greetings from the TUC. Our two organisations have much in common. We have many of the same affiliates, our unions deal with the same employers, our histories like our people are made from the same cloth. I myself am one of the many, many Welsh people when looking onto their ancestry find that they have Irish connections. In times gone by a lot of Irish workers came to Wales. More recently many Welsh workers made the journey in the opposite direction. My former TUC General Council colleague, Jimmy Kelly, is now one of the lead officers for Unite in Ireland. Jack Jones, one of the greatest British trade unionist of the 20<sup>th</sup> century, who sadly died earlier this year, was named James Larkin Jones after the founder of the Irish Transport & General Workers Union. Jim Larkin and Jack Jones not only shared the same name, they also had the same ideals. And these ideals unite our organisations too. They are the ideals of solidarity and organisation. The TUC and the ICTU have a proud history of working together in solidarity.

Throughout the troubles in the North of Ireland we managed to keep .....(piece missing, tape change).... destabilise the peace process. It was then we joined together and the ICTU Northern Ireland Committee led a demonstration which made it clear that the people wanted no return to the years of trouble. Encountering sectarianism we worked together on a bilateral basis. We also meet through the Council of the Isles – that is the organisation which brings together the TUC, ICTU, together with our sister organisations in my homeland Wales and in Scotland. Together we also join our colleagues in mainland Europe in the European TUC. It is through the European TUC and the International Trade Union Confederation that we seek to address the issues which face

workers across the continent and indeed across the world. Those issues are many and serious. We now live in the wake of the greatest failure of international capitalisation since the 1930s. The men of money still pocket their obscene rewards for failure. They tell us that they alone have the skills to get us out of this crisis but they omit to mention that it was their negligence that got us into the mess in the first place. Meanwhile working people are paying the price. We see unemployment rising across the world and while some talk of green shoots, we are rightly wary of undue optimism. As John Monks, the former General Secretary of the TUC and now General Secretary of the European TUC, rightly put it – the financial collapse has cost us as much as a small war. The call should not now be business as usual but never again. We need reform and reregulation of the financial institutions. In this global age we need to work together with unions across the world to counter and balance the power of global capitalism. Now is not the time for narrow nationalism. But, we can see that some people want to take us in that direction. In Britain, in the European Elections we saw a move to the right. The racist BNP now have two seats in the European Parliament. Their success is due largely to disillusionment with the political establishment. Our task is to nail the BNP line whenever and wherever they appear. This is not always easy. You will have heard of the dispute at the Lindsey Oil Refinery in Lincolnshire – workers there saw jobs go into foreign contractors. The far right saw to stir up hatred across the newcomers, against the newcomers. It took a lot of effort from officials from my own union – the GMB – and our colleagues in Unite to overcome the prejudices and make the people aware that the problem was not with the overseas workers but a system that allows the employer to bring in a contractor at a price below the level agreed with the local workforce for the job. Bringing in cheap labour is a tactic as old as employment itself but it is alive and kicking in the 21<sup>st</sup> century. We saw it not too long ago in the Irish Ferries case and now we know from that experience that the employers' attempts to drive down wages can be defeated by international solidarity.

The European Courts have made life more difficult recently with a series of judgements that undermine workers' solidarity. We now need the political will and union organisation at national and international level to reassert the values of social Europe. A Europe of people not for capital. In the words of the slogan it brought together campaign groups around the G20 meeting in London earlier this year, it is time to put people first. And if we are to do that we need to continue to work together through our national trade union centres. TUC and ICTU working together for the good of our unions and their members.

Colleagues, I thank you for your attention at this late time. I thank you for your hospitality and I wish you well for the rest of your conference. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Colleagues, just before you disappear, there is another piece of business to be done. Can I call on the Chairperson of Standing Orders.

### **Michael Sharp, Chairperson of Standing Orders**

Thanks President, Michael Sharp, Chairperson of Standing Orders. Just a 'stop press' announcement that we felt you should hear before we close. It is in relation to the elections. Blair Horan of the CPSU has advised Standing Orders that he is withdrawing from the election of Vice President and therefore Eugene McGlone is elected unopposed. Blair Horan will be a candidate for the ordinary seats on the Executive Council and we have been advised that Theresa Dwyer of the CPSU is also withdrawing from that election. Obviously, the ballot papers have been drawn up will show the names but the mechanisms that will be used by the Scrutineers was in these circumstances explained in Standing Orders Report No. 1. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Michael. I am also advised by Liam that there are still unexchanged credentials and voting stubs and we are going to finish that today so if you are running for election now is the time to panic. Can I make four more very brief announcements. First of all, to remind you that the Taoiseach will address the Conference on Friday morning, just in case you were going to get the bus back to Dublin. The drumming workshops want us to remind you that they are looking for drummers. There is a very nice two night stay with a voucher for two spa treatments on offer in a prize draw. You have to go to Hotel Solutions stall to see that. Our Congress Youth Committee are hosting a Youth Work Shop in the Winter Garden at 3.30 this afternoon and a BBQ in the Brandon Hotel Car Par at 6pm, and tickets for the BBQ at €8 are available from Jane Clare, of Congress staff and that is going to be followed by whatever an "80" night is in the Benners Hotel. And finally just now we are going to the Parkview Room 2<sup>nd</sup> floor for the launch of the Workplace Equality Paper in Ireland. One final thing I am asking you to do is I did not put to you Executive Council Report Section 2, Chapter 2 in respect of the Equality Debate we just finished. Can I put that section of the report for your agreement? Agreed. Can you all say another big thank you to Sheila Bearcroft for bearing with us. Don't forget that we are starting at 9am tomorrow morning. Please go and enjoy yourselves, thank you.

## Thursday 9 July Morning Session

9.00 – 12.00

### **Public Services**

*....Standing Order Report No. 6 missing from tape...*

### **Patricia McKeown, UNISON and President of Congress**

Ok, just put formally to you that verbal Standing Orders Report, seconder for that. Ok formally seconded. Do you agree unlimited power for the President? Agreed!!!! Thank you very much. Right, we now move to the section of the agenda on Public Services. We are dealing with the main Executive Council Report Section 4, Congress Organisation and Chapter 3, Private & Public Sector Committees and we are going to take the first group of motions – 37 through to 40, so please will Cork Council of Trade Unions, Unison, NUJ and Equity be ready to move their motions. Let's start with Motion 37, Debate on the Future of Electricity Generation for Ireland and I call on the Cork Council of Trade Unions. Is the Cork Council of Trade Unions in the room? Good.

### **Colm Cronin, Cork Council of Trade Unions**

Colm Cronin, Cork Council of Trade Unions. Delegates, shortly before the economic downturn in Ireland is in at the moment we were in the midst of another crisis and this was a global oil and gas crisis in which oil had reached an all-time high of \$147 a barrel and gas was increasing with it. The Regulator in Ireland had granted increases up to 30 per cent and people were beginning to believe that gas and electricity were becoming a luxury. Delegates, if we are to return from this global downturn Ireland needs a sustainable energy policy. This Government has set a goal of around 30 per cent of Ireland's energy to be generated by renewables by 2020. If they are to achieve this or even exceed it to 50 per cent, where is the rest of the energy going to come from? In January of 2008, the Minister for Energy, Eamon Ryan said he would welcome a debate on nuclear power but since then he seems to have been muzzled by the Rottweilers in the Fianna Fail party. Looking at our policy in relation to electricity distribution the Regulator sets the price for the ESB but all others set their own. If you look at the campaigns by Board Gais and Airtricity at the moment where they are offering a guaranteed reduction in the price of the ESB on selling their tariff to the customers, I ask is this competition fair? This isn't competition, this is to ruin a good public sector body. There are many areas in this debate such as the sell out by the State of the Corrib Gas field where it is estimated that Ireland will receive no royalties on this field until at least 50 per cent of it is gone. To finish delegates, the Cork Council of Trade Unions are calling for this debate as

other countries are looking increasingly at the use of nuclear power and reversing previous decisions such as Sweden in the 1980s where it had decided that it would wind down their use of nuclear energy. There was an opinion poll taken in Sweden lately where they are looking at either holding what they have or increasing. England is looking at building eleven nuclear plants. We in the Trades Council are not saying that we are in favour of nuclear power. What we are saying is that we are looking for an honest and open debate on all forms of energy but we can't put our head in the sand and say no to nuclear power. Again, I say that we are not saying that we are in favour of it, we are looking for a debate and please delegates I would ask you to back this motion and don't do what Fianna Fail has done to Eamon Ryan

### **Patricia McKeown, UNISON and President of Congress**

Thank you. Is there a seconder for the motion? Formally seconded, thank you. Any speakers to this motion?

### **Michael McKeown, NIPSA**

Michael McKeown, on behalf of NIPSA to support the motion. We believe this debate does need to be had and that we should get as much informed opinion as possible to feed into it. My own union, NIPSA, would not wish to pre-judge in any way what might emerge from a debate but we do have strong reservations about the nuclear option which the previous speaker mentioned that we can't put our head in the sand and ignore it. It's true we can't. But certainly in the North of Ireland we have had our problems in Sellafield or Windscale as it was called in the old days. There have been hundreds of incidents down through the years and I would be here all day if I listed them, but we have had problems on this side of the Irish Sea because of them. At this point in time now the UK Government is proposing ten new nuclear power stations which would provide only 19 per cent of the electricity required. It simply wouldn't be possible for reasons of cost, citing waste storage and vulnerability to climate change and reduced flooding, so if you mix nuclear and renewables then you cannot simply expand beyond a certain point without operational conflicts. The experience in other countries, and Finland is probably a prime example of this if you are looking for one, would suggest that nuclear type investment and take political support away from renewables and locks Governments in to a centralised model that is massively inefficient. In the case of the UK and certainly only about ten nuclear reactors would only deliver a 4 per cent cut in carbon omissions sometime after 2025 which would be a case of a too little too late as far as these things are concerned. And we have to remember that nuclear power can only generate electricity. It is no good for other things like gas and oil which can do other things apart from that. So, the best way we think at present would be to avoid nuclear and go for a mixture and renewables, energy efficiency, cleaner use of fossil fuels and decentralised power stations. It should be a policy objective in our view of generating 40 or 50 per cent of electricity from renewals within ten years. We

think that should be done. This would prove the case for clean energy and demolish the case for nuclear. We can learn lessons I think from countries like Germany which has three hundred times as much solar power and ten times as much wind power installed as the UK has, as a model of what can be done when the dangers and the toxic nuclear option is rejected. So, by all means let's have the debate but with reservations and qualifications on the nuclear option. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Ok, thank you. Any other speakers, no, thank you. Can we now move to Motion 38 in the name of Unison.

**Pamela Dooley, UNISON**

President, delegates, Pamela Dooley, Unison moving Motion No. 38 on Building a New Society Through World Class Public Services. In times of economic recession the most important lifeline for everyone is frontline public services, particularly in education, health, social care and housing. They are the absolute lifeline for the unemployed and the people classed as economically inactive. And of course in order to reverse the recession we need a highly skilled fit and healthy workforce and we can only do that through world class public services. It is ironic that Northern Ireland was systematically criticised for a decade because of the size of the public sector. Yet, when the recession hit the public sector opponents breathed a sigh of relief because they see it as a buffer shielding them from the worst affects of the economic downturn. The profiteers and the profiteers will always attack public services for two primary reasons. The first is greed and their desire to make profit by spitting the public services of its assets. The second is their fundamental undemocratic desire to take public services out of the democratic control of the people. We have seen this time and time again in the developing world. But the attack on our democracy through privatisation has been more insidious. Each time it happens we, the people, lose just a little more power and a little more control. If the neo-liberals have their way we will all be reduced to the status of client of consumer. In both parts of this island frontline public services are coming under the greatest attack since their creation. The enemy is doing a very good job of discrediting public servants and the services they provide. Hysteria is whipped up in the press with stories of high ranking civil servants with superb terms and conditions of employment and protections that the majority of workers can only imagine. That hysteria creates a climate that enables the politicians to cut the heart out of the health service, close hospitals and schools and abandon public housing projects. It is short term and it is a disaster for the economics of North and South. Any right thinking Government would right now be creating front line public sector jobs and expanding our front line services. It would be using public services to promote regeneration in disadvantaged communities. It would be using public procurement and its infrastructure investment strategy to build where building is



needed, to refurbish where capital is scarce and through that to promote construction industry and other jobs. Any right minded Government would now be looking at the services it's had already privatised and taking decisions to take them back in house.

All of these actions are capable of kick starting the economy but more importantly will create a better class quality of life for the people. In the public sector we know that things are not perfect. We the public sector unions are best equipped with our members to change outdated and ineffective practices. Our members cooperate with us because they do put the people they serve first. In the North in particular we have demonstrated how everyone can benefit from radical change agreed in partnership. We are up for it but are the two Governments? I call on Congress to support this motion. In this movement there is no them and us. There is only us and we are determined today to build a better society through the development of our world class public services. I move.

### **Patricia McKeown, UNISON and President of Congress**

Thank you Pamela. Secunder for the motion. Formally, speakers?

### **Pat Hardiman, Galway Council of Trade Unions**

I just support this motion. I would just like to say first of all that we strongly support the motion in the Galway Trades Council. I was at the Tom Johnson Summer School at the weekend where the General Secretary was there and we had a speaker from the American Trade Union movement who was heavily involved in the Obama campaign, and he was asked how do you organise in the likes of the West of Ireland where you wouldn't have a history of trade unionism and he said it is through political issues. And, the big political issue there at the moment is the cutbacks in the bus services. I talked to some of the bus worker and they don't want to be going out of work where there is already 12,000 people on the dole already. At the County Development Board meeting, the Government was condemned that their policy on rural transport and public transport in general by cutting back on services like if somebody from Carna has to go to Galway now for an appointment, they don't get one because the bus service is cut back. Connectivity is important in the West of Ireland. You have the bus service, if you fly into Knock now you obviously don't get the Western Rail Corridor which we have been heavily involved with and progressive groups like 'The West on Track', and progressive groups and people in the County Development Board and that is only in Athenry. The corridor will only go from Ennis to Athenry, they have no more money to bring it up from Athenry to Sligo. Also, the bus service now is being cutback from Knock, the service will be cutback from Knock to Galway and obviously from Knock to Sligo as well. We brought this up at Trades Council committees and it wasn't acted on. Basically that ICTU, through its communications, should campaign on these issues and send these emails down through each of the Trades Councils Ms President, and that was not acted on

and then we then change it around to deal with those issues. And also the other thing as well I'd like to say that is we really need a kind of a regional committee of the Trades Councils to campaign on these issues together and that wasn't acted on either. I also would all on the incoming Executive, considering that there was no consultative committee conference in the last two years, to act on it and to have one in the incoming year. I think if we do campaign for the likes of the bus workers and also the train drivers and a proper bus service for the people of Connemara and the West of Ireland, I think we would get more support from the people from the West of Ireland. I support the motion, thank you.

### **Patricia McKeown, UNISON and President of Congress**

Next speaker.

### **Mike Jennings, IFUT**

Thank you very much Chairman, two Galway men one after the other, not bad. Mike Jennings from the Irish Federation of University Teachers strongly supporting Motion No. 38 and speaking from the perspective of the Education Sector. If I may, my friend Jimmy Jordan made I think one of the best speeches of the week when he got something off his chest on Tuesday and I just want to get something off my chest if I may. All week and indeed all throughout this discourse we keep talking about neo-liberals and I have a real problem with that word. It is just too soft, too fluffy. I mean you could imagine going for a pint with a neo-liberal. I had a right wing uncle and he used to say 'you are too liberal for this family', I was a liberal pup and I was proud to be a liberal pup. George Bush hated liberals so much that he thought that he couldn't even use the word, he talked about the 'L' word so it made me proud to be a liberal for years and I now find out that these guys are the neo-liberals. I know you are not allowed to use the word but for they are just right wing bastards. They will always be right wing bastards. But you can't use the word 'bastard' on the platform at Congress so they are right wing vandals so from now on I am going to refer to them as 'RWBs' so when I say RWBs you will know what I mean.

Chairman, the Irish Federation of University Teachers strongly though about introducing an Emergency Motion on this top but we realised that the Unison motion was a perfect vehicle to address it. I have here as Senator McCarthy might say, a sinister document. This is a document which was issued by the higher education last week and basically it is a manifesto for the RWBs for the destruction of the education sector, and in it according to this document, there would be no replacement of any staff no matter how frontline, no matter how crucial they are. And, in the very, very extreme circumstances where the university manages to giggle around, and this applies right across the higher education sector, and to make some sort of replacement those replacements will only be on the basis of fixed term contracts. In other words permanent contracts will disappear for the foreseeable future. This has been issued in the name of a

Government that every day we from them – oh, education, that's great, wonderful, we are so proud of our education system and we are building the knowledge economy and we are so proud that the Irish people are the most educated in the world and so on. Well, the reality is that is just bull. This is just pure hypocrisy and pure dishonesty. The reality of their intention is contained in documents like that. They are systematically prepared to destroy one of the pillars of good public service delivery which is the education system, in this case the higher education system. And I think that the implications of it, we always know that RWBs that they have two agendas. One agenda is to destroy public service because they don't agree with the agree with the idea of society. They don't agree with community and if they can't destroy it and if certain services are essential, well the fall position is that you make profit out of it and you privatise it. And, the other aspect of this document, and I persist in calling it a manifesto for the destruction of the education sector, is that certain posts can continue on and certain programmes and certain study programmes in certain areas of research can continue on but they can only continue on if externally funded. In other words, the choice for the type of higher education that your children and my children and society will have in the future won't be made by us democratically. The won't be made even by educators. They will be made in the board rooms of anonymous corporations who will decide on the basis of profitability. We will finance computer science there but we won't finance the arts there. We will finance mathematics there but we won't finance science there. The reality is this is a fundamental attack on the pillar of society. It develops the whole nature of what we stand for as a society. It has to be resisted and I call on Congress to join with us, as they have done always to date, in saying that document is unacceptable, has to be withdrawn and we demand its immediate withdrawal. Thank you for your patience.

### **Patricia McKeown, UNISON and President of Congress**

Any further speakers on Motion 38? Thank you.

I now call on the NUJ to move Motion 39, Media Control & Ownership.

### **Seamus Dooley, NUJ**

Seamus Dooley, National Union of Journalists proposing Motion 39 and in the spirit of therapy sessions on the part of trade union officials, I am also going to get something off my chest in moving this motion and I am inviting you to stand up for journalism. I also presenting you with a challenge. When you are criticising the media and the right wing commentators in the press, will you name them. I am fed up of trade unions branding us all with the one stick and will you for God's sake make a distinction between those who own the press and those merely work for badly paid wages within it.

This motion calls on you to support a campaign to stand up for journalism because there is a crisis in the media. O'Casey said the world is in a state of chassis so you are entitled to say 'so what, the media is in a state of chassis'. But this is not just a crisis of ownership, it is not a crisis of capital. The media plays an important role in democratic society. Media demands that role. Media owners regularly invoke the importance, the central importance of media to democracy except when it comes to investment in resources for the coverage of health, education and welfare. With ownership comes responsibility and owning a printing plant is not the same as owning a bean manufacturing company. We believe that the recent closure of 'Which' magazine, the last Irish language magazine in this country, newspaper in this country, was a defining moment in terms of media diversity. The trade union movement and civic society needs to take ownership of this debate. It is over ten years since the Newspaper Commission on Media Owner, it is over ten years since we had the Forum on Broadcasting. Much has changed. There is a requirement to recognise on the part of the state that the Competition Authority has failed, there is an understatement for you. The Competition Authority has failed abysmally because they are too busy hunting down the weak and the easy targets including freelance journalists. They are failure and they are an indictment in this society. I ask you to support his motion and in doing so to recognise that journalism plays an important role in society, but journalism is not about the Tony O'Reillys, the Meave Donovans, the Denis O'Briens. Journalism and media is about the engagement by journalist and by those who work in the media, including right wing commentators and left wing commentators, in a public debate. It is more than the manufacturing or the broadcasting of news.

In conclusion I just want to bring you attention to the implication of the Broadcasting Bill. The Broadcasting Bill represents a new threat to media diversity through a fetish on the part of the Minister for Communications, Eamon Ryan, who has embraced with abandon, the promotion of independent production at the expense of staff jobs. And, because there is a tinge of green to this exercise we are all supposed to cheer. I don't mind whether they are green, whether they are red, whether they are blue, it doesn't make any difference. If they threaten jobs they don't get any marks from us and the fact that they are, and it seems to be fashionable to quote Jimmy Jordan in this Conference, the fact that they are PDs with cowshite on their boots, it makes no damn difference to me and that is where I propose the motion.

**Patricia McKeown, UNISON and President of Congress**

Seconder for the motion? Formally seconded, thank you. Any speakers to the motion, thank you.

I now call on Equity to move Motion 40, Film & Television Production.

## JJ Murphy, Equity

Morning Madam President, morning delegates. It is well known of course that the film and television industry is a highly technical industry and it requires highly skilled people to operate it. It has the potential to invigorate the whole of economy of this island. Let me tell you – do you remember a film called ‘Saving Private Ryan’? Well the opening scenes in that was the D-Day Landings in June and those scenes were filmed on a beach just north of Wexford town. It is estimated that it brought into the local economy just for the few days that they were there, 14 million pounds sterling. In present day money that is somewhere between 25 and 30 million euros. Can you imagine what that would do to a little place like Wexford. However, the fact that we have a border with two distinct economies allows against scrupulous and anti-union financiers to manipulate and cherry pick agreements on the context which often sees those at the heart of a production, the actors and highly skilled technicians, to suffer. Let me give you a ‘for instance’ – for instance if I were engaged to participate in a film where television production was here in the Republic, my contract would include an exploitation clause which means that when the production had covered all its expenses and went into profit, I would actually share in those profits. And my share would be calculated on the original fee and if it was the case of a television company, the television station that transmitted it. If it was transmitted right across America I would get 100 per cent of my original fee. I got a wee cheque and I mean a wee cheque not so very long ago and it was a number of payments from various places around the work for a film that was shown on television and it included 17p from Zulu Television. Now if a friend of mine in Irish Equity were to take part in that film he wouldn’t get anything not even 17p from Zulu Television. Now we need an united strategy at Government and industry level right across all of Ireland that ensures that the industry not only attracts new production but also engages people on proper trade union contracts. I should tell you the very exciting thing potentially to happen in Belfast. There is an old paint shop in Anvil shipyard, that is a very big building because they used to bring ships into it to paint them, it has been fitted out as a studio and it is a facility for film and television. It is being used at the moment and there are people there making costumes and props and building sets and painting them and all the rest of it. Now, the really exciting thing is that HBO, the big American film company which produces The Wire and produces Band of Brothers, they are coming in to do six episodes of a fantasy production and each episode will take thirty weeks. Now of course they will bring the stars with them but people all over Northern Ireland will be engage and participating in it and the skilled local technicians will have their go at it. Particularly when investment is from the public purse or commissioned by the public broadcasters, we want an industry throughout all of Ireland but not at the expense of the people who work in that industry. I told you yesterday that we have a slogan in Equity – Arts Means Jobs. In Angel’s Ashes there were a few scenes shot out in Inchicore and on each day on the film set gets a schedule of the following day’s activities and who is required. On this particular day there are only six of the cast required but the instructions to the catering people were

to provide lunch and breakfast for 123 people. Now there were about 50/60 extras, there were two film crews, there were three security people – they were on the move all day among the squad. Because of the numbers involved, a nurse had to be engaged, a local doctor was put on standby and because children were involved, one or two tutors had to be involved. So, you see what I mean that art does mean jobs. It is extraordinary, and I want to get this through to people, just how many jobs are involved. Let me think of the Abbey Theatre in Dublin. How many people who don't go on stage are involved in that? The cleaners and the people who make out programmes and issue all sort of things. And, what tax and VAT is got from that. And the investment that is made to it. Some few years ago, I'll not be long now President, but five years ago the Arch Council of England did a survey and it was estimated that the economy benefited to the tune of £100 million. The grant at the time was £110 million. In view of all I said, I ask you please to vote for the motion. Take it home and talk about it.

### **Patricia McKeown, UNISON and President of Congress**

Thank you JJ. Secunder for motion. Formally seconded, thank you. Any speakers to the motion? Ok, thank you.

We now move to the vote. All those in favour of Motion 37 on Electricity Generation Debate please show, those against, abstentions. That is carried. Motion 38, Building a New Society Through World Class Public Services, those in favour please show, those against, abstentions. That is carried. Motion 39, Media Control & Ownership, those in favour please show, those against, abstentions. That is carried. Motion 40, Film & Television Production, those in favour please show, those against, abstentions. That is carried. Thank you.

We now move to the next group of motions so I am alerting the movers of 41 through to 44, starting with IMO on The Provision of Public Health Services.

### **Finbar Murphy, IMO**

Finbar Murphy from the Irish Medical Organisation. Delegates, this motion goes to the heart of the type of health service we wish to have in Ireland. It is about the values we place on health care as a society. The decision of the last Government reaffirmed by the current administration to adopt the policy of the development of the private hospital sector through it' co-location initiative is perhaps one of the most regrettable decisions ever taken in fostering a two-tier health service. This decision solidifies a system that enables those that can afford to pay to easily access a range of private health services while those who cannot afford to pay are obliged to avail of an under funded and under resourced public system. Let me be clear. We have no issue with the establishment and operation of private hospitals. However, we object strongly to a Government policy which favours the development of private hospitals over public hospitals. We object strongly to a Government policy which commits hundreds of millions of

taxpayers' money to the development of private hospitals at the expense of the investment in our public hospitals. Delegates, how ironic it is at a time when our most profitable private institutions face nationalisation and further bailout from the taxpayers to the tune of tens of billions of euro and after a decade of economic boom, the legacy of our health service will be the development of a chain of private hospitals catering to those who need not depend on a systemically under funded public health system. Delegates, it is beyond ironic at a time when the Department of Health & Children can find up to €400 million in tax relief for the developers of private hospitals, they cannot find the funding to keep the operating theatres in Crumlin Children's Hospital open. Delegates, let us be clear – the current culture that provides tax relief incentives for these developers is not just politically and economically wrong, it is morally indefensible. No policy that enshrines inequality should be allowed to endure. Let us make it the business of this Congress to consign the policy of co-location to the same historical footnote status as the party whose brainchild it was. Delegates, I call on you to support this motion.

### **Patricia McKeown, UNISON and President of Congress**

Thank you. Secunder for the motion. Formally seconded, thank you. Speakers to Motion 41.

### **John Kane, MLSA**

Delegates, on behalf of the Medical Laboratory Science Association, I support this motion. In 2008 the Minister for Health, Mary Harney strongly supported the outsourcing of cervical cancer screening to the United States with the resulting loss of a critical scientific skills set to the Irish health service. The company that won that contract won a well known lobbying firm which was founded and is headed up by a former Secretary General of the Progressive Democrats to help open doors into the corridors of power and influence an already well disposed health minister. Health is a key business area for such lobbying firms. The web site of the lobbying firm I referred to previously reads under its most prominent section, Health, and I quote; "Ireland is witnessing a revolution of health care across the country. Private operators are entering the market as consumer confidence in the public provision of health care diminishes". My union witnessed first hand the institutionalised corruption which prevails this Government's health policy. Lobbying firms such as the one I referred to earlier now have a major say in dictating Government health policy. We urge Congress to redouble its efforts to ensure that the policy of private before public is halted and that a properly funded public health system is developed rather than a two-tier fragmented service that will only increase the inequalities in our society. I commend the motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Any further speakers to Motion 41? Thank you. I am now going to just hand over briefly to our Vice President, Patricia King.

**Patricia King, SIPTU & Vice President of Congress**

Thank you President. We move on to Motion No. 42.

**Brian Moore, NIPSA**

Brian Moore, NIPSA to move Motion No. 42 on PPP/PFI Projects. What this motion is about basically is to ask Congress to seek moratoriums both North and South on the use of Public/Private Partnerships and Private Finance Initiatives. Our union for a long time has been totally fighting against privatisation of contracts. Public/Private Partnerships which basically put public money into the hands of the private sector who then make exorbitant profits on the use those for education, schools, school buildings, hospitals. And to take forward research on that we decided to employ the University of Edinburgh Research Department to take forward an analysis of what was happening on the use of PFIs in particular and what that showed, to cut a long story short, was that over ten, fifteen or twenty year period those contracts, the private profiteers in those projects are earning ten times the actual capital investment that goes in to build the hospitals or the schools. And, it is just extortionate, ridiculous and disgraceful the amount of profit they get over that term. Basically they are getting a lump sum up front, which they invest, and then the public sector and the people who pay for that through their taxes have to keep paying that contract for the next twenty odd years. What we are asking for is the Executive support, a moratorium on the use of these, also to ensure that the proper research which will show that these things never are value for money and it is the tax payer who pays time and time again. Please support the motion.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegates. Can we have a seconder? Do we have a seconder? Formally, thank you very much. Any speakers to the motion?

**Madeline Speirs, INO**

Colleague, Madam Chair, Professor Alison Pollock from originally Edinburgh University wrote a book called 'NHS Plc' and I would recommend it as reading for anyone that is interested in understanding how the private sector usurps public money. In America, Obama is reviewing what the HMOs and health care corporations are doing to their systems but these corporations have to have some where else to go. And, the PDs and the Fianna Fail Government have invited them in here. We are now in a situation where the likes of Hughie



Reinhart who is an economist in Princeton has said; OECD countries, health and education is a driver of economies and it is worth about 20 per cent of our GNP. So, we have, I urge you to support this motion because we have to protect our people from the parasites that will come in and take our tax payers' money for profit. That's just about it really, support it.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate.

**Ann Donnelly, UNISON**

Chair, delegates, Ann Donnelly, UNISON supporting Motion 42 on PPF/PPP. Near where I live in Derry we have two schools, St Mary's and St Cecilia's, both are falling down. Nine years ago there was enough money to rebuild them but PFI was the chosen method of finance. Seven years later the tenders came in. In those years we have been deeply involved in the fight to expose PFI as a failure for our children and our members. Governments insist that our members' jobs be privatised. First we got the school meal workers out, then we got the cleaners out. We used the Northern Ireland Equality Laws to achieve this. Since then we have been getting the caretakers out. All of this energy could be used to work together and build a better society and better public services. Instead we face constant battles to get the Government to do the simple and decent thing. I want to pay tribute to the tremendous work and resolve Unison has delivered across the UK in challenging PFI and it is time to kill it off. In Northern Ireland we face the next ten years and £16 billions worth of scheduled PFI. No thought was given as to how this bill would be paid. The result is likely to be cut and damages to vital services delivered by our members. They will suffer and our communities will suffer. Even the Holy Fathers latest Encyclical states that outsourcing endangers workers. We have looked at what is facing our colleagues in Ireland and Great Britain. It is clear we are all fighting on all fronts. What we need now is tight coordination and integration of our campaigns to end PFI. From everything we experience in Northern Ireland it is clear that the UK Treasury is applying the maximum pressure to PFI. They are even going to lend the public money to private companies because the banks have gone broke. Where the Government has been devolved there has been some success in holding PFI back but the signs are that the Treasury is coming for everyone. The creator of this monster was Maggie Thatcher but the person who perfected it Gordon Brown. Congress needs to be uncompromising in our resistance and opposition. It is clear that an end to PFI on this island, working together and sharing information is the best way to achieve it. I call on Conference to fully support this motion. Thank you.

**Patricia King, SIPTU & Vice President of Congress**

Any other speakers to Motion 42?

## **Brian Campfield, NISPA**

Thanks President. President, Brian Campfield of NIPSA speaking in support of Motion 42. The overview of the Annual Report and the section on the economy deals with the current crisis of capitalism and how billions in public money has bailed out and subsidised the banks and other financial institutions. We are rightly up in arms that the debt of the financial institutions has been socialised and handed to the community while profits still remains private so all citizens get the worst of both possible worlds. The scale of this may be new but the reality is this type of arrangement has been part and parcel of our system whereby the private sector is heavily subsidised by the taxpayer, that is subsidised by the community while those in receipt of private subventions clamber daily for public sector cutbacks as a measure to tackle public debt. This particular motion, 42, deals with the very specific and supposedly innovative arrangement whereby the private sector receives the steady flow of guaranteed income over a period of 20/30 years. A steady subsidy from the public purse to private sector corporations and companies. This is an arrangement which should promote outrage and anger but it is not the case unfortunately because PPP and PFI is presented as a partnership along the following lines. The private sector finances the project, they make a profit of course, this is part of the deal, and the public reap the benefits in the form of new schools, hospitals and other public sector infrastructure. And we get them now because without the private financing you don't get the schools and hospitals. So they say everybody wins, that is what they say. But the reality is fundamentally different. NIPSA as mentioned in the report here by Allison Pollock, who is the professor in public health policy in the University of Edinburgh and she makes it clear, and this is the first report that has ever been done in PFI in Northern Ireland, and this report makes it clear that PFI is a rip off so it is, a rip off of public funds and the results are startling. They are startling on two counts. Firstly, the amount of repayments that the public sector, public purse, has to make over a period of twenty/thirty years. In Northern Ireland alone it is between £10/15 bn. And the other argument is that it is very poor value for money. For an investment value of £1.29 m, the actual unitary charges on payment from the public purse is £4.7 m and this is completely unacceptable and I support the motion, thank you.

## **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Are there any other speakers to Motion 42? Right we move on then Motion 43 submitted in the name of the IMO.

## **Phil Ni Sheadghdha, INO**

Good morning delegates, Phil Ni Sheadghadha, Irish Nurses Organisation speaking on proposing Motion 43. This motion seeks to highlight and work towards correcting the unfair system of access to our public health services. In this country in the Republic of Ireland 30 per cent of our citizens have medical

cards which affords them free medical care and 52 per cent of our citizens have private health insurance and the remainder have nothing because their earnings don't allow them. It is important to provide health care to all citizens. The problem we face is access and access to diagnostics. Therefore, if I don't have a medical card and I can't afford private health insurance I will not get a diagnosis for a delayed period of time. Now, some statistic on this are that those that don't have insurance and who don't have medical cards and even those that do have medical cards wait months even years to get access to their diagnosis. In order to be treated obviously you have to have a diagnosis first. Those with private health insurance bypass all of these waiting time, get their diagnosis and get treated. Therefore, our public system and our public policy is weighted in favour of those with private health insurance and what it means is that if you have private health insurance, you get diagnosed earlier, you get treated earlier and inevitably you will have a better health outcome. We believe that that is inherently unfair. Our Government are telling us that our primary care strategy will solve all of these problems. Our primary health care strategy is dependent on eligibility which is based on a 1970 Health Act which states that eligibility for public health services is bestowed on those with a medical card or with that status. The Minister for Health tells us that she is currently reviewing that. We are not hopeful that it will be bestowed on a broader sector of our society. The last Minister for Health that had seriously looked at this was Noel Browne by introducing the Mother and Child Scheme and we haven't seen any major broadening since. Ultimately in recessionary times, as you know, there will be a greater dependency on our public health services. More people will be eligible for medical cards and unfortunately more of the lower paid grades will still be earning enough to take them out of this bracket. Therefore, what we are looking for is a universal health insurance to ensure that everybody has access based on their need not on their ability to pay as previously stated by colleagues in the IMO, and what we need is that we need to demonstrate that trade unionists will stand up for this group, this group because our policy makers are not dependent on public services. They can access private sector medicine without going through the waiting list system for diagnostics or treatment. In the meantime we have to ensure that they don't starve our public hospitals of services, of funding, of resources and we have to ensure that the private system isn't the only health provider in this country. Go rabid math agate.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Do we have a seconder for the motion please?

**Sheila Dixon, INO**

Madam Chair, delegates, Sheila Dixon, Irish Nurses Organisation. In seconding this motion I would just like to take a minute or two to outline the affects on frontline services hit by the embargo, probably summed up better by a colleague in a note to Minister Harney recently. She stated, due to staff shortages and

employment freeze, patient care will suffer. We, as nurses, can only do our job, not our job and someone else's. You, as Minister for Health, would not do your job and Brian Cowan's job at the same time – now that is a whole different debate so I am not going to go in there. The only flexibility is one sided, our side. It is time we sought from you. Disappeared on our Cutback Watch, which is a web based initiative which allows members, patients and families and the public to post comments on line and record where they experience cutbacks, what it means to patients though on the ground is that in some cases, particularly, in care of the elderly patients are not got up out of bed every day. Some have to go back to bed in the early afternoon. For nurses and midwives the delivery of quality patient care is severely compromised by the cutbacks and recruitment embargo. We have been told as nurses that we are the backbone of the health service. Indeed in some cases we are told that we provide essential services sometimes flashed in the face when balloting for industrial action however. In spite of this in the moratorium issued by the Department this year which allowed for some exemptions nurses and midwives don't feature at all. My colleagues in Sligo recently faced with chronic understaffing and the announcement of a further loss of 19 temporary contracts, was belied for this. They went on strike not for personal gain but in the knowledge that nurses and midwives are responsible for the quality of care that they provide and the overall safety of their patients. Delegates, I would encourage you to find out how services are affected in your area because they are affected and it may be too late if you decide to wait until you or a family member needs that particular service only to find that it doesn't exist any more or you have to travel to a Centre of Excellence or is based on your ability to pay and not on your medical needs. That day is not coming, that day has come depending on what part of the country you live in. Please support the motion.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Can I call speakers to Motion 43. Are there any more speakers to 43?

Ok, we move on then to Motion No. 44 from IMPACT.

**Peter McLoone, IMPACT**

Thanks President. Peter McLoone, IMPACT moving Motion 44. Delegates, it is no accident that the unaccountable course of criticism of our public services North and South has increased in volume in intensity in the wake of the present economic crisis. In my view this criticism is designed to do two things. The first and immediate objective is to divert blame and accountability away from the real culprits in our current economic catastrophe but the more sinister long term objective is to ensure that once the taxpayer has cleared up the wreckage of their recklessness and greed. They, the greedy elite can go back to business as usual which is a finance driven casino capitalism that for millions of ordinary

working people and their families has delivered nothing but reduced living standards, disappearing pensions, mass unemployment and now less public service provision. And, delegates it is no coincidence either that the politicians, economists and businessmen who relentlessly attack our public servants are the same people who advocate cuts in social welfare, the old age pension and wage reductions in the public and private sector. And their objective is to use this crisis to destroy the fundamental decencies that this movement and the millions of people we represent fought to achieve and protect over decades. Within the public service we recognise that the collapse in Government revenues is real and has to be dealt with. We have sought commitments that there will be no further reductions in public service pay and pension and we have sought an agreed framework for dealing with jobs and employment issues. And, we have said to Government that if we have these commitments we will engage in a negotiation to deliver the flexibility needed to protect services needed in these difficult times. I recognise that this means big challenges for the people who work to deliver public services. We must also recognise that just because we didn't create this economic mess it doesn't mean that the dedicated public servants are going to walk away from the growing number of people who depend on them. But, the reality is delegates that none of the so called reforms presented to us by politicians, commentators or senior Government officials offer real solutions to the growing number of people who depend on public services. And the speculation about An Bord Snip that we are reading about in the papers every day is not about reforms. It is simply about further cuts and attacks on public services and the people who provide them. And one of the criticisms that we keep hearing is that the public service is top heavy, over-managed and over-bureaucratic. And there is a simple solution to this and it is time to shift the focus away from bureaucratic dictates from the centre and start empowering local managers and local workers to agree and implement reforms that will work for service users in the hospitals, local authorities, schools, social welfare offices and elsewhere. We will deal with the reality of reduced resources to deliver the services that are our citizens value, expect and pay for. But lets stop the nonsense of the centre whether it is finance department mandarins, the unaccountable economists in An Bord Snip, the HSE bureaucracy or anyone else trying to determine and dictate every detail of service delivery. We say give the budget to those who have to manage and deliver services and let the people who the services and the community they serve, agreed the changes and flexibility needed to unsure the best possible range and equality of services within the current financial constraints. I ask you delegates to support Motion 44. Let's stand up for our public services and the decent, caring people that we represent.

**Patricia King, SIPTU & Vice President of Congress**

Thank you very much. May we have a seconder please. Formerly seconded, thank you. Speakers to No. 44.

## **Jack McGinley, SIPTU**

Jack McGinley, President of No. 1 region of SIPTU and member of the National Executive Council. A couple of weeks ago I passed a milestone in my career, 35 years in my employment and at a time when I would be expecting to be winding down, I find that my 35 years in the public service in the largest university in Ireland, a university which is ranked in the top ten, we find that the terms and conditions are under duress. The Dublin Region combines people in the public and private sector. Since the 1980s we have not been afraid of change. We have confronted change at every corner, in every private sector employment, in every public sector employment. There can be no doubt that the officials and leadership in the Dublin region and at national level in our union and in Congress have engaged at every level. But, there is a problem in relation to the way Congress is treated and by inference by the way our members are treated, particularly in relation to the recent decision by the Government last November to begin to focus on the knowledge economy. First of all the knowledge economy is a misnomer. We should have a knowledge society. Our society shouldn't be about the economy, it should be about our people. In the Spring of this year, the two biggest universities in Ireland, UCD and TCD, who produce more than 50 per cent of the PHDs in this economy, got together in shotgun wedding focussed on by the Taoiseach to try and seek delivery of a higher number of people going through Masters and PHDs to give more back to the economy. Recently as part of that focus it was decided that there would be a new high powered committee set up. There is not a sign of a trade unionist on the committee. It's the 'head of this' and the 'head of that'. This Government agency, that Government department and a whole load of foreign multi-nationals who are all funded by the taxpayers' money.

In conclusion, comrades, in supporting this motion can I just relate a story as hot as yesterday. There has been discussion in Trinity about a retirement scheme at aged sixty and the focus of the ICTU people on the Board was that people who wanted to exit the organisation, having spent thirty five/forty five years in the college, would be able to do so in an enhanced package on the basis that a lot of people who are there in their twenties and early thirties who are on contracts of short-term duration would get the jobs that are made. While we were here in session yesterday, my boss, the Librarian, was calling people in over sixty asking them did they want to go and he wanted to know by today because he is going on holidays tomorrow. And of course me, the chief shop steward in the library happens to be away at Conference and it suits him. Now you can imagine what my phone was like yesterday. Shame on him comrades, and shame on us if we are prepared to put up with it.

## **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Any further speakers on Motion No. 44?

## **Brendan O'Sullivan, INTO**

Brendan O'Sullivan, INTO. Delegates, my name is Brendan and I am a Public Service worker. I started sometime back in the 70s when I slipped my first wage packet and my dependency has grown over the years to the extend where, at the moment, I need two sometimes three wage packets in a month to fulfil my needs. Then there is the issue of security – job security – I have it and I am fast deteriorating to the position where I am going to need a pension very soon. Now, it's not like I haven't been told about this. Some dear friends, Moore McDowall, Dr. Moore McDowall and Brendan 'I've got another right wing idea' Keenan and George 'God Help Us' Lee – they have all told us and told me for every day of my employment what a burden I am on the state. I tried self help organisations. There was one that promised solidarity, we called each other brothers and sisters, it's not working out, not very well. I am still there, I am still in there. I am still working, I'm still trying – we will see. Then I thought maybe I need a little bit more self help of my own. Maybe I should call George and Brendan and Moore aside and maybe I should say to them 'I didn't cause the crisis that exists in this country at the moment'. If public servants were running the banks they would not have collapsed. Maybe I should tell Brendan and George that if I have job security, it is because there is a demand for the product that I offer and that security is offered in any employment if what you are offering is that there is a need for children to be educated and as long as there is a need for children to be educated I will have a job. If I have a product to sell and it's in need then why should I worry about, why should I apologise for my job security? I won't. Maybe I should tell them that I have 10 per cent of the total wage bill on the teachers' salaries it costs to fund our pensions. After the recent tax levy I am now paying 14 per cent of my salary so on a year to year basis I am 4 per cent ahead, thank you very much. And, finally, colleagues maybe I should tell George and Brendan and maybe some other people who represent ourselves who vie for the title of the most 'milk and water democrats', maybe I should say to them that we have 300,000 people and that is a considerable constituency and until we start getting proper representation by the public services unions of this institution, by political people, then maybe we should start forming our own political representation, maybe we should start pushing for our own self help, because colleagues, to be quite honest all jokes aside I am sick of being vilified and patronised and I am not having it any more.

## **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Are there further speakers to Motion No. 44? No further speakers. The General Secretary will speak to Motion 42.

## **David Begg, General Secretary**

Colleagues, I just want to offer a few thoughts in relation to Motion 42, not on the substance or the principle of it which is well accepted, but there has been traditionally been a different approach taken both in the Republic of Ireland and in Northern Ireland as to how to deal with these issues. Specifically, as you probably know, in the Republic the agreements we have require the Government to engage with us and to do a public sector benchmarking test in relation to any PPP project. One of the reasons by the way why the co-location project is outside of this framework is that it wouldn't survive the benchmarking test and it does also require that these contracts have regard to terms and conditions of employment. But, what I want to address at the moment is just this line on the penultimate paragraph requiring us to impose a moratorium on the future use of PPPs in the context of the construction industry because at the moment the construction industry is on its knees frankly. And, if you take everybody who is connected with it that means that there is 400,000 people in the state who are affected by the downfall of the construction industry. While the housing component is obviously dead at the moment because of what has happened – that needn't be rehearsed, there is some potential salvation in the infrastructure side of this, accept that the public capital program doesn't have the wherewithal to carry this through or at least there is a trade off between the public capital program and the day to day provision of public services. Now the Construction Industry Committee of Congress and ourselves have been engaged with what is known as the Construction Industry Council, I hasten to add its not the Construction Industry Federation because there is nobody there that we can have a civilised conversation with these days, but the Construction Industry Council have some ideas in relation to this as indeed we have ourselves. We have proposed the idea of a National Recovery Bond, they have come up with the idea of using pension funds in order to get this infrastructure development going and there is a very valid point about all of this because Ireland is way behind the rest of Europe in terms of the provision of infrastructure but what I am getting to is, if some of these ideas were to come to fruition it would involved a PPP here in this state and I think that the way things are at the present, it would not be a good idea to tie our own hands in that regard. The only promise that is available is what comes out of these discussions. So, from that point of view it would be unhelpful to have our scope tied up at the moment. So, from that standpoint I would be very grateful actually if the NIPSA people would agree to submit the motion on that understanding. It's no argument at all with the general sentiments that were conveyed in it, it is a specific practical argument relating to the state of construction here at the moment.

## **Patricia King, SIPTU & Vice President of Congress**

Thank you David. The right of reply to the mover of the motion.

## **Brian Moore, NIPSA**



I appreciate the comments made by David Begg but the reality is that we don't agree to remission. The reason for seeking a moratorium is to actually gain more evidence and research has already been discussed by speakers to the motion. What we have shown with the research we have conducted is that time and time again public money, and now we are hearing that pension money may be used in some way to support these partnerships, the reality is of our experience and the whole point of solidarity is that you learn from other's experience. Now our experience is that these are a failure. All it does is drain taxpayers' money into private profit. So, we are not seeking remission, we are seeking you to support the motion on the grounds that it is a moratorium so we can look at the evidence and put it back to the politicians.

**Patricia King, SIPTU & Vice President of Congress**

Thank you. Now we will put the following motions for vote to the meeting, to the conference. Motion No. 41, all those in favour, against, abstentions, that motion is carried.

Motion No. 42, all those in favour, against, abstentions. That motion is carried.

No. 43, all those in favour, against, abstentions. That motion is carried.

Motion No. 44, all those in favour, against, abstentions and that motion is carried.

So we move on then to Motion No. 45, GSU, thank you.

**Philomena McCabe, Guinness Staff Union**

Chair, colleagues, Philomena McCabe, Guinness Staff Union to move Motion 45 on a very vulnerable but important group in society, Carers. Over the past few days many delegates have come to this rostrum to complain about the actions of this Government and their broken promises. I want to add to that list that part of our agreement in the document *Towards 2016*, in that document we agreed with the Government and the other social partners to develop a National Carers Strategy. This was set out for the Government's vision for family carers to establish a set of goals and actions in areas such as income support, health care and services, housing, transport, information services, labour market issues and programmes for training. However, the Government took the decision earlier this year that the long promised strategy would not be published citing the economic situation. Carers are hurt and annoyed that family carers are further excluded. Carers make an enormous contribution to society and we should stand up and speak for them. We pride ourselves in the trade union movement as helping the weak in society. Carers frequently care for the weakest in society and are deserving of our support. Every week 3.5 million hours are worked by 161,000 family carers across Ireland. The Government is happy to take this tremendous

resource but it is not prepared to put back even a fraction of effort these people bring to society as a whole. 161,000 family carers were let down when the Government reneged on their promise in *Towards 2016* to develop this National Carers Strategy. Let's call the Government to account by stating that Congress stands clearly beside this vulnerable group, that it demands justice for them and would press for a comprehensive support and recognition strategy for these workers. Please support the motion. Thank you.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. May we have a seconder for Motion 45 please. Formally seconded. Speakers to Motion 45.

**Theresa Dwyer, CPSU**

Good morning delegates, Theresa Dwyer from CPSU speaking in support of the motion. The purpose of the National Carers Strategy was to set out a vision from family carers from 2008 to 2016 working in tandem with *Towards 2016*. It provided for two consultation meetings, submissions from social partners and then wider submissions from carer groups and the general public. But once again Government has targeted a group, 161,000 family carers, and has decided that this group must be another casualty of the programme of cutbacks. To abandon the National Carers Strategy is to abandon those who are vulnerable, that is those who are in need of care and those who are prepared to provide that care. We are all aware either through personal experience or otherwise of the level of commitment and responsibility that goes with the job of being a family carer. In some situations there is more than one family member in need of care. So, without a strategy in place that establishes a set of aims and actions that will put proper supports in place and that recognises the valuable role they do, family carers will continue to be socially excluded. So please support the motion.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Are there any further speakers to Motion 45? No. We will move on to Motion No. 46 please in the name of IMO.

**Finbar Murphy, IMO**

Finbar Murphy from the Irish Medical Organisation. Delegates, as you will be painfully be aware, the country finds itself in uncharted economic waters. There are difficult times ahead and difficult decisions to be taken. We in the trade union movement will not shirk from our responsibilities when it comes to taking the difficult decisions. However, the decisions that must be taken, particularly in the health service, however difficult they may be, must not adversely impact on the provision of patient care through the cutting of frontline services. Services which are already hard pressed to meet the demands that are made of them. The

reasons for this are two-fold. In the first instance, staff in the front line providing frontline services are those we turn to in time of our greatest need. It would be a sad commentary on our society if those that we rely on most are expected to deliver care in the most difficult of circumstances with reduced support from the state. There is another reason why any political decision to cut frontline services at this time makes little sense. That reason lies in the fact that reducing the amount of funds put into frontline services will not produce the demand for those services. Indeed it is the contention of the IMO that failure to adequately resource frontline services will not, contrary to expectations, yield savings but will merely push the point of service demand to another part of the health service where the provision care denied in the frontline may prove to be even more expensive. Let me give you an example. The short-sighted decision of the Government to withdraw the cervical cancer vaccination from teenager girls may mean some short-term savings but the potential cost in terms of treating cervical cancer at a more advance stage and more importantly lives lost is unacceptable and far outweighs any small financial gains that might be made by cutting services now. It can be persuasively argued that one of the causes of our current economic woes was the prevalence of short-term thinking during the boom years. It is therefore illogical to expect that similar short-term thinking will help to lift us out of the current downturn. This is particularly so when one considers the health service as an aging population placing an ever greater strain on scarce health service resources. It beholds us not to fall back into the trap of short-term thinking and to plan for a health service that is fully fit for purpose and capable of meeting the needs of our people. Cutting services at the frontline and under resourcing the point of first contact – very often the most pressurised part of the service – makes no sense and I would urge Congress to make maintaining frontline services in the health service a priority. Delegates, I call on you to support this motion.

**Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Have a seconder to the motion? You want to speak David? Formally seconded.

**Dave Hughes, INO**

Dave Hughes, Deputy General Secretary of the Irish Nurses Organisation. Delegates, 581, that's the number of beds which will be closed in the Republic of Ireland acute hospital services by the end of this month. 56 of them were announced yesterday in Monaghan. Six theatres are currently closed throughout the hospitals in the South of Ireland and we have done some figures of the accident and emergency trolley week for the first 19 days of June this year compared with last year, and they are showing a 30 per cent increase in the numbers of people waiting on trolleys this year compared to with last year. That means 984 people lay overnight in trolleys in absolute misery with lights glaring on them when they were at their sickest. It is totally unacceptable, it is an abuse

of their human rights and it should stop but it will not stop with the current cutback agenda which is being followed. We operate in this country with a policy which has said will regulate, we won't manage the health services, we will leave it to the HSE to manage the health services and we will regulate. Well, regulation in this country is a failure. Financial regulation, the regulation of children's homes – all regulation has failed because it is under resourced and it always will be under resourced as long as Governments can get away with providing minimum public services. We in Sligo recently had nurses who felt that they could take no more. On a daily basis they were 16 nurses short every day and the management sacked a further 19. The nurses said we have had enough and they walked out and they were right. When they did that there was a lot of finger waving from the regulatory body, An Bord Altranais at them which went as far as advertisements in the papers telling them about their duties. But, the same regulatory body says nothing about the understaffing that goes on in the care of the elderly services in this country. We in the INO run two services which are two really valuable public services, one is that we count the trolleys in the hospital every morning at 8am and we publish those figures. The second is that we have [www.stopthehelathcuts.ie](http://www.stopthehelathcuts.ie) website where we collect information on health cuts. Those services are there to shine a light on dark places in our Irish health care. When the regulatory bodies wave their finger, terrible and horrible things have happened in Irish society. We must say to regulators, regulate the employers who are pulling back. The theme of this conference is 'Building Solidarity'. 80 per cent of people don't have to go to the health service most of the time, it is only about 20 per cent of us at any given time that are in the health service depending on health services. If we are to build solidarity, then it is building solidarity with patience and communities who this year will face the most dramatic health cutbacks that we have ever seen. That is the solidarity we must build. We cannot get into an agreement which prevents us fighting the most major attack on the public health service that we have ever seen. Lets build solidarity with the public, lets stop the health cuts and lets stand up to this Government which is destroying our public health service.

### **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Any further speakers to Motion 46?

### **Cara Merkin, NIPSA**

Conference, Cara Merkin, NIPSA to fully support the motion. I work in the health and social care sector in Northern Ireland and I have first hand knowledge and experience of the impact of cuts in frontline health services. Conference this is not merely the age old trade union principles of saving jobs, protecting terms and conditions and promoting workers' rights. Conference cuts in health care services, lets be very clear on it, have to potential to affect every one of us here today, our mothers, fathers, brothers, sisters, and our entire communities. In the North at present the Health & Social Care Trusts are faced with a review of public

administration which sees a 25 per cent cut in management and administration jobs, which has a direct impact on frontline services by virtue of the fact that the same level of work still requires to be done and it is being suppressed on to the frontline service delivery jobs. We are also faced with a comprehensive spending review which is a Government led initiative which asks for a three per cent efficiency saving across the health and social care sector. Conference, three per cent does not appear at first glance to be very much or significant. However, the reality of this means closure of residential homes for older people, closure of children's homes, cutbacks in domiciliary care to the most vulnerable in our society and the closure of hospital beds. Our devolved Government in the North assures us that neither of these initiatives will have an impact on frontline services. Well either our Government think that we are thick or they have lost the run of themselves. The trade union movement continues to lobby politicians and oppose these cuts at every opportunity but the message is met by stone wall of politicians using lack of public finances as justification. In the North the Government do not appear to aspire to have a gold standard healthcare service, rather they seem to be satisfied with a bog standard or worryingly with a sub-standard service. So, I urge you Conference, do not allow the Government on this side of the border to chip away and strip away at your frontline health care services. Let's send a very clear message today to Governments both sides of the border, you can't take the knickers off a bare arse and leave the health service alone. Conference, support the motion.

### **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Any further speakers.

### **Susie Hall, ASTI**

Susie Hall, ASTI. I won't attempt to follow that. I had no intention of speaking to this motion. I am a teacher, I think I do a reasonably good job but I am intimately, intimately familiar with the job that nurses do in the health service due to the unfortunately circumstances over a long number of years, remissions and relapses and all that sort of thing, and my life has been saved by the wonderful people in the health service. And, I would like to pay public tribute to them here. The traditional image of a nurse – soothing fevered brows in a darkened room in a quiet hospital bears no relation to what I experienced lying in trolleys for many days in the A&E Department of Beaumont hospital. I honestly think a war zone would give you a far better image of what that atmosphere was like. On a Saturday night everybody except the nurses and the doctors are drunk, the violence is horrendous. I have seen nurses pushed, assaulted, abused, spat at, I have seen patients going after each other with knives inside the ward of the hospital. Health and safety regulations seem to apply to everybody else but not the employees, not to the nurses in those situations. And, I think that the vast majority of the public, just be very grateful if you don't experience the receiving end of the health care services. I could not speak enough of my gratitude to the

nurses and the other medical staff who looked after me, but nobody should have to endure the conditions that they work in, nobody. And, I think that if we don't support them and if we allow hospitals to close, local hospitals, in favour of these centres of excellence, they won't be any good no matter how excellent if the patients are in a trolley in the queue down the road trying to get into them. And, my life was saved during an ASTI conference some years ago by an emergency admission to Ennis general hospital and I cannot say how grateful I am and as I said, I had no intention of coming up here and speak this morning but I do feel that we must support public service, we must support our nurses and it has been a ploy of Government to deflect attention to their, at best malfeasants but at worst something else when they have sought to make the public services hate figures and portray us as leeches on the backs of the taxpayers. We too are taxpayers and society would be in a very poor place without the service that is provided by public service employees in this country, and I am deeply grateful to the nurses and I just wanted to put this on record. It is a bit personal to be using this platform for it but it needs saying and we need to say it to everybody else. Thank you very much.

### **Patricia King, SIPTU & Vice President of Congress**

Any further speakers?

### **Finbar Maguire, TEEU**

President, delegates, Finbar Maguire, TEEU. I am speaking holistically here about basically the public service because the cutbacks are hitting right across that. And before I start, I would like this morning to pay tribute to all of those public servants who are out there today serving us as citizens. They go pretty much unnoticed all the time and there is too much being said against them rather than about them so I would pay tribute to those workers wherever you are this morning, well done and keep up the good work.

Every day those workers are out there they are providing an essential service, services which we sometimes take for granted. As the last speaker said, when you go into hospital and you have a complaint, these people are there, they are there to save your life and they do so very, very good. However, and this is what I really came to speak about this morning, we think when it comes to turbulence in the economy it seems that the commentators across this country and I am talking about the likes the Joe Duffys who should shut his gob and leave trade unions and trade unionists alone, and also I say to the Independent Newspapers who trade fact for sensationalism, would you ever leave us alone also. The workers I represent out there, health service and public service workers, these are the people who expect of their trade unions to represent them when called upon to do so. I believe that in respect of the levies that was imposed on the public service this year, the unions did not address those levies sufficiently. The unions rallied their troops on 21 February and I have to say that it was a

marvellous day of colour and camaraderie, really great, and set up some fire in the belly of the workers to do something about the injustices that was being visited upon them. However, we all looked forward to the 30 March when we were all going to take to the streets and people were really looking forward to that. They were now taking on, they were being called upon by their unions after years of silence. However, what happened? Nothing. We were called into the talks and my criticism here is, since that day we were called into the talks, our members have not heard one word relative to the pension levy. There is a huge injustice which has been visited upon our members and as far as I am concerned, I believe that Congress should make some comment in that regard. They should make some comment to the workers. What is their stance in relation to the pension levy. If anyone was listening to Brian Cowan and Rodney Rice's final programme last Saturday, Brian Cowan was taking pride in the fact that the pension levy had been imposed and was very successful if you like in addressing the public sense about the economy. As far as I am concerned I did a calculation of my wages quiet recently. From my gross wages, delegates, my gross wages, 34 per cent of that is going to the Government. I do believe that that's too much when the fat cats of this country are paying absolutely nothing. Thank you Chairman.

### **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Are there further speakers to Motion No. 46? We move now to the final motion in this section Motion No. 47 in the name of the Dublin Council of Trade Unions.

### **Eric Fleming, DCTU**

This motion is very straightforward, it calls on the Government to undertake a study to evaluate the success of the Cuban Medical Model in order to see what lessons can be learned in the context of the current crisis besetting the Irish health system. When we discussed this at the Trades Council we thought that it was a very novel idea. We have had lots of delegations. I am kind of wary listening to people telling me about how successful the Cuban model is and it astonishes me that you hear this flow of information coming from Cuba every time someone comes back.....(tape change) and every time I am with that man, I just come away totally enlightened and wonderment at how they do this and how much knowledge he has about this system and yet it hasn't impacted on us whatsoever. Our health system seems to be getting worse and worse and worse. He offered me a tour, I though he was going to bring me up to show me this modern new transplant stuff that he was involved in because he makes very little of the job, there is no pomp or ceremony, but he brought me up around the wards. I think he thought I was up there for the first time but my brother was very sick about 18 months ago and I spent months, and months and months in and out of the place and I was absolutely astounded at the conditions that workers had to work in and particularly what the patients had to endure. In this case he

brought me down to an acute ward. Every ward we went by he said six people in there but every one of them should have a room of their own. He brought me right down to the next one and said, see that lady there – she has diarrhoea. She is attending that toilet there every hour at least and the six people in there have to use that toilet after her. And, they want to know why people are getting sicker in hospitals. He takes me down further and he says, look at that ward there – men and women in the same ward. That shouldn't be. And every time we turn on the radio and every time we have a debate we hear all these things. I have come up here with barrels of statistics about how great the Cuban model is, the system that they operate out there with great success. The thing about it is that it is from the cradle to the grave. They get their infant mortality right down and for such a poor country they have a marvellous rate of success at treating people. When I go to my local doctor and I will be personal here, "your name is and I am seeing you 27 years now, you are not Barry, no that's my son, yes that is a problem you have there and we will see what we can do about it. Have you got healthcare? I am in the VHI, oh God VHI, of course we can deal with that immediately without any difficulty. Would you like to go and see Sean, he knows all these consultants by their first names and I just get the impression I'm dealing with some kind of Masonic lodge there, they have some kind of a deal going between them. When you get there then you have to pay big time. He takes your coat off, the consultant, it never happened before, I didn't realise I was going to pay big money for this. Anyway, I have lots of other stories to tell you but I am not going to do this, I am not going to waste the time of Conference. I am going to say that there is something rotten about this system, getting rotten by the hour. Every time you turn on the radio, you come to a conference, you read the paper, you meet a friend and something has to be done about it and if it is so successful in poor underdeveloped Cuba let's go and have a look and see what they are doing right.

### **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Is there a seconder for the motion? Formally seconded. Are there speakers to the motion? Thank you.

### **Ray Rafferty, UNISON**

Ray Rafferty, UNISON. President, delegates, last year UNISON's Royal Hospital's Branch International Group had the pleasure of organising and hosting a lecture for the West Belfast festival. This was presented by Dr Una Lynch and the subject was the Cuban Health Service. Before that I didn't know very much about Cuba or its health service but I was startled by some of the facts. I will tell you two or three of them just. Life expectancy in Ireland and the UK, which is supposedly a first world country, is 78. Cuba, which is supposed to be a third world country, life expectancy is 77. This despite of 50 years of economic blockade by America. How do they do it and why do they do it? It seems to me by what was said at that lecture they put primary care first, prevention is better



than cure. This is a pretty forward way of looking at how we deliver health service and it is only now in Britain and Ireland that we are looking more at prevention rather than cure. Most of all I came out with the conviction that they have a system which is fit for purpose and one that costs 20 per cent of the health services that we provide. Whenever Aneurin Bevan set up the NHS back in the 1940s, some sixteen years ago, it was forward thinking and it was the envy of the world. Not any more. Due to bureaucracy and more bureaucracy, Government cuts and lets be specific about the cuts. It was interesting in the last motion. Last year the Belfast Trust had to save £44 million. This year the Trust has to save £97 million. Next year they are going to have to save £130 million. That's services and that's jobs. Bevan would turn in his grave. I am proud to say that I was born in the NHS but I don't want to die on a waiting list for treatment in the NHS. Let's learn from the Cuban mode.

### **Patricia King, SIPTU & Vice President of Congress**

Thank you delegate. Are there any further speakers to Motion No. 47? No, well then we will take the motions 45, 46 and 47. So I put them to Conference. Motion No. 45, all those in favour please, all those against, abstentions. That's carried. Motion No. 46, all those in favour please, all those against, abstentions. That's carried. Motion No. 47, all those in favour, all those against, abstentions. That motion is carried. Thank you for your cooperation delegates.

### **Patricia McKeown, UNISON & President of Congress**

Thank you, thank you very much Patricia. Can we just clear the sections of the report. I put to you Section 4, Congress Organisation and Chapter 3 Private and Public Sector Committees for your agreement. Is that agreed? Thank you very much delegates.

Just to alert those unions who were involved in the Tuesday debate starting with Motion 12, that we may have time to recommence as promised the discussion on that before we finish at lunch today. I am alerting you and if they are not in the room, and you know who they are, let them know. We move now to another one of our very special guests. One of the trade union centres around the world that we maybe the strongest links with and traditional links are our brothers and sisters in the Scottish Trade Union movement. It has been my very great honour on your behalf over the last number of years to both attend and address the STUC and I am absolutely delighted to be able to welcome back to the Biennial Conference, the General Secretary, Grahame Smith. Grahame, good to see you again. Let me invite you know to make your fraternal address to us. Thank you very much and welcome.

## **Grahame Smith, Scottish TUC**

Thank you very much President. It gives me tremendous pleasure to bring you the warmest greetings from the General Council and the staff of the Scottish TUC. Our relationship with the Irish Congress of Trade Unions is one on which we place great value and we have been delighted to have delegates from your Congress attend our Congress for a number of years now and as your President said, to have had her address our Congress on your behalf, I think perhaps on the last four occasions which is perhaps a record. And we were also delighted to have your General Secretary attend our Congress this year for the first time to participate in a special debate on the current economic crisis and to hear not just an Irish trade union movement perspective but also a wider European trade union movement perspective and contribution. Of course we have the Trade Union Council of Isles meetings involving meetings of our respective Congresses, the Wales TUC and the British TUC, which has been an important mechanism for dialogue between the trade union centres in Britain and Ireland and which provides an invaluable opportunity for us to learn from each other and to work together to address the many challenges that we face. And, of course many of those whose ancestors who came from Ireland and settled in Scotland have been stalwarts of the trade union movement in Scotland and in fact I have yet to meet a Scottish trade unionist which Irish ancestors who hasn't claimed to be related to James Connolly. Connolly was of course a Scot born of Irish parents who before returning to Ireland was an active trade unionist and delegate to the Dundee Trade Union Council and in fact I have met many Scottish trade unionists with no Scottish ancestry also claim to have Connolly as a relative. So, our connections are indeed many and varied and very deep seated.

The relationship we have of course is vital as I said in enabling us to work together to confront our biggest challenges and at present our biggest challenge is how we respond the current economic crisis and I wouldn't claim that as a trade union movement we predicted the scale of the banking crisis or the severity of the recession but we were certainly amongst the select few to question the sanity not just of the free market fundamentalism of the Reagan and Thatcher years but the market friendly neo-liberalism of following the lead of an earlier delegate, the RWBism of Clinton and Blair and to question the sustainability of an economic model that failed to ensure the fair and equitable distribution of the proceeds of economic growth. And, for our generation these are unprecedented times. The nationalisation of Scotland's two biggest banks, who would have thought that transitional demand would ever have been met. And, so many other certainties of life have proved not to be so. But it is the human face of the banking crisis and of the recession that matters the most. The impact it has on our member's jobs, on their homes, on their families, on their futures threatened by corporate greed and irresponsibility. And that public anger at the recklessness of those who control our economy but also at our complicit politicians is in danger, I fear, of turning to despair and disillusionment and of driving many, who struggle to make sense of why we are in the mess we are in,

to seek irrational and extreme solutions. And in the UK this coupled with the MPs expenses scandal is causing many to question the reasons, their reasons for supporting and participating in mainstream political parties or indeed in the electoral system itself. And, we witnessed the grave consequences of this with the election in the UK of two racists BNP members to the European Parliament.

Now the expenses scandal we have in the UK reflects a more fundamental malaise in British society – one that has been around for several decades and has its roots in the rise to prominence of an ideology that values individual over collective responsibility and shuns the pursuit of equality as a political objective. Despite our best efforts over the last thirty years, policy makers ignored the what you might call the economy's equalising institutions, progressive taxation, minimum wages and of course trade unions, who have had a profound and detrimental impact on equality, social mobility and cohesion and ultimately on economic success. Now, whilst times are tough and whilst there is a real danger that widespread public disillusionment with some of our key institutions, with our politicians, with our banks and financial institutions, that that will create a more individualistic society, I think there is a tremendous opportunity for civil and moral renewal based around the collective pursuit of the common good. And in that, the trade union movement has a responsibility to provide leadership. Now despite the gloom there are positive signs. In Scotland trade union membership is rising. Our membership over the last two years has increased by over 15,000 putting it at the highest level since the mid 1980s. And while many jobs in unionised companies have been lost in the recession, an increasing number of workers are seeking to join unions because of the uncertainty and insecurity at work and the actions of some employers to cut costs and to reduce workers' rights. And, I also would like to think that because we offer a vision and a hope for the future. In the United States for example there is a campaign over the Employee Free Choice Act, which when implemented, will make it easier for trade unions to organise in work places. And, in supporting Employee Free Choice Act, forty prominent US economists including three Nobel Laureates signed up to a statement which includes the following lines: 'A rising tide with all boats only when labour and management bargain on relatively equal terms'. Now that to us might seem blindingly obvious but nevertheless that simple statement undermines the orthodoxy that has underpinned economic policy in the US and indeed in the UK for the last three decades. And, in Northern Ireland the Visteon workers and in the South the electricians and across this island other workers who have acted collectively for what is right and refused to be browbeaten by those who call them irresponsible for taking action during an economic recession that the denigrators themselves have created. And, in Scotland the Diageo company, you know well, is facing a fight not only from its workforce but also from the civil and political community over its plans to cut a thousand jobs in Scotland and to close its whiskey bottling plant in Kilmarnock. Now, I noticed that the PR around the job losses in Scotland mirrored the company's PR when it announced the closure of the Dundalk and Kilkenny breweries last year, trying to soften the blow with some positive spin. Well if its

plans for Scotland go ahead that blow would be softened for a thousand workers and their families, workers who accepted a lower pay rise last year have accepted short-time working and forced holidays this year in response to the recession. Now Diageo is not a company in trouble – it is the world's largest drinks company with an annual turnover of twelve billion dollars. In June it announced an increase in profits for the year of six per cent. In August 2008 it announced annual profits of over two billion pounds. This is not a company that needs the forty million pounds it will save by closing its plant in Kilmarnock. This is a decision that has more to do with the company's share price that it has to do with the recession and it had the desired affect. Diageo's share price rose after it announced the jobs cuts. This preoccupation with short-term shareholder values is something that has blighted UK manufacturing for years. But what makes the Diageo's situation all the more depressing is that this is a company that has made much of its constructive relationship with the trade unions but which announced its decision to sack one thousand workers without any union consultation. The companies that go after restructuring and go after modernisation, good companies do that in consultation with the trade unions and use their wealth to make the transition just and fair. There is no excuse for not doing so, particularly if your workforce makes as much money for you as Diageo's workforce makes for it.

Now I mentioned the need for unions to demonstrate leadership and to articulate a different course for the economy and for society. At our Congress in April we launched our agenda for rebuilding collective prosperity. Now as well as arguing for the rebalancing of the economy for more support for manufacturing, for common sense measures to support those faced with redundancy, for investment in public services and action on climate change, this agenda puts tackling poverty and income inequality at the heart of economic and social development in Scotland. Now according to the OECD, of all the major economies, the UK is the seventh most unequal, bettered only by the likes of Italy, Portugal and the USA. Ireland was only just behind the UK in ninth place. So, central to our campaigning in the period ahead will building civil and political consensus around demands for progressive tax reform, for a living wage, for the elimination of gender pay discrimination, for an increase in bettered administered welfare benefits and for improved trade union and employment rights.

I have spoken about leadership and I want to close by commending the leadership shown by this Congress in your decision to support the boycott of divestment sanctions against Israel because of its actions in violating the human rights of the Palestinians in its occupation, separation wall, illegal settlement and its denial of the rights of the Palestinians the freedom of movement to land, to water and to self determination. The STUC followed your lead when we reached the same decision at our congress in April. And like you we have been criticised, we have been called racist, we have been called anti-Semitic – charges I strong refute. Five years ago this week the international court of justice ruled that separation wall is illegal. Despite the Court's decision, Israel continues

construction of the wall denying thousands of Palestinians access to water, farmland and basic services, something I saw for myself when I visited the West Bank in March of this year. Now we are trade unionists and where we see injustice we are obliged to speak out and to act and to persuade our brothers and our sisters in the international trade union movement, including Histadrut, to do likewise. And in this let your Congress and our Congress stand together.

Congress, thank you for the opportunity to address you today and please accept the greetings and solidarity I bring from your comrades in the Scottish TUC. Thank you very much indeed.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Grahame. The challenges we face right across these islands are of course might. The fact that we can work in solidarity is extremely important to us and I know it is to you, and we are going to continue that work and that friendship. And, I once again congratulate the Scottish for that brave decision it has taken in respect of boycott divestment and sanctions against Israel.

Now, we move now delegates to the section on Pay and the Workplace. We are going to deal with Section 3 and Chapters 3, 4, 5, 6, 7 and 8 of the Report and it is at this point that I get to exercise the unlimited power you have bestowed on me this morning. So while we are dealing with Motions 48 through to 51, I am now moving Motion 51 to the top of this part of the agenda and I know that you will all join with me in giving brother Eamon Devoy a rising welcome from the picket lines.

### **Eamon Devoy, TEEU**

Just to extend the President's penitentiary powers, Standing Orders have also agreed that I might take a minute or two to speak to you about the electricians' dispute being run by the TEEU and to thank this conference for the tremendous support we have received throughout the dispute and the personal comments by the President were extremely helpful at the right time. Just to say that the electricians haven't had a pay increase from the pay period 2006 – 2007 while many other workers throughout the economy have had their increases applied ranging between 10 and 17 per cent. The dispute is not just about that. The employers are on a campaign to reduce that 06-07 rate by 10 per cent and to reduce other significant earnings through the reducing apprentices' pay, shift pay and overtime. Now this is not just an attack on the electricians, it is an attack on all the workers in Ireland. There is a policy by Government, the property speculators, the banks, the builders and the contractors to drive down wages in this country as some sort of a solution to the economic woes of this country and keep the eye off the Government whose responsibility it is to address this in a fair way. There is one particular speculator, sorry I should say one particular

captain of industry that is particularly responsible for this specific dispute, and I just want to say that he knows more about rearing cows and slaughtering cows than he knows about workers' rights.

Just to say about the dispute, people are misrepresenting this on an ongoing basis that this is a pay claim that we have with the employers. The contractors have secured money from the clients under the contracts that they had back in the time and they have withheld that money from our members. We don't negotiate on electrician's pay – it is a process and there are no negotiations whatsoever. We looked at the rates of pay in sixteen companies and if those rates of pay happen to go up then the rates of pay for the electricians go up, equally if it goes down their rate of pay goes down. Obviously as rates of pay are going down in the private sector through different arrangements that are taking place at the moment, in the course of time the electricians' pay will go down. But they want to skip to another year or two and cut their pay at this stage and it's just that they don't get the chance to follow them up, and then they want to cut across cutting them down. Look, if we win this dispute and we have to win this dispute, it is our belief that we win it for every worker in Ireland and that is why the solidarity of this great union movement is so important. There is a slogan for the conference that says 'Building Solidarity', it was a slogan before this conference started, and it is a reality today. The amount of solidarity we have received is extraordinary. The Construction Industry Committee unanimously agreed to support an all out picket and called on their members to do so in the coming days. Numerous factory workers have come out where there were electrical contractors working on their site, there are still a number of factories closed – we didn't ask those workers to stay out. We didn't put pickets on to prevent those workers to stay out. They are staying out in solidarity and the most extraordinary thing is that there are factory workers ringing up from various other factories where we have no dispute and there are no electrical contractors and they are asking that we put pickets on in order that they can come out and support our dispute because they realise how important not only for us but for everyone here today. I don't want to dwell on it. I thank you for the opportunity to speak to you on this and thank you all once again for your tremendous support.

Back to the order of business, I am just going to speak on Motion 51, which is testing for intoxicants – that motion around a conference like this – but anyway a number of people have contacted me about this motion with some concern and I want to allay those fears. The last conference supported a motion around texting for intoxicants and that we shouldn't support the texting of intoxicants and this motion is not designed to do that. The Section 13 of the Act says, paragraph C, says, testing will only apply as prescribed in appropriate industries and that remains our position and our defence for widespread testing. But there are workers in this country that are entitled to protection. There are a number of companies in the aviation sector and there are a number of workers in the transport section covered by the Rail Safety Act and so on, there are numerous

workers in multi-nationals where the multi-nationals bring their own company policies with them into this country and when it comes to intoxicants, a lot of them refer to a zero tolerance policy. Now a zero tolerance policy is fine if zero is a reasonable level because if you take people that use cannabis for example legitimately at a weekend in Amsterdam, never tried this before, it is legal here, try it out and see what it is like. Innocently enough they come back, go back to work on Monday and they happened to be tested for intoxicants, it is in their system. But hear this – it is in their system for three months thereafter. They are not affected in the carrying out of their work by something they did in Amsterdam a week or a month or three months ago, but it is in their system and they will fail a drug test on that basis. I have had a number of workers sacked in the rail side of the business in multinational companies where they operated a zero policy and I have one landmark Labour Court case where they brought in senior counsel and everything else on the other side and the support from Esther Lynch, sitting in front of me from Congress, and other colleagues we managed to beat all their lawyers and their experts from all around Europe. And we have got that company to agree the European standard. Now the difference between zero and the European standard is the European standard says that 15 monograms per millilitre for looking out for cannabis is zero, because 15 is so extremely low. And, to give you an example, if you are fond of your bagel in the morning and you happen to eat two of them, they are covered with poppy seeds then you are over the 15 monogram limit. One of the workers was an athlete who was using a muscle building product, which I better not name, and that was what brought him over, it didn't bring him over anything, he wasn't even over the 15 – he was 8.6 per cent which is only half only what it would be under European standard and wouldn't be reportable to the employer. So, all I am trying to do here is establish a standard where testing is taking place. There is a debate going on at the Health & Safety Committee in Congress of which I am Chair. We set up a sub-committee for this very important matter because it is in time going to affect every worker in this country. And we have to get it right and we have to get it right first time. We have moved from guidelines to the idea that we should have a Code of Practice. At the Health & Safety Authority Board we are fighting that with IBEC in particular, CIF at the moment seem to be fairly neutral on the matter but when it comes to a vote they will probably back IBEC. They are fundamentally opposed to having a Code of Practice because a Code of Practice would give us a strength of documents in a legal situation where employees are being made redundant, sorry, being dismissed, and their argument is that you shouldn't confuse dismissal law with health & safety law, but it is the Health & Safety Act that will be used to dismiss an employee. So, their argument doesn't hold water but it sounds nice when you say that you shouldn't mix up the two. But this is not about 'nice', it is about defending employees who are wrongly accused. If they are over the limit and they are found guilty so be it, if they are over zero and comply with the European standard, they should not be dismissed and we should be able to rely on the Code of Practice to do so. The Congress Health & Safety Committee is pursuing this on your behalf and I would like the full support of Conference on this matter. Thank you delegates.

## **Patricia McKeown, UNISON & President of Congress**

Is there a seconder for the motion? Formally seconded. Any speakers to this motion? We put this motion to the vote to enable Eamon to go back to the business in hand. All those in favour please show, those against, abstentions. That is carried and Eamon please carry also our very best wishes back to the picket lines and into the negotiations. Your members have done us proud and you can assure them of our unswerving support.

We now move to Motion 48 in the name of Connect.

## **Philip O'Rawe, Connect**

President, ladies and gentlemen, Philip O'Rawe from the Executive Council of Connect to move Motion 48 on Performance Management Systems. This is really based on the experience of our members particularly over the last couple of years since the last Biennial Conference where this thing has really taken off as a big issue for them. It is a common feature of modern work that our managers judge our performance. We have really moved on from the days of the approach of put people in the category of 'keep', 'promote' or 'sack'. It is much more complicated now. A whole industry has sprung up around performance management systems. There is a platter of systems and approaches but they all have a number of things in common. They encapsulate how our members are viewed by the employer so they get widely used within organisations and they influence many aspects of our working lives. They have a key impact on what happens to us and our members. Are they promoted, are we trained, are we forced out. They have a key impact on how we are treated at work. Are we well thought of? Are we encouraged to develop? Are we given opportunities or are we instead made the poor relation given the dead end jobs or completely sidelined. It is worth noting, like it not, that performance management systems often determine pay and bonus so there is further scope for abuse there. Performance Management Systems, where there are pervasive they come with abuse. The examples my own union have seen in our sector which is telecoms sector in the UK are, for example, ten per cent of the team must be on a Performance Improvement Plan. In the company in question that is the first step on the under performance process and therefore it can lead to dismissal. We see corporate bullying statements like two managers, if you don't put your own people on a Performance Improvement Plan, I'll put you on one and then you will be out the door.

We see forced distributions of marks and gradings within the system, for example, you can only have so many high performers and for every high performer you have got, you have got to have a low performer so that they can be forced out the door potentially. Members are being told 'I think you are very



good' but we have got too many people in that category so I have had to mark you down.

In our view as a union the vast majority of workers just want to do a good job, get on with it, be told the standard that's required to do the job and meet that standard. Unfortunately, in our experience the standards are often a well kept secret until the end of the year when you are told you haven't reached it. Goalposts are often moved and often without the individual members even being told that this has happened until it's too late to do anything about it. Often the human resources could even dictate to managers the scores that should be given to people they don't even know and haven't even heard of. Bad practice imported from so called experts from the USA, such as the General Electric Company, leads to schemes where the bottom 10 per cent is to be sacked on grounds of poor performance. Not only are these Performance Management Systems not actually encouraging good performance or even measuring performance they are used to bully people. So, for example, unless you do 'such and such' you will be marked down and you wouldn't want that would you. People end up under pressure to work long hours to avoid these low marks and the dangers that come with it. People can be hauled in for the slightest mistake. People could be targeted for harsh treatment for a one off slip after decades of unblemished service to that employer. Huge amounts of management time can be tied up trying to run such schemes. From our own union's survey there is the evidence of biased discrimination around ethnicity, disability, part-time workers and there is another bias, the higher you are in the organisation the more likely you are to be marked as a high performer. It is not just a slight bias. In one large company that our union deals with people at the highest level are twice likely to get the best performance marks as people at the lowest level.

The company argues that these people have got on in the organisation so they must be very good. To us it looks more like these people have got on in the organisation and they want to put up the ladder to stop others threatening their position. But with these performance manuals systems linked to pay you can see how this sort of bias contributes to the already significant issue of the gender pay gap. We in our union currently seek companies who have surplus staff using performance management; absence management and capability management procedures as a means of driving people out who they no longer want. Why do they not just make them redundant? The answer it would cost them a lot more particularly where the unions have negotiated good redundancy terms which are expensive for the employer. It's much cheaper to force someone out front about their performance as they generally only get pay in lieu of notice. We see companies with targets from many executives where managers are getting rejected to get extra sent out in a year. We see companies trying to cover this up. We know all unions have concerns and we would like the Executive Council to complete a meeting to go through all the evidence available and encourage best practice and how we counter this bias and corruption. There needs to be much greater consistency to this and these performance management systems.

But to end on a positive note our experience as a union for managing professionals in the Telcom sector is that when the manager is a union member they are much more likely to resist these abuses individually and by encouraging many other managers to resist them also. So on this issue encouraging and achieving strong union membership density among managers is something that can benefit employees at all levels. So please support.

### **Ian McArdle – CWU**

Madame President, delegates, Ian McArdle Communication Workers Union seconding the motion. In this changed economic environment the use or more appropriately, the abuse, of performance management systems is being utilised by more and more companies as a way to manage costs and our headcount. In reality performance management systems are being use in some cases to get rid of staff cheaply as it avoids the need to pay redundancy money. But colleagues were all suffering from the effects of the abuse of performance management system. The Banking and Financial Services sector that has collapse so ingloriously was built constructed on an intricate web of performance management systems. These systems created a culture of sell, sell, sell. Management wanted staff to sell at all costs and we are all now living with the effects of an unchecked performance management system that has worked out to be so disastrous. The Communication Workers Union, however, has experienced the abuse of performance management systems first hand in a Telcom sector. In two anti-union companies that we are trying to deal with BT Ireland and O2 Ireland, we are finding that they are using performance management systems to usher perfectly good staff to the exit door on spurious performance issues.

Now when I describe these companies as anti-union I should clarify they are not entirely anti union they are much worse then that. Both these companies are quiet happy to deal with unions in the UK, in Northern Ireland, but have so far resisted engaging in any meaningful dialog with the Communication Workers Union. They are worse than anti-union – they are anti-Irish. We have found that staff in these companies that have been doing their jobs perfectly well for many, many years have being target as part of a unspoken un-transpired and in some cases quite terrifying headcount reduction strategy that's been disguised poorly as performance management system. We have being contacted by middle management in these companies who have being advised that at all times they must keep a at least 20 per cent of their staff on a performance management improvement plan, which if nothing else underlines the nonsense of the system that is defined of a standard that never exists. In other words 20 per cent at all times must be poorly performing then there is no benchmark on which anyone could be assured that they are going to be performing well.

Colleagues, this is a diabolical abuse of a system designed to generate loyalty amongst staff. It generates a pervasive culture of fear and loathing. Fear among staff who do not want to lose their jobs and loathing towards management who in some cases are enforced to employ system that they do not wish to subscribe to. Ultimately colleagues it undermines any sense of loyalty to the company. The abuse of performance management systems is a subtle but quietly affectively formed of institutionalised bullying. I would ask you to support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you, any speakers to this.

**Larry Broderick, IBOA**

Colleagues, Larry Broderick, General Secretary of IBOA supporting Motion 48. I talked on Monday in relation to the situation that exists in the banking industry that has created the collapse not only of the industry but this economy in general. And just quickly to talk about the background to that development the banks brought in, in the late 80's the issue of the performance related pay for managers. It was used to try and get managers out of the trade union and significant pressure was placed in all new managers to go into a performance environment based on good performance management systems. Within two years of that the banking industry brought in what was known as the 'yellow pack' employee to downgrade salaries of the lowest paid in the industry, what to do to maximise profit. And then since that time the have introduce right across the board performance management systems based on performance related pay with one objective on mind. But the objective of that time has being realised now to be an absolute calamitous development which is the collapse of the banking industry in Ireland. The objective was clearly to focus on reduced costs and reduced employee benefits.

What we were facing today colleagues, and I say to this in our colleagues in the public service, I say to our colleagues in other industries, to the CIPD, we are being told that performance management systems is about self development. That is a nonsense that is a rouse. In our set of circumstances today colleagues, where the banks will be making significant losses our staff are being managed out of the banks by them reneging on their contracts but at the same time identifying that they are not meeting performance management criteria. And the tremendous irony in relation to that, the people that have caused this debacle in their industry are allow to retire, to move on to great benefits and significant pensions.

So the clear message to any group engaged in performance management is to support this resolution. This is about abuse. It is not about development and training. This is about maximising benefit for the employer at the expense of the employee. And it's about time that we, as a trade union movement in the public and in the private sectors, got together and a clear message of stopping this abuse for the future. Support the resolution. Thank you very much indeed colleagues.

### **Patricia McKeown, UNISON & President of Congress**

Next speaker.

### **Bernadine O'Sullivan – ASTI**

President, Delegates I really welcome this motion and I would ask you all to support it. However, I think it's about nine years too late. Because this motion encapsulates really what happened in '99-2000 when Congress was negotiating a new National Pay Agreement. And, at the time when the talks were at advanced stage our union was informed that the new Pay Agreement would be based on performance related pay, and our union had objections to it, most of which have already being outlined, so had the TUI. And what really happened then was that the name was simply changed to benchmarking. Because benchmarking is exactly the same and that was proved in 2007. In 2007 only 11 per cent of public servants got an increase under benchmarking. The rest - 350,000 serving and 100,000 retired public servants got no increase. Because the system that was applied was that it was only those at the very top that got increases. The first one was to bring you in like the little honey pot that was in 2000 and in fact it was no honey pot because it replaced the traditional pay reviews in the public service which was based on relativities. And doing away with that was welcomed by Turlough O'Sullivan from IBEC he said "now benchmarking has brought some reality into public service pay and pensions". He said that in 2002 and he said that in 2007, in fact it is reported in the Irish Times.

And what we have seen colleagues in the teaching profession we had a system based of promotions on seniority. And for two and a half per cent last September we had to forgo that, it was condition that that had to go for us to get it went a month later there was a one per cent levy. The one per cent levy wiped out the two and a half per cent so that's what each one per cent levy means. Its equivalent to two and half per cent pay increase. Public servants like myself are taking home 14 per cent less net since last September because of all those pension levies, health levies, income levies, but we have not got a pay cut. In other words and what previous speakers have said the performance related pay, people at the time said to me, "how Bernadine could you be apposed to that should it's about giving people extra" and I said "no it isn't". I attended a

conference in Budapest in the year '99 at trade union conference and the first speaker got up and said we have had performance related pay per two years and it has demoralised, divided and done away with collegiality in the workplace and the only winners are those who are paying the public service pay bill and the private sector the same. The fact that someone in the HSE has got a bonus, a bonus for performance and non performance says it all. Thank you very much President, thank you.

**Patricia McKeown, UNISON & President of Congress**

Nobody force me to do time and motion measurement here. Next speaker please.

**Annette McMillen – NIPSA**

Annette McMillen from NIPSA supporting the motion. I wasn't going to get up and speak on this but my experience in working in the North is that recently with the financial recession the employers are increasing using performance management systems to get rid of staff. It used to be called appraisable and a range of other names and it used to be yearly reviews. But in the last year or so they moved from quarterly reviews to monthly reviews and its three strikes and your out. I dealt with employers and one in particular where six staff had been put under performance review on the basis that there on final written warnings or they are looking that they are going to terminate their employment. So I think that it is very important that we take up and fight very hard against these performance reviews, because it is a back door of getting rid of staff and with the recession not looking like its going away in the near future they'll use them more often to get rid of people so support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thanks very much Annette. Any further speakers? Thank you. I am now calling the mover of Motion 50, Redundancy, Consultation and Pay, standing in the name of USDAW. Pardon me, sorry MANDATE, my humble apologies, really sorry. Contracts of Employment and a Living Wage standing in the name of MANDATE. Come ahead Linda.

**Linda Tanham, MANDATE**

President, delegates, Linda Tanham, MANDATE moving Motion 49. Across the retail sector and indeed the services industry in general, the vast majority of workers are employed on part-time fully flexible contracts. Hours of work (...change of tape) such as Tesco Ireland, Pennys, Dunnes Stores – hugely profitable companies, have used the current economic downturn as a reason for cutting hours. Delegates, the real reason was maintaining the huge profits that

these and many more companies make. However, long before our current economic downturn employers have continually cut hours for a wide variety of reasons and not all legitimate. Hours have been cut when a worker moves up the pay scale and becomes too expensive, when a disciplinary warning has been appealed successfully, if you don't conform, when workers in anti-union employments such as Aldi and Lidl, start to complain and the manager here is rumbling about workers wanting to join a trade union, hours are cut to the base of the contract. In the case of Aldi this means down to ten hours. Delegates, the hours you work are reflected in your pay packet. You have been working for thirty five hours for six months and then your hours are reduced to twenty five, this is a reduction of ten hours, it is also delegates a pay cut. All workers even in these difficult times deserve certainty of earnings. Average earnings across the retail sector is slightly over ten euros an hour. A reduction of ten hours means a reduction of one hundred euros per week in pay. Workers in the retail sector are no different and deserve no less. They should have a right to full time employment and a decent living wage. Delegates please support this motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you Linda. Secunder? Formally? Thank you. Speakers to the motion?

**Jason Sweeney, MANDATE**

President, delegates, Jason Sweeney, MANDATE. In April of this year, my employer Tesco opened a new store in Douglas, Cork. However, in advance of opening, Tesco informed seven MANDATE members and six SIPTU members that they couldn't transfer to the new store under current terms and conditions. The reasons for this are that they had old contracts and had full time contracts and had guaranteed overtime. The employer proposed that they would either change the contract to suit the company or be dismissed by way of redundancy. Despite the employers' efforts to pit workers against each other, a ballot for action was unanimously accepted and we all stuck together for the thirteen members. After all Tesco's threats to keep us out there on the picket line and delay the opening of the new store for a month, it took only eleven hours of strike action and Labour Court intervention before we won. Tesco are the third most profitable company in the world so I call on Conference to fight against corporate greed that exploits workers' terms and conditions. I ask you delegates to support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Further speaker.

**Noel Dunphy, MANDATE**

Noel Dunphy, MANDATE trade union. President, delegates, I just want to refer to the second part of the motion which is in relation to the term 'living wage'. And, the term 'living wage' hopefully will eventually get rid of that minimum wage which has plagued us for so long. The employers at the moment are trying everything, including going to the use of the High Court, to impose low living costs so that we can bring home and so that they can actually control the wealth of the country. Our bosses will try anything, including at the moment we seem to be two things. We seem to be employed by our bosses but at the other side of it as a second part, we are working for Ireland plc. We are supporting it, so we are actually being paid once but working twice. Now the level of cuts non-negotiated between pension levies, pay cuts, anything between 4 and 15 per cent, and our tax which somebody has eloquently pointed out earlier on, one third of our salary is gone before we walk out on a Friday or the last Friday of the month. Now the question of the living wage, and we have to answer this question here from Congress when the Congress Committee goes back whenever to any negotiations that might come out of the new agreement. What is the line of acceptance? Certainly not the minimum wage - that is a crazy situation. Because of the wealth that has been generated in the country, I will just give you an example; back in 2007 the daily wealth of this country was 884 million per day. Now, a living wage will have to be based on the current expenditure and wealth which is being generated in the country and the reason for that I am putting forward is, our salaries have and always have been included in the fluctuation of our economy going back to our 15 per cent. On the moment we are on a downward scale but in the retail trade in the late 90s there were projections of 15 per cent of growth. Those projections actually went to 27 per cent but what happened was we were still on the one and two per cent levies, or sorry, national pay agreements, it doesn't happen. Money saved through change of rosters, loss of earnings and it is about time we had a living wage and not a minimum wage. Please support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Any further speakers to Motion 49?

Alright, now it's your turn USDAW to move Motion 50.

**Danielle McCusker, USDAW**

Danielle McCusker, USDAW moving Motion 50, Redundancy Consultation and Pay. President, Executive Council, Conference, dia dhuit. We are highly concerned at the continuing losses of jobs across many sectors of the workforce in this country. Look at the manufacturing industry, the financial industry, the textile industry and our own retail industry. For example, every Woolworths store in Ireland is now closed. It is absolutely outrageous that ordinary workers – our members – are being asked to pay the price for the greed of others with their livelihoods. Conference, families' lives are being decimated in front of our eyes

and we are witness to this nightly on our local news programmes. USDAW is bringing this motion today and we ask for your support for all workers in times of redundancies when not only will they face the loss of employment but a double whammy of not getting a real chance to fight for those livelihoods. It is only through proper and meaningful consultation that the voices of our members can heard and listened and that we as trade unionists can stand together with our members and makes a real difference to the present situation and to their futures. After all, many of these companies for long enough have enjoyed the prosperity and huge profits because of their diligence, dedication and loyalty of our members who give their blood, sweat and tears to the employer. It is only right and fitting that employers should properly listen to the workforce and the representations made on their behalf through the trade union movement here in Ireland. Congress, we have all seen where it is too easy for the employer to ignore or pay lip service to the trade union representatives in these situations. We have seen how company directors can quietly slip away and hand over to the administrators the tidying away of people's lives when they are finished with it. Unaccountable, irresponsible and immoral. We have seen the trade union movement negotiate enhanced redundancy payment schemes on behalf of their members in more buoyant times but only to see those schemes become another empty and meaningless promise from an absent employer. We believe that employers should be made honour the agreements that they made with their workforce and that redundancy pay should apply to all workers. To abolish the qualification period because the loss of a job is the loss of someone's livelihood. Improve all redundancy payments and for those paying into to accurately reflect a workers' true earnings to ensure that the administrators fully consult with administration so that we can put the worker first instead of the euro or the pound, and to treat with care and respect that they deserve in these difficult times. Congress please support our motion and help us say once and for all to employers, no more will we see our members being kicked when they are down and no more will we see them having to fight and to take to the street to fight for what is rightfully theirs – their rights, their basic rights. Congress please support.

**Patricia McKeown, UNISON & President of Congress**

Thank you Danielle. Secunder. Formally seconded, thank you. Any speakers to the motion? Ok, thank you. We now move to the vote. We have already dealt with Motion 51, so could I have those in favour of Motion 48 please show, those against, abstentions. That is carried.

Motion 50, those in favour please show, those against, abstentions, sorry MANDATE I did it again, Motion 49, those in favour please show, those against, abstentions. That's carried.

Motion 50, those in favour please show, those against, abstentions. That's carried.



Now what we are going to do is move back to the motions we left yesterday. We had already had Motion 12, Anti-Worker, Anti- Public Sector Agenda standing in the name of CPSU moved and seconded and there had been speakers but there were more so if there are speakers on 12 come forward but can I then alert everyone else, CWU has two motions in this section, Kildare Council of Trade Unions and Unison.

### **Manus O’Riordan, SIPTU**

Manus O’Riordan, SIPTU in support of the motion. Public sector wages rocket, public sector earnings continue to soar, these were among the sadly predictable headlines in response to the latest CSO data on public sector earnings that has fuelled the divisive debate that is the hysterical side of half truths. Does the present economic crisis not demand a more sober examination of the facts, an examination that might therefore contribute to a reassessment of the so called solutions so stridently demanded and the constant and recognition that some of those who propose cures are more likely to be worse than the disease. Let us look at the actual facts of last decade. It is indeed an undeniable fact that if you hive off the three years to December, 2005 you would see the affects of the first benchmarking report and public sector pay awards averaging 8.9 per cent but a further undeniable fact that such media pundits conveniently ignore, is that in line with the stated purpose of that benchmarking report this was little more than an exercise on catch up. When we actually look at the seven year period from December 1998 to December 2005, the real value of earnings for public sector workers eclipsed those of the private sector by an average of 0.3 per cent per annum. And what of the remaining three years of the decade under review. This includes implementation of last year’s second benchmarking report, whose average award this time however amounted to a negligible 0.3 per cent. In the three years to December 2008, the money values of average public sector earnings and average industrial earnings not only increased by the same 11 per cent but were also completely offset by consumer price index increase – that was 11 per cent as well. In other words, these three years resulted in a real wage freeze in both the public and private sectors. And what did the latest public sector earnings statistics tell us once the media hullabaloo is set aside, that in the three months since December 2008 they have soared and rocketed ahead by the princely extent of, wait for it, 0.7 per cent. Despite such indisputable facts we have had a relentlessly shrill core that has continued to demand still further pay cuts in both the public and private sectors and yet the Irish economy has seen the volume of personal consumption go down by 9 per cent in a situation where that is responsible for half of GDP. In no other country except the devastated economies of Latvia, Lithuania and Estonia in the European Union has that degree of cutting growth through the cut in personal consumption been of such a great extent. And that is why such economists and pundits whether they speak in the language of the gentleman or the guttersnipe have disgraced themselves. The so called media debate on earnings is not only distorted and divisive, it is also proving to be totally destructive of national economic wellbeing. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Ok, next speaker.

**Denis Walsh, CPSU**

Good morning delegates, Denis Walsh, CPSU. Like Brendan from the INTO I have a confession to make. I am a civil servant and I am extremely proud to be a civil servant, I am very proud of the job I do and more importantly I am very proud of the job that my members do. This pride, mindful of the book of proverbs that pride comes before a haughty spirit or pride comes before destruction and a haughty spirit before a fall, it is important the people realise that we in the CPSU have been leading since February an incredibly hard industrial action against the employers, against the Government and there is no recognition whatsoever from ICTU. I fully support our members in the TEEU in their actions they are taking. It would have been kind I think to have mentioned the fact that we have been taking industrial action and we have been on our own in this. We have received no support from other unions and a few kind words on that would be very much appreciated.

Our motion speaks to the fact that we are under constant attack. We are under constant attack by the media, this is obviously just a Government led attack, the media bosses are quiet happy to see the rift between public and private sectors and what have you. This does not exist. We are poor workers. We live and we earn under the minimum wage. All of our members earn well below the minimum wage. We are not enemies of this State. We work hard for this country and that should always be recognised and it should be recognised particularly by ICTU. We see here the slogan, Building Solidarity, that was mentioned previously, let's hope that this isn't a slogan. I would like to see that there is more and greater solidarity, that there is greater communication between the Executive in ICTU and ourselves. There needs to be a greater sense of solidarity, a greater sense of strength because in that strength we will prevail. We have already prevailed in the actions we have taken against the pension levy. It is thanks to our ballot and it is thanks to the actions that we took that there was an improvement in the pension levy. We gained very little but it was something that we gained. Had we not taken that action we would now be trebly, quadruply shafted again coming up to September, coming up to the next budget. We have taken a stand and I would urge you all to support us in that and to help us fight that fight. Thank you very much indeed.

**Patricia McKeown, UNISON & President of Congress**

Next speaker.

## **Sinead Kane, CPSU**

Sinead Kane, CPSU. In 2001 when the first plane hit the World Trade Centre a British Government official sent an email to our colleagues saying that if there ever was a time to bury things now was the time. The most fearless thing that woman did was to put in writing what everybody was thinking but similarly I believe that although no email has been sent, there is a general understanding among employers that if ever you wanted to reduce workers' terms and conditions then this recession is the time to do it. Workers are now doing more work in less hours for less money than every before. Many workers are today standing on dole queues thanks to an opportunistic employer who reduced the size of its workforce when there was probably no need to do so. The insignificance of the worst of the worker as an individual is easily illustrated in the example of the closure of a firm called Walsh and Company. The closure of this firm wasn't reported in relation to the number of workers losing their jobs, nor indeed to the impact the closure of the company would have on the community. Now the closure of this company was widely reported for a much more serious reason that could possibly change life as we know it completely and that was the possible demise of the spice burger made by Walsh and Company. How much must the workers of this long-term family company have felt that this deep fried archery hardening cuisine was deemed more important than them. Ironically, it was the thoughts of the demise of the humble spice burger that saved the company in the end. A group of interested business people got together rescued the company from the ashes in order to save what was considered a national Irish treasure. If only the same logic could have been applied to Waterford Crystal. We have a hundred year old craft and skills versus deep fried. What a sad reflection on our nation and Government. There is no doubt that this global recession is make or break for workers both north and south. I applaud the workers in Tesco who have taken on the global giant in defence of terms and conditions, I applaud the TEEU for leading this charge. This strike is reported as being just about a pay increase when really it is much more. The strike defends the industrial machinery of the State. If the employers are allowed to walk away from Registered Employment Agreements then there is no minimum that employers have to reach. Instead there is a free for all with employers getting more for less and workers undercutting workers for scraps that are available. We are in a fear that the Ryan Air judgement has threatened the idea of collective bargaining and must face this threat. I fear that we are in a position now where social partnership is dead and I think the Executive of ICTU has to come away from behind closed doors. I think the message should be sent that although the General Secretary of ICTU has the surname Begg, it doesn't mean that we have to. We have to get away from social partnership. With respect to the Executive Council the talks have led nowhere and we have it said in the

report that the one day strike should be deferred until further talks. It is clear that the Government has nothing to say. The talks have led us nowhere. It is time for the deferral of the one day strike to be lifted. We can't just talk about building solidarity. ICTU Executive has to get out there and start talking.

**Patricia McKeown, UNISON & President of Congress**

Thank you delegate. Next speaker.

**Maria Morgan, NIPSA**

President, brothers and sister, Maria Morgan from NIPSA to support Motion No. 12. Conference, there is one shame that has been highlighted by the economic downturn. It is not the shame of the trade union movement. It is not the shame of workers throughout this country. It is the shame of Government and greedy financiers who held the purse strings and who gambled with our money and who lost and as a result workers in public services are being forced to pay for reckless decisions that were made by faceless individuals and shame on them. And, it doesn't seem to be worrying them. The greatest shame of all is that they were allowed to do it. And this is only being compounded by the great travesty that those who can least afford it are now paying the prices. Because as we sit here today, jobs are being lost, wages are being driven down, vital and much needed public services are being robbed and outsourced. This cannot continue. Conference, implement this motion and let us see action now to address this shameful situation. And, as the motion instructs if that needs to included mass strike action, then so be it. We shouldn't be afraid to do that. If ever there was an issue on which we could build solidarity then this is it. So, let us defend our services, let us defend workers and our communities across the country now. Support the motion.

**Patricia McKeown, UNISON & President of Congress**

Any more speakers on this motion? Ok, thank you. We move to Motion 13, Regulatory Impact Analysis in the name of CWU.

**Steve Fitzpatrick, CWU Ireland**

Thank you President. Delegates, Steve Fitzpatrick, Communications Workers Union on an issue that would have for many years be one of those boring subjects regulation but it has become quiet a sexy subject in the recent time because of either the lack of it or too much of it. I think, you know, people often ask what is regulation, who are the regulators? The sound like an ould scab band for those of you who were around back in the eighties – This town is becoming like a ghost town. Anyway, really what it is, it is a system that allows the Government though legislation set up somebody else to do the things that they don't want to be seen doing themselves. It's a bit like consultants – you

know when you decided what you want to do bring in a consultant, tell them and they pay him to tell you what you wanted to do in the first place. And you will hear, there is different types of regulation. There is a light touch which basically means that you let people do what you want them to do. There is a heavy touch which basically means usually when you are dealing with public utilities that you regulate to the extent that they can't do their job so if you can get those jobs and that work handed over to your buddies in the private sector. Or if you are very lucky and you are one of the so-called professional people – I'd like to meet them because they are the ones who supposedly wrecked the country – but they have self regulation because they know what is best for themselves. And there are many examples in industry now of regulators doing what we wouldn't want them to do but obviously what their masters wanted them to do and if you run through them in the financial area, we are blue in the face this week talking about the scandals in the financial institutions who had a financial regulator who was overseeing this, who had to know all of the things that were going on. And, if you take the example of Anglo Irish where we had ten people who can't be named, who took out a loan to buy shares in the bank and used to shares they were going to buy as collateral for the load. It is a bit like going in for a mortgage and saying I want a mortgage for a house and I will the house that I am going to buy up as collateral for the mortgage. I mean I don't know how they get away with it and nobody can be names and nobody gets locked up. Where was the regulator there? That is an example of light touch regulation. So, that is financial.

In energy, between 2001 and 2005 ESB costs rose by 37 per cent and prices went up by 89 per cent, 2.5 times. All based on the regulator introducing higher prices in order to attract competition. Now in the name of Jesus, I though the idea of competition was to drive down the prices. In circumstances where we need cheaper energy to try and keep our industry going, to try and keep our factories open, we put the prices up to create competition and drive those people out of business. And, somebody better explain to us how that makes any kind of sense whatsoever.

In our own union we deal with communications. We have got a regulator there who through the actions of that regulator body, has left us with the third worst broadband service in the developed world. Where is the investment, where is all that thinks they are supposed to bring to the market and then God help them, the last group was discussed this morning, we had the taxi men. We have gone from a situation where you couldn't get a taxi, where now you feel like you should take two. Now the Government has a very fine document called 'Regulating Better' and it talks about how they would like to see things regulated and to do so they say they are committed to a social partnership approach across the policy spectrum and they have an instrument in it called a 'Regulatory Impact Analysis' and basically what that's supposed to do is have an impact on the possible outcome of any regulatory regime that they bring in, how it impacts on the customers, how it impacts on the workforce, how it impacts on the country. And they are due to carry out that analysis according to their White Paper in order to

ensure that the citizens are better served. Now if they had done that in the taxi industry I think they might have got a different result. If they had done it in the energy industry they definitely would have got a different result. And if they had done it in the financial industry, God knows we might have saved ourselves a few billion. So, what this motion does is that it calls on Congress to use that social partnership commitment to try and get that type of analysis and study done and we believe that if those studies are done on the basis as set out in the Government's own White Paper that it will make a difference going forward with regulation. We won't have the gas company selling electricity at 14 per cent cheaper than the electricity company and I assume next year that we will be buying gas from the electricity company for 14 per cent. I would ask you to support this motion – it is a key in a critical area and thanks very much.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Seconded?

**Terry Delany, CWU**

Thanks President, Terry Delany, Communications Workers Union seconding Motion 13. I think eircom is a very good example of a failure to conduct a proper regulatory analysis that Steve has spoken about and a philosophy of competition at all costs. Despite having the most liberalised communications market in Europe, Ireland has one of the worst communications systems in Europe. When Comreg came into being they promised more jobs, better service and more investment in the communications industry. And if you look at the end result, there are now less jobs in the communications industry than prior to Comreg coming into being, the service is worse and there is little or no investment going into the industry itself. And the failure to invest will bring this country to an even worse situation than we are currently in. High speed broadband is critical to the wellbeing of any economy and it would be absolutely critical to any upturn in the economy when and if ever that happens. But that is not happening at the moment. Why? For the simple reason that Comreg simply cannot reach agreement with investors on getting a return on investments for high speed broadband. Their attitude is let the market prevail and the devil take the high most and the investors are stepping back and saying that unless we get a guarantee on a return on investment, we are not investing. And if you contrast the manner in which Comreg is going business south of the border and what happens north of the border, what happened north of the border, the Labour Government took a very sensible decision mindful of the requirement for high speed broadband, they reached an agreement with BT along with the regulator which simply said, look you will get a return on your investment if you roll out high speed broadband to all areas and the end result of all that is that there is high speed broadband, the quality of the high speed broadband north of the border is much greater than that south of the border. Just finally, whenever one talks of regulation, I know the critics would say that the trade unions are against

regulation, we are not against a regulator. What we are against is a regulatory environment that prohibits investment and discourages investment. What we need is a regulatory environment that has at its heart investment, investment, investment and that in turn will lead to jobs. Thanks Chair.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Any further speakers to the motion? Right, our next Motion 14 is by way of a composite and stands in the name of both Kildare Council of Trade Unions and TSSA.

**John Bowen, TSSA**

President, Congress, John Bowen, TSSA and Global Solidarity Committee proposing Motion 14. The National Pensions Reserve Fund was set up to ensure that sufficient funds would be available to meet the pension needs of people who are retired from 2025 onwards, that is if anything is left when its finished being pilfered from by the Government to bail out the banks. It received a lump sum payment from the Exchequer on an annual basis and like private pension funds hoped to grow by investing in the stock market. There is only one criteria which the NPRS must abide by according to the act which set it up and that is I quote; 'To secure the best possible financial return subject to prudent risk management'. This means that the fund or those operating it are prevented by law from taking into account any negative impact which those investments might have on human rights or the environment. It is not allowed to divest from companies even if it becomes known that the activities of these companies are affecting the rights of workers and their families in a negative and damaging Ireland's international commitments to human rights. It is believed that this situation has arisen as a result of the insistence by the neo-liberal wing of the Cabinet, Harney and McCreevey, that no restrictions be put on the fund other than to maximise the returns when the legislation setting it up was being framed. Since then because Ireland has been seen as being to the fore in opposing cluster bombs the law was amended to prevent the NPRS from investing in companies that make these deadly weapons. It is therefore fair to ask that if the NPRS legislation can be amended to exclude it from investing in cluster bombs then why not also from other areas which are morally unacceptable. A recent submission by Trocaire to the, and this is a long one, Interdepartmental Committee that considers the appropriateness of an ethical investment policy for the NPRS, highlighted the fact that the State pensions body had investments of Shell of up to 60 million and we can see how Shell behaved in Nigeria in regard to the Ogoni people even to the extent of being involved in the judicial murder of Ken Saro-Wiwa and eight others for their opposition to the way that Shell operated in the Ogoni delta. The recent settlement of 15.5 million dollars by Shell to their relatives was as good as an admission of their guilt. And of course you can also see the way Shell is operating in Rosspoint in Co Mayo where to save money and to maximise its own profits it is prepared to put the lives of local

residents at risk by running a dangerous pipeline within yards of their homes. Trocaire also showed in their submission that the NPRS had shares in several weapons companies including BAE Systems, Honeywell, Boeing, just to name a few. It also has 2 million worth of investment in Gold Corp which has an appalling record in Honduras in regard to the environment and the affects this has on the health of local people there. We live in a capitalist world under such a system there can be no such thing as a pure ethical investment policy but some countries, particularly the Nordic states, do insist that their national pension funds do not invest in the worst offending companies subject to certain criteria. And these include serious systematic violation of human rights, the use of child labour, serious violations of individual rights in situations of war and conflict, production of weapons that through normal use would violate fundamental human principals, severe environmental damage and gross corruption. The motion calls for these criteria to be applied through the MPRS by means of amended legislation. Finally, the motion calls for more accountability by the MRPS in relation to its investments. To this end we propose that it carry out regular screenings of its portfolio and that the Dail and the public receive regular up to date information. I would therefore commend this motion to you. Thanks.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder?

**Larry Lynham, SIPTU/Kildare Council of Trade Unions**

Good afternoon delegates. My name is Larry Lynham, SIPTU delegate and member of Kildare Council of Trade Unions. In seconding this motion and deploring the National Pension Reserve Fund's own investment criteria which is to secure the best possible financial return subject to prudent risk. I suggest what is needed can be identified under four interdependent headings – Active Ownership/Engagement, Exclusion, Negative Screening and Positive Selection. There are varying definitions of active ownership and the model undertaken by the National Pensions Reserve Fund needs to be reviewed. For active engagement it is necessary to identify key focused themes or countries where the National Pension Reserve Fund is to be mandated and compelled to play an active role as a responsible investor. Exclusion or exiting from the investment may be a necessary step where a company is unwilling to engage in dialogue or change its practices. Negative Screening refers to the practice whereby investment in certain products are excluded or avoided because they do not meet certain criteria. And then Positive Selection involves actively seeking and investigating and investing in companies which meet agreed criteria. Please support this motion. Go raibh maith agat.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Speakers to this motion.



### **Brian Moore, NIPSA**

Brian Moore, NIPSA, also currently chair of Global Solidarity Committee in the North. I wasn't going to get up and speak on this motion. In terms of the whole issue of Global Solidarity and this thing about the pension fund being used with no criteria, no regulation as such, at the end of the day if nothing else what you are doing is not only creating a freefall in the market by putting in pension fund money, which is public money, peoples' money into companies who will drive down standards, drive down wages, where they might even get wages across the globe, all you are doing is creating a nightmare for ourselves in terms of benchmarking extends in fair decent living wages. And, not only will workers across the world get poorer living standards or even less than they have now, all we create is a market being driven downwards and downwards into a spiral. Moving, as we all know from our own history, textile industry, others moving from Ireland to India, Asia, Africa and now moving from India and Bangladesh and countries like that, where they started to improve through workers and trade unions rights to improve their conditions and standards, are now being moved from there to Vietnam and China etc. It is just a downward spiral. This whole idea of the pensions - just put your money in and get the profit is just not on, so please support the motion.

### **Patricia McKeown, UNISON & President of Congress**

Thank you. Any further speakers? Thank you.

CWU to move Motion 15, Opening Postal Markets to Free Competition.

### **Ian McArdle, CWU Ireland**

Madam President, delegates, Ian McArdle, Communications Workers Union to move Motion 15 on the Opening of the Postal Markets to Free Competition. The third Postal Directive which will open all postal markets to free competition is unfortunately yet another piece of legislation from Brussels that will take us all a step closer to a place where we have free market economics replacing valued public services. This directive represents the third and final stage in a campaign being waged by the European Commission in the last twelve years to remove any form of state monopoly from the postal market. The trade union movement across Europe in campaigning against this idea was assured by the Commission and others at the time that this directive would in fact through competition bring more and better jobs and reduce prices. Sadly colleagues, this neo-liberal project has failed completely on both counts. Prices have not fallen, prices have risen with the exception of large corporate bulk mailers who enjoy competition in very niche areas. But, normal punters, citizens across Europe are paying more for their postal service than they did before this project was initiated. More jobs

as promised have not come. Jobs on a net basis across the European Union have been lost. Good, decent, stable, permanent postal jobs have been replaced by atypical, unsecured, poorly paid, transient work that is often subject to social welfare payments from the Governments in the member states in question. The third directive will be transposed into Irish law and whilst postal regulation as has been said is not a subject that generally gets people excited. It is important that we realise what it might mean for us as Irish citizens. The directive will remove the monopoly that An Post has on the delivery of postal letters under 50grams. The profits made on the delivery of this mail within urban centres is used to subsidise universal service obligation which guarantees the post for every citizen in the country. Not a big issue if you live in Dublin or Cork perhaps but if you are 40 per cent of the population that lives in a rural area you will value your postal service. Our members that deliver the post throughout the country are often the only person a rural isolated citizen will see on a day to day basis and as such they provide a valued public service. To understand what might happen to Ireland if the postal service directive is not transposed carefully, we need only look to our colleagues in the UK. The Royal Mail was opened up to free market competition on 1 January, 2006 and such was the impact of that liberalisation on the postal market in the UK that the Government called for an independent review. And it found some interesting conclusions which I will share because it provides a glimpse of the future we might look forward to. They found no significant benefits from liberalisation for smaller business and domestic users. Corporate mailers did benefit, the rest of the citizens did not. The only real competition that emerged was in the corporate mail sector. The result of this was that Royal Mail backed by bizarre regulatory rules where they had to offer their services at a lower price to the competition meant they turned a £233 million profit in 12 months into a £280 million loss. The result of which was that the universal service became financially unstable and at a 350 year old institution was on the verge of financial collapse. One would have thought that in the face of this evidence the Government might have stepped in and called a halt to this bizarre regulation and liberalisation process but the Labour Government decided that their answer to this was to privatise Royal Mail and as a result a once treasured public institution was put up for sale with 30 per cent almost being sold to TNT. But, thanks to a vigorous and passionate campaign made by the CWU UK, this was halted.

Colleagues, this is what potentially awaits us in Ireland. Our own trade union involved in the consultation process with the Department of Communications last year where the Department sought to introduce liberalisation based on a seven questions survey, we objected, and thanks to the interjection of Congress, met the Department and we discovered a Department bereft of vision, lacking in strategy and not implementing their own regulating better standards. So, I implore you colleagues, where the Government treads we ask them to tread lightly. Postal liberalisation has delivered many things but not the promises it had at the start. It has delivered social dumping. Liberalisation has delivered fewer jobs and liberalisation has delivered a poorer postal service. And, colleagues, if

we are not careful it will ensure that we can no longer deliver our own post. I ask you to support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder?

**Charlie Kelly, CWU**

Thank you President. Colleagues, Charlie Kelly from the Communications Workers' Union. I am a postal worker and I have been delivering to rural communities for the last thirty years. I know how important this is to the rural community to have a first class postal service and a regular service. I think that the Government must realise that the proper procedures must be put in place before this decision is introduced, so that the postal services can be protected and that it does not cause social dumping. By passing this motion today you will ensure that the Government and the pressure exerted on the Government to protect the rural postal services and to ensure that social dumping doesn't happen. Please support the motion Conference.

**Patricia McKeown, UNISON & President of Congress**

Any other speakers?

**Patricia Roe, ASTI**

Patricia Roe, ASTI. Just three points. The first to support the concept that An Post, the postal service, delivers a social service as well as something which has an economic value as the previous speaker said. The second thing is that we see that in our own country and in others state organisations that provide a valuable service are very often manipulated so that they look attractive in terms of bottom line when they could be privatised and we have to ensure that that doesn't happen in this case. The main points that I want to say is that this motion calls on the Executive Council to support the postal workers. But I believe that there is something that every single one of us in this room can do and can ensure that it is done in every organisation in which we work, that we use the national postal service that we have and we ensure that people do not send their mail out to other countries where it is supposedly cheaper. That would be real support.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Is there another speaker on this motion? No, ok, we now move to Motion 36 in the name of Unison.

## **Thomas Mahaffy, UNISON**

President, delegates, Thomas Mahaffy from Unison moving Motion 36. From our history we have learnt that discrimination, intolerance and the denial of fundamental human rights increases as economic prosperity decreases. It manifests itself in forms such as increased racism, xenophobia, homophobia, sex discrimination, domestic abuse and hate crimes. It deepens poverty and social exclusion. If ever we needed proof that discrimination and intolerance rise when times are bad we need only look at the return to the European Parliament at fascists right across Europe. We have all heard migrant workers being scapegoated as unemployment rises. Most recently we have had to take to the streets of Belfast to confront race hate crime. In the Republic the ERSI is predicting an explosion in racism as unemployment hits record levels. The evidence also shows that the single biggest group facing injustice and discrimination in times of recession are women both at work and in the home. Proponents of the neo-liberal model will always viciously resist strong tools to promote equality and fundamental human rights because they keep their power in keeping people unequal, divided and subservient. The economic crisis has laid bare the consequences of ignoring fundamental human rights. The absence of strong socio-economic rights, in particular, is hitting the most vulnerable in our society the hardest but eventually selfish and corrupt culture which resist rights and regulation damages us all. There has been a disgraceful bipartisan approach by both the Irish and British Governments in blocking fundamental human rights on both the international and domestic stage. They have blocked those things which people cherish and need the most – the right to health, the right to education, the right to work, the right to decent pay & conditions, the right to housing, the right to decent environment and the right of workers to organise and strike. These are all the rights that we need now in order to cope with and overcome recession. They are what are needed to be put in place if we are to sweep away the greed and selfishness of the past. Governments who resist us understand the links. It is time for the trade union movement to understand the links as well and take the lead. Congress has done this effectively in the North with a majority of people now understanding the Bill of Rights. We have not made such effective links in the South and it is time to do so. We have to cast aside confusion. For example we should never again be confused about where this issue sets on the trade union agenda. We shouldn't be nervous about whether or not we can get Governments to respond to us. A commitment to a Bill of Rights across the island is firmly located in the Good Friday Agreement, an international peace agreement which all parties must honour. We need to start the negotiations with the Irish Government now. We need to put major pressure on the British Government which currently has in its possession the sum total of ten years work on the Bill of Rights in the North. Much of that work was spearheaded by Congress. If it gets its way, the British Government will kill the Bill of Rights for the North and the Irish Government will ensure that All Ireland Charter of Rights never gets off the ground. We have reached a critical point on an issue so fundamental to our movement that what we do now will impact on the

lives of our members and their families for generations to come. I call on Congress to support this motion and on all affiliates to actively work to ensure that when the Executive Council reports back in two years time, we have developed a programme on equality and human rights which not only meets but leads on the best international standards. I move.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder for the motion?

**Billy Lynn, NIPSA**

Brothers and sisters Billy Lynn, NIPSA to give total support to this motion and in particular because of the shameful events that happened in South Belfast a few weeks ago which made international headlines about the attacks on the Roma people who were forced out of their houses and effectively forced out of Northern Ireland because of the fear in which they were living. A number of families, up to 100 people, were forced out of their homes, forced out of their jobs by racist thugs who attacked them virtually on a nightly basis in order to force them out. These people were not living in the lap of luxury, they were working for some of the cheapest wages it is possible to pay. They were doing jobs that none of us would every probably wish to do or want to do. Some of them were earning as little as £20 per week. My union like the other unions and in particular Unison have given them full support but not only were they threatened, but local people, people from South Belfast who came to parade and help them and stop the attacks were also threatened. A number of people have actually been issued with death threats because of these fascist thugs attacking women and children including by the way a five week old baby. They were forced, as you know, out of their homes. They left Romania for one simple reason – because as you know the Roma have to put up with racists attacks within Romania itself. They came to Belfast to start a new life because they believed they would be able to work and live in peace and harmony. Unfortunately, that didn't happen. I think now Congress we have to take this issue on racist attacks seriously. It is not just the Roma people who have been attacked. Polish workers have been attacked, Lithuanian workers have been attacked and it is time that those attacks stopped. And, the people of Belfast do not want racist thugs in our midst. We want these racist thugs out and we welcome people from wherever they come from to Belfast to work and help their families. I urge you to support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you Billy. Any further speakers on Motion 36? Thank you. We move to the vote. We start with Motion 12, Anti-Worker, Anti- Public Sector Agenda, all those in favour please show, those against, abstentions, that's carried.

13, Regulatory Impact Analysis, all in favour, against, abstentions, that is carried.

Motion 14, Ethics, Standards and Regulation, all those in favour, against, abstentions, that is carried.

Motion 15, Postal Markets, all those in favour, against, abstentions, that is carried.

Motion 36, Rise of Intolerance and Discrimination, all those in favour, against, abstentions, that is carried.

Thank you for that delegates. We have in fact already approved the relevant sections in this part of the report. You will recall that we also asked Standing Orders to remove some motions yesterday from the private session. They removed motions 17, 24 and 25. They are now recommending removal of Motion 22 to enable it also to be debated. Do you accept that? Agreed. Thank you. So, therefore, we have time to start the work on this section of the agenda commencing with Motion 17, Representation of Young Workers in the name of the Executive Council and can I call on Larry Broderick to move please.

#### **Larry Broderick, IBOA & Executive Council**

Thank you very much indeed President. Larry Broderick, IBOA, the Finance Union on behalf of the Executive Council support and putting number 17 to Conference. Could I just say from the very outset we had a very comprehensive presentation yesterday from Sally Anne in relation to the important role that this particular development in terms of Connect provides for in terms of the future direction of the trade union movement. It is very important and it has been identified on a number of occasions that the trade union movement takes a reality check and recognises the key role that young people are going to have to play in the future of this trade union movement. This particular development is a powerful endorsement in terms of the important role of young people and talks about putting in place enhanced resources to make a direct link between this trade union movement and young people and the challenges that are facing us. A couple of statistics have to be borne in mind. Of the 400,000 in the life register in the Republic of Ireland, over 50 per cent are under the age of 25. In my own union over 40 per cent of our members are under the age of 30. As a trade union movement we heard Brendan from SIPTU yesterday challenging everyone of us in relation to the significant disaffection between young people and the trade union movement and all we have to do ourselves colleagues, is look around this particular delegate conference which is representing over 700,000 workers in this country, to see the abysmal lack youth participation. Now, the Executive Committee as has been identified yesterday, strongly is urging for Conference to support this resolution. But, can I say myself on behalf of IBOA, the Finance Union, that we put forward a resolution four years ago in relation to

the important need for youth to be active in the movement, and I very much welcome the statement made by Patricia King yesterday on the reasons why we could not proceed with the resolution. But, if we are going to be honest with ourselves and honest with young people and create a reality check, we cannot sit on the fence in relation to the issue of youth. And, I would ask sincerely, that Conference gives a very strong direction from this particular Conference, that in supporting this resolution in relation to Youth Connect, that significant work has to be done to address the concerns of youth and to be done before we come back in two years. And, I ask you to support the resolution and we are prepared to accept the amendment from NISPA. I so move.

**Patricia McKeown, UNISON & President of Congress**

Thank you Larry. Secunder?

**Edward Mathews, INO**

Madam President, Edward Mathews, Irish Nurses Organisation seconding the motion and also Chair of the Youth Committee in the South. Delegates, every couple of years I get up and speak on the issue of youth affairs at the Conference. It is absolutely necessary that we substantively address the issues affecting young people in terms of their involvement in the movement. Sometimes it feels in the trade union movement that we are second only to employers in restating the problem and I have had the misfortune to have been involved in many discussions with the HSE where cutbacks have now been rebranded for cost containment and many other things and maybe we should stop restating the problem as senior colleagues have said and actually deal with it. It must be said that significant progress has been made within Congress itself in terms of the involvement of the Youth Committee but much is to be done still. It is a matter of serious disgrace the number of delegates who are nominated to the Congress Youth Committee, North and South, in light of the number of young workers that are members of the individual unions and the number of people who work in the individual unions who are young and still we find difficulties getting nominees from individual unions. Larry mentioned the number of young delegates who are at the Conference. It is again a matter of serious disgrace the number of delegates under the age of 35 which is the age limit which applies currently to the Youth Committee, who are present at the Conference. The number of members of my own committee and the committees in Northern Ireland is a disgraceful indictment on us as well. The establishment of representative forums within each union is a fundamental start to ensure that the voice of young workers is effectively heard within each union and then can effectively feed in to the work of Congress. It is important to mention the Youth Connect programme as well as Sally Anne gave a presentation on that. This is an absolute necessity. We have long since identified that there is a significant deficit in the education regarding trade union affairs for the young people of

Ireland. That is not the fault of the teachers, least I upset anyone, but we have a significant deficit. Curricula is significantly impacted by business interests. We are the largest civil society organisation on this island and we should have a significant impact. The Tax Officials Branch or the former Tax Officials Branch of IMPACT were kind enough to make a grant of funds when they were dissolved to fund the Youth Connect programme and this work must continue. Colleagues, there are also remarks made when we talk about establishing representative forums for young people that we are trying to supplant or replace existing structures within unions. We are not. We need to involve young people in those structures. We need people to progress through them but I am sorry it is not happening. Therefore, we have to have some alternative modality so that young people can have a voice, their specific interests which are often shared with all workers within the movement, but they have very specific issues which affect them. We should have those forums. They should be properly resourced from an individual union level to the Congress level. We should feed into them, we should support them, do not treat them with derision. I would not like to tell you how many times you feel as if you are getting a pat on the head when you speak at Conference. We don't that, we want a voice. Thank you madam President.

**Patricia McKeown, UNISON & President of Congress**

Thank you. NIPSA to move the amendment.

**David Topping, NIPSA**

President, Conference, David Topping of NIPSA to move the amendment and thank the Executive Council for accepting the amendment with regards to representation of young workers.

Conference, there is a very old cliché – you are only as young as you feel. Now, however for all our passion and our commitment and dare I say it out constant self denial, you must realise that as Peter Sands so succulently made the distinction in his address on Tuesday, that delegates like me will be the retired workers of tomorrow. And, that I along with everyone here in the room have an inherent responsibility to leave a legacy that we can all be proud of. We complement the development of the new schools resource pack and I do believe that the young people in our schools have the raw ability to become the representatives of our unions and just like a football manager who is always looking for his next All Star, then all unions should be on the look out for their next General Secretary. I believe that the tenets of trade unionism should be introduced at Junior Cert and GCSE level as part of their curriculum, perhaps as part of a life skills and citizenship programme, and that this should continue in Leaving Certificate and also leading to further and higher education. So, with the amendment I believe that this gives us an opportunity to focus our attention on not just entering our workplaces, those who are just leaving universities and further education colleges who may not have had the chance to be fully educated



in the functions of the trade union. In these times of recession there will be a glut of young people who will find it very difficult to get jobs and find it very difficult to get meaningful employment so it is incumbent on all affiliates to derive and promulgate their strategies to engage young workers, to enlighten them and include them and with the resources of Congress give us all hope for the future. So, in conclusion, as one previous speaker said, just look around you and try and pick out how many people are here under the age of 26. And, with that I move the amendment.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder. Is there a seconder there for the amendment? Formally seconded. Thank you very much. Motion and amendment now up for debate. Who is first there?

**Edward Mathews, INO**

Madam President, thank you very much. Sorry for speaking again. Edward Mathews, Irish Nurses Organisation and Chair of the Youth Committee. I support the tenure of the amendment but the Youth Committee both North and South and my colleagues from the North will speak momentarily, the way in which it is worded imposes an arbitrary age limits which does not suit the dynamic of the nominees that are received from individual affiliates. We have a range of nominees on the Youth Committees which range from 17 up to 31 or 32. The problem is that if we impose an arbitrary age limit of 26 there are a number of problems. Firstly, we will be out kilter with organisations internationally with which we are affiliated, we will step out of kilter with our colleagues in the continent and under neighbouring jurisdiction as well. The second problem then is that you will nullify any graduates who may well not enter the labour market until they are 23 or 24 at this stage. We support absolutely the involvement of the youngest possible members of our movement in the Youth Committee. It is also necessary to have mature members of the committee to help bring them along and to help lobby the offices of Congress because it is important to have a voice when we are not being listened to occasionally. The other issue is, very occasionally of course President, the other issue is we need also to embrace the wide range of occupations and roles that are represented within the affiliates. People enter the labour market at 15 and 16, some don't enter until they are 24, they remain young workers and we want them to have the experience. So, therefore, on behalf of the Southern Youth Committee, I speak against the amendment. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Next speaker.

### **Robert McNamara, Limerick Trades Council**

Robert McNamara, Limerick Council of Trade Unions. President, delegates, I also would speak to oppose the amendment because I think it is at a time down the road into the future it would be an amendment worth looking at or if it was an amendment at a Conference in Sweden where trade union density is up around 78 per cent, but unfortunately, we are in a position at present where the age from 17 up to 35 which the Youth Committee works at this point in time, the density levels are very low as it is and if we accept the amendment to the motion – what it would effectively do – is half the people you would have to bring on to the Committee. It is a very vibrant committee, it is a very dedicated committee and I think as Eddie and others earlier, you do need people to move it along and to get the younger people involved. And, therefore, I would also oppose the amendment. Thank you.

### **Patricia McKeown, UNISON & President of Congress**

Thank you. Next speaker.

### **Rosella McCay, NASUWT**

Rosella McCay, NASUWT. I was going to come up and talk about Sweden and talk about the Netherlands and how the EU Parliament is under 36 and then I sat and I thought about it and I thought I didn't join my union until I was 26 because that was the age I became a teacher. In the last four years with my union, I have won 'Young Activist of the Year Award' for getting a Government law changed within the UK. I have Ricky Tomlison come and speak to young members about the 'Justice for Pickets' campaign and 'Freeing the Shrewsbury 24'. I have done an awful lot but as well as what I have done, probably the most important think I have done is I have got other young members to be involved. A young member this year won this year's 'Young Activist of the Year', was a young member that I encouraged to come along. She helped me to organise a new and young teachers' conference and I feel that if we were to restrict this at age 26, number on you are cutting out teachers. The average of beginning teachers in Northern Ireland and England is 26, so straight away you are leaving them, we were actually talking about this at the last national conference for my union, once you hit, with us it is 30 as our cut off point for young members, so I am now going to fall into that wee gap and I am going to fall into the hole where I do get ignored because I am not 30 and I am not 50 and the average of Conference would be over 50, so we now trying to – my Conference – I can say that – well 45 then, I will be nice. But I do feel that it takes young people to get young people active and if cut us out at 26, we are loose the impact that I know that I have had, that I know other members across the UK and across Northern Ireland have had and I do from the deepest of my heart, you are cutting us. I was part of the trade union. It is not that I didn't become active until I was 26. I was in the NUS, I was

in the ESI. I have sat down in Killarney at USI's conferences. I have been there, I have always been active and I do feel that it takes young people to get young people to be active that is why I am going against the amendment for the age of 26 as I feel you are cutting out too many of the young members that we do have.

**Patricia McKeown, UNISON & President of Congress**

Next speaker please.

**Kerry Fleck, Belfast Trades Council**

Kerry Fleck, Belfast Trades Council and also Secretary of the Northern Youth Committee. I am going to be brief partly because I am hungover because our disco was brilliant last night. We want to oppose this amendment. We can see why the amendment was put forward. We don't want people who are essentially not young anymore like myself lingering around on the Youth Committee for too long or lingering around on any youth forums for too long, but unfortunately we don't live in a perfect world and we don't have those young people at the minute to make that up. Maybe in two years time we will come back here with waves of young people after we support this amendment 17, or support the Motion 17, a dig at NIPSA, I thought that was. Maybe then we can reduce the limit then when we have more people, we don't have them at the minute. If you look at the Northern Youth Committee – if affiliates are only able to send us people under the age of 26, I think we would go from about ten core activists you know. So, you know, we are against that and we would ask and we would ask you to oppose the motion. Thanks very much.

**Patricia McKeown, UNISON & President of Congress**

Ok, is there another speaker?

**Gayle Matthews, PCS**

President, Comrades, Gayle Matthews, PCS. Again we share the sentiments of NIPSA's motion and the Youth Committee should be for the youth but at the same time we have to recognise that we don't have the youth there, particularly in relation to the recession where we are in a stagnant workforce, we are not having new people coming in the door so we leave ourselves open to the fact of running out of young people essentially. And, also when people come into youth workforce, they are not always aware of what the trade union movement is. Where as we might see ourselves as warriors for social justice, they might see us as dinosaurs on soap boxes. And, we really have to get that point across and it is the youth that get youth out and it is the youth that get the youth active but our Youth Committees don't just recruit new members, they turn them into activists. If you restrict the time limit for doing that, you don't have the time to work with the

people to get them involved and to make them an activist, so I am sorry but I am opposing the amendment.

**Patricia McKeown, UNISON & President of Congress**

Any further speakers? Ok, thank you. NIPSA, do you want the right of reply?

**David Topping, NIPSA**

President, David Topping, NIPSA, exercising the right to reply. To be honest we can understand the concerns this amendment would undoubtedly cause, but at the same time there are a number of important things to remember. Congress for quiet a long time have set their policy at 35. Now we have to wake up and realise that the issues of 35 year olds are not relevant to those who are 26 and what this amendment is asking is that the relevant matters being discussed and brought forward to the Congress Youth Committee but you have to understand that relevant matters, as I said, to those who are 26 will be radically different to those who are 35. In my branch in NIPSA, we recruit and have recruited members of staff who are 17 all the way through and we do recognise that unions recruit people of all ages so we are not intending to discriminate here. But you have to understand that all we are doing here is that we are setting the bar. Now it is up for discussion I understand that and at the same time we have to realise that at 25 we are setting a substantial bar for Congress to look the important issues that are relevant to young people. We need to enthuse people and as the speaker said it takes young people to get young people interested. Well then by setting it down at 25 well then we are getting young people to get young people interested and in that we are not accepting opposition to the amendment.

**Patricia McKeown, UNISON & President of Congress**

Ok, thank you. No further speakers. Larry do you want to exercise the right of reply? No. Thank you. Let's move to the vote. First of all on the amendment, those in favour, those against, the amendment is lost. The middle ages have it. Now to move to the vote on Motion 17, those in favour of the motion please show, those against. I have been calling speakers on it for the last fifteen minutes both the amendment and the motion. Ok, we have got to move to the vote, that is why I kept calling you. Those in favour please show, those against, the motion is carried.

We just have time, I think, to move to Motion 22 but we are now going to exercise the guillotine. Motion 22 standing in the name of name of SIPTU on Political Awareness of Trade Unionists.

## **Jack O'Connor, Congress Vice President and SIPTU**

President, delegates, Jack O'Connor, SIPTU moving Motion 22. I hope by the way delegates don't form the view that you conducted that debate in such a way as to ensure that I received five minutes before one o'clock. It is purely coincidental and nonetheless, just to say this, that delegates we all know a critical juncture in all our history and the people we represent has arrived. At this critical juncture in our history, it is important we evaluate the outcome of our work to date and draw the appropriate lessons to inform our outlook for the future. And while over the past number of years we have had a measure of success in the overall scheme of things, we have to be frank and we have to recognise that we have not been able to influence in any significant way, the direction of history sufficiently to prevent the reckless pursuit of public policies entailing blind adherence to unbridled free marketeerism characterised by light touch regulation, pointless incentivisation, tragically short-sighted privatisations and the ruinous pursuit of prioritising speculation over sustainable investment. And despite the much wanted social partnership process in the South, we did not succeed in securing the enhancement of employment protection in advance of the opening of our borders to the ten new accession states to the EU on 1 May, 2004, which unleashed an orgy of exploitation here in this state. And, even delegates when we were able to get agreements on measures which might have played some role in cooling the property boom, like the affordable housing initiative and laws to combat exploitation, those commitments were ignored because they might in some way inhibit the progress of the free market juggernaut. And let's be honest as well delegates, what are our prospects of averting the disastrous NAMA proposition which will burn not only the present but future generations with unbearable levels of debt. All this delegates emphasises the limitations of social partnership with a Government dominated by parties of the centre right, which to be frank about it, is characterised by a surplus of access and apposite of influence. And while we believe that we are entirely correct to avail of every avenue to influence the direction of events on behalf of working people and their families, and to promote sustainability over the politics of the quick buck and that we should continue to do so. It was utterly and totally wrong delegates to allow the notion to grow that the process offered an alternative to the task of building an effective political force to articulate the interests of ordinary people. And, the tragedy is that lesson was learnt long before, generations ago, when recognising the limitations of collective bargaining, the Irish trade union Congress embarked on the task of building a labour party on the proposal of Jim Larkin, seconded by James Connolly. Of course in the intervening years succumbing to the influence of other interests reflected in our movement we tragically abandoned this task opting instead for the lowest common denominator kind of unity, which quite frankly, ignored the elephant in the room. And it is incumbent upon us in the light of the lessons of recent experience to return to the task of building awareness, of the relations between the way our members act at the ballot box and the consequences for the quality of their lives and society at large. Delegates, this motion recognises that this is no easy task. But it recognises as

well that in failing to address it we are fooling no one but ourselves and we are failing to discharge our responsibility to promote a sustainable and equitable economic and social paradigm on this island which can only be accomplished through the advance of labour and the parties of the left, the objective which must be to shift the fulcrum of political power in the direction of ordinary people and in the direction of the principles of social solidarity which informed the founders of this movement. I move the motion, thank you delegates.

**Patricia McKeown, UNISON & President of Congress**

Seconder please. That is formally seconded thank you. Speakers.

**Billy Lynn, NISPA**

Brothers and sisters, Billy Lynn from NIPSA to ask you to remit this motion. I want to explain something from the very start. I am speaking on behalf of my union, and I am a member of the Socialists Party. NIPSA, for any of you who have ever been to our conference, one of the things that would be said about NIPSA is that we are the most non-political union in Ireland. We do discuss all issues which are relevant not only to our members but to workers in general. Over the last few days we have been discussing the fact of the capitalist crisis on ordinary workers, the way that workers now, tens of thousands of jobs, North and South are being lost. My union does believe that we will have to raise the political awareness and the political consciousness of trade union members and ordinary workers in general. That is an essential task for the trade union movement. But let us be clear what that is going to mean. For example, there is now a debate among many trade unionists who have unions affiliated to the British Labour Party on whether that affiliation continues to be appropriate when workers including workers in all the unions which are affiliated to the British Labour Party are being attacked by a Labour led Government, yes a Labour Government, in cutting public expenditure and sacking workers. It is I think appropriate that we do discuss and we do consider what is the best way forward for raising awareness and the consciousness, the political consciousness of our members. I think we have to ensure that debate. However, I have a real concern and my union has a concern about affiliating to the Irish Labour Party. We need, I believe, to ensure that the trade union movement in Ireland is not just seen as a recruiting sergeant for a possible Fine Gael led coalition Government. It is on that basis that I ask Congress to remit this motion so that the debate can continue and the discussions can continue. I ask you to support remission.

**Patricia McKeown, UNISON & President of Congress**

Thank you Billy. Is there a seconder for remission? Formally thank you. This is a debate on both motion and remission.

## **Terry Kelleher, CPSU**

Delegates, Terry Kelleher, CPSU. I think one advantage that neo-liberalism gives trade unions is that it allows us to present capitalism in its true nature. The rawness of its exploitation to workers that lies in the heart of this system in which workers have to live and bring up their families. And in explaining the system we can encourage people to get active, get organised and struggle for their rights. This is a time not only for trade unionism to redevelop that tradition but also for the left to actually reclaim its rightful role as the real opposition in Government for the working class. And I think that there is a growing view among workers that was represented in the last election that they are looking for another representation that is not Fianna Fail. And also particularly public sector workers that is not Fine Gael. People are seeing very little difference to their solution to the crisis. The Labour Party came out and gave the rhetoric about the banks and actually capitalised on that. I would like to point out the election of Joe Higgins as a real indication of what is possible for workers and people interested in real political representation for workers. There was a survey done on people who voted for Joe. Nineteen per cent said they voted for him because he is in the Socialist Party, and twenty-four per cent said because of his policies. In total thirty-three per cent voted for him for that reason, the rest because they thought he was an honest guy, a really good guy and the only person that put it up to Aherne in the Government. I conclude by saying that I would have no problem in supporting this but the conclusion of all this, of us discussing political representation is to affiliate to the Labour Party. I will not support that unless the Labour Party comes out clear against coalition with right wing forces and agrees to build a left-wing base among the community and the trade union, a force to represent workers against this onslaught but neo-liberal forces in our society. So, unless the Labour Party resolves this question of coalition we are not really backing the Labour Party, we are backing a doormat for another right-wing dominated coalition in the future which really will only depress workers even more and actually set back the real task of representing politics for workers in Ireland today. Thank you.

## **Patricia McKeown, UNISON & President of Congress**

Thank you. Next speaker.

## **Willie Hamilton, MANDATE**

Comrades, Willie Hamilton, MANDATE trade union. Comrades, the reason I am here this morning is that first of all I welcome this debate. I think it is incredibly important that we have this debate. And I think it is important because everyone of us here today has one thing in common and that is the interest of our

members and what is best for our members. One of the things that Connolly and Larkin discovered back in 1912 was the limitations in representing their members' interests solely by the route of industrial power. They realised that from that early stage that real power is vested in politics and for that reason I believe that it is time to look back at the reasons why Connolly and Larkin decided to take that step in 1912 and set up the Labour Party. By the way, I have a vested interest here before anyone accuses me – I am a member of the Labour Party and I am a Councillor in the Labour Party and I make no apology for that. One of the things though that I am continuously hearing is the Labour Party is to the right by some of my comrades and then by half the other people telling me that they are too radical. One of the things I would ask you to consider when you are having this debate in your own unions is, Gilmore was here on Tuesday, the leader of my party. He is the only leader of any party that has offered this movement representation rights. He has promised us what we have been looking for from every Government for the last decade at least – full trade union recognition rights. Don't forget that. In the last General Election part of the Labour Party manifesto was to give two more public holidays, how far have we got in advancing that? No where. If we had had a Labour Party in power at that stage we would now be having the benefit of two more public holidays on top of the other one that the Labour Party got us. Comrades, in having this debate and talking about coalition with right wing parties, let's not forget – the trade union movement has been in coalition with right wing Government since the foundation of the national wage agreements and nobody had a problem with that. Because that is what you have to do. We have to deal with whoever we have to deal with because that is the choice of the people at any given time. Give the Labour Party enough votes and we won't be dealing with Fine Gael, we won't be dealing with Fianna Fail – I have no time for either of them. I look for support for this motion.

**Patricia McKeown, UNISON & President of Congress**

Ok, speakers.

**Karen Taylor, PCS**

President, Conference, Karen Taylor, PCS union in support of remission. PCS as a union has a policy of no affiliation to any political party and I believe as trade unionists that we must be independent of the politicians and I ask you to support the remission.

**Patricia McKeown, UNISON & President of Congress**

Ok, no further speakers. I am asking SIPTU if they are accepting remission. Right of reply, Jack.



### **Jack O'Connor, Congress Vice President and SIPTU**

President, delegates, Jack O'Connor, SIPTU opposing remission because delegates, lets be frank about it, notwithstanding the motivation behind the proposition to remit, the effect of remission is that we go on avoiding the issue. That is the reality of it. And, in relation to the debate about the Labour Party.....(*missing because of change of tape*) and on the question of subordination to the Fine Gael party maybe delegates if we reflected for a moment on how things might be because if we had seriously continued with the task outlined by Jim Larkin and James Connolly, we might not have to play the difference between Tweedledum and Tweedledee in Ireland if we were serious about the task of building a trade union based Labour Party to articulate the interests of working people.

I make the point as well delegates that the motion doesn't actually commit us all to affiliating to the Labour Party, it merely commits us addressing the critically important issue of affiliating to the Labour Party and I recognise different unions would address it in different ways and that some unions would not be able to affiliate. But, the reality is we should face it now, delegates, we should face it now because otherwise we will consign the issue to the margins and then we will be able to continue passing motions here at conferences like this that have no prospect of being realised. I oppose remission and I urge you to support the motion. Thank you delegates.

### **Patricia McKeown, UNISON & President of Congress**

Ok delegates. We move first to the vote on remission, those in favour of remission please show, those against, the remission is lost.

Those in favour of Motion 22 please show, those against, abstentions. The motion is carried.

That, delegates, brings us to the end of business at this part of the day but before you rush off, important announcements. Outside the door is the bucket collection so make sure you give generously. Remember it is for the support of unions in struggles. Two important fringe meetings about to take place both on the second floor of this complex, Trade Union Friends of Palestine is Dr Samia Alboxma who is a member of International Boycott Campaign and that's commencing now in the Winter Garden Room and in the Parkview Room directly opposite that there is an important joint ICTU TASC fringe meeting about to take place and that is being chaired by the General Secretary. So, please I encourage you to attend these meetings. Thank you.

**The meeting adjourned until after lunch.**

## Thursday 9 July Afternoon Session

14.30 – 17.30

### **Partnership, Pay & The Workplace Continued**

#### **Patricia McKeown, UNISON & President of Congress**

We are about to resume our afternoon session. There were two motions we didn't get to in the last session and that's Motions 24 and 25. We may get a chance to take one of them in the course of the day. Otherwise, both of them will go to the end of business tomorrow.

We are moving now to continue the discussion on Partnership, Pay & The Workplace. The first motion up this afternoon is Motion 52 standing in the name of Unite and it is a motion on Employment Rights. Can I invite Unite to move.

#### **Eugene McGlone, UNITE**

Thank you President, Eugene McGlone, Unite. Thanks for coming back this afternoon comrades. In the opening of Congress President, you reminded us of the scale of the damage that the current economic crisis is doing. You said in the past few months that more than 170,000 workers had lost their jobs and that scale was growing daily. That leaves us really with two options in dealing with this. I suppose the first one is to buy a box of Kleenex and a couple of Leonard Cohen CDs and go and have a good cry. But, the alternative one, the realistic one is to organise, regroup, develop strategies and show clear, strong leadership to our membership. That second option has been the theme of this Conference since Tuesday morning. And that is what this motion, Motion No. 52 is about. Not only that, it also I believe complements the work we have already commenced here this week. It sets out minimum conditions for engagement with Governments both North and South. It doesn't replace Congress' ten point plan where ever that may well be at the moment, but I personally found it quiet refreshing Conference to hear Eamon Gilmore state quiet clearly on Tuesday morning that the Labour Party were prepared to stand up for trade union recognition and bargaining rights. And, I found it also refreshing to hear Martin McGuinness say something very, very similar on Wednesday morning. In fact he went a wee bit further. He said that it is wrong for the workers in our society to bare the brunt of the recession, a recession that they didn't cause, that it can't be used to drive down wages and conditions of employment. That was quiet clear. He was also quiet clear about the representative rights of trade unions. Let's see if we can get a hat trick of that sort of thought process tomorrow morning, we will be doing very, very well, and we can go home happy. But I am not too sure that that will be the case.

But Conference, one of the most striking things about the events that have been have happened in the last few is this, is that no all workers, in fact a very large proportion of workers who have been paid off, have not been the victims of this so called global recession. Far from it. Visteon still make parts for Ford, they just don't make them here in Ireland or for that matter in Britain. Dell are still in production but just not here in Ireland to the extent that it was. It appears that from late 2008 right through the whole of 2009 it has been a great period of time for bad news. Multinationals have latched on to it beautifully. They just couldn't help themselves. They with great relish used the opportunity of the decline and the economic crisis to attack workers at their place of work. And the reason that they do it and they do it in this country is because it is dead easy to sack workers. In fact not only is it dead easy, it is also dead cheap and that is why they behaved the way they did. Now, what is the difference between workers here in Ireland and some workers producing the same sort of materials and manufacturing elsewhere in Europe – it is more difficult to sack them and it's more expensive. That's the difference and that difference stems from the minimal legislative protections that workers have here in this island both North and South. Good terms and conditions of employment, good pay, proper pension protection are not obstacles to economic growth, they are not obstacles to economic recovery. In fact quiet the contrary, they are necessary for economic recovery because there is a trickle down affect, there is the feel good factor of a bit of security and the confidence to spend and that helps everyone in our society. That's a massive knock on affect. That is not going to be felt unfortunately for a large number of workers.

Our resolution calls for the establishment of some basic ground rules common to both parts of the island in engagement with Government in respect of our rights as workers. I see the light on so I am not going to go through them as I had intended. But I do want to say that the most important thing that we do is establish where we need to be. We have begun this work this week. Whether by accident or design we already have a programme of work before us in relation to pensions, in relation to protection of work, in relation to a whole raft of things that are included in our motion and I am asking this Conference to endorse this motion that can be used as a vehicle to assist the other programme of work that we have set out earlier this week. I move.

**Patricia McKeown, UNISON & President of Congress**

Thank you Eugene. Is there a seconder for Motion 52? Formally seconded, thank you. Speakers to Motion 52, speaking to it?

**Gerry Campbell, UNITE**

Gerry Campbell from UNITE coming here to support this motion. Because like ourselves Visteon in Belfast like our colleagues in Waterford Crystal, we actually

thought we had these employment rights and in mentioning Waterford Crystal, could I say from the people of Belfast we would like to give you a special thanks for what you did in Waterford because it was when you went into your place, that inspired us for what we were going to do later. We knew we were going to do it but you did first. And, yet, in the middle of all your own troubles down there you still took time to come up to Belfast to give us advice and you gave us support and that will always be very much appreciated. And we will be supporting Waterford Crystal workers in anything that they do. Anything that Waterford Crystal workers need or anything that they do will be supported by the people in Visteon in Belfast and we will make sure that as best as we can that nobody buys a piece of Waterford Crystal until it is made in Waterford again.

But then I started reading through this motion. We actually thought we had workplace consultation rights. For example, a ninety day consultation period, we thought it was legally binding. We got six minutes and nothing is happening. We actually thought we had redundancy rights, you know a week for every week's service, a week and a half. We got nothing until we occupied the place for seven weeks and forced them to the negotiating table. We thought we had pension protection, that was some nonsense. Ford stole our pensions. Get this Visteon term out of your head. Go for that blue opal – Ford stole our pensions. For the people that were sacked that day they don't get access to their pensions until they are 65, for the people who were already out in the pensions community, quite a few thousand, they are talking about losing between ten and thirty per cent of their pension. Keep it you your head – Ford stole our pensions. We didn't have an employment right there. We actually had good working terminology in here – working time jobs. We had 37 hours a week doing jobs. Now those jobs are still being done but today they are being done in South Africa, the Philippines and in the Czech Republic. The jobs never disappeared just the working time totally disappeared. Peter Bunting in his speech yesterday addressed another fraudulent act that we believe was going on in that multi nationals, in our case Ford, were taking Government grants to buy machinery, to develop research & development and then as soon as they did it they transferred the work out of Ireland. Even as we speak here today, machinery which has been subsidised by the British Government has been transferred over to Germany where actually employees do have rights. They can't close them the way that they closed us. So, I am up here supporting the motion and it is going to be passed in a few minutes I am sure. Just again to reemphasis once its passed, the Executive goes out and does work and gets it legally binding. It is no good just to have a motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Speakers?

**Bob Millar, NUJ**

Good afternoon delegates, Bob Millar, NUJ supporting the motion from Unite. I would just like to add that a further point should be considered by Congress on Unite's list of recommendations there and that is that in the island of Ireland whenever a company comes into this Northern Ireland/Southern Ireland, from whether from America, Japan and it gets investment from the state, anything from a pound to a euro, then we should be given the automatic right to go in and negotiate workers' rights immediately. If they are getting money from the public purse then we should have a right to go in and pitch for our unions in whatever sectors those companies come in for, because there is no point going in when the door closes and they have got their millions of pounds and they say oh, by the way, we are not recognising the workers. We need to get in there straight away. Thanks a lot.

**Patricia McKeown, UNISON & President of Congress**

Thank you.

**Joe Kelly, Unite**

Chair, delegates, Joe Kelly, Unite here to support the motion. Just looking at what is going on in this country for the last number of years and referring specifically to the second point in the motion around prioritising the right to collective bargaining and recognition of trade unions. Isn't it ironic that after twenty-one years of partnership we still don't have compulsory recognition of trade unions in this country. You have a legal right to join a trade union fair enough, but an employer doesn't have to recognise you and they don't have to deal with your union. We in the South East have had plenty of experience of that. A few years ago we had Nolan Transport, a bitter dispute down in New Ross in Co Wexford, where a strike went on for about fourteen or fifteen weeks but again the employer refused to recognise the union. I think it was SIPTU at the time. We have had the Ryan Air debacle again where O'Leary refused to deal in any kind of a meaningful basis with unions preferring this idea of employee committees and so on. And only yesterday we had people who came up from Waterford and Carrick, workers from Mr Bin Man, you would have all probably, or most of you anyway, would have seen the leaflet that the lads came up to distribute. Again, Mr Bin Man absolutely refused to recognise or deal with the trade union that these men have joined, SIPTU. SIPTU have endeavoured in as far as they possibly can to bring that dispute to some kind of a reasonable settlement, to be met with complete silence from this individual. And, again, he came up with the excuse last week that we have an Employees' Committee and anybody can come to my door any time they like. The boys told me reliably yesterday that's the first they heard of it. It is the first they heard of any Employees' Committee, so it is absolute lies. Again, the issue of outsourcing jobs – the Waterford Crystal thing has been mentioned – I am a former Waterford Crystal worker as some people in this hall will know. And our jobs were

exported. Waterford Crystal is still being made, be under no illusion of that, it is made in Czechoslovakia and it is made in Slovenia and everywhere else but it is not made in Ireland. Irish jobs were simply sold down the swanny. But really what I am saying about this motion is this – all the other bits in it are important for sure but if this Congress has any kind of clout at all, if we can do anything, the least we should have after twenty one years of partnership is compulsory recognition of trade unions. If we only achieved that out of this motion and nothing else, that would be a magnificent step forwards for trade unions in this country. Delegates, I urge you all to support the motion. I think if we achieve nothing in the next two years bar that, that would be a major success for all working people.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Any other speakers?

**John Corey, NIPSA**

John Corey from NIPSA supporting the motion but I want to say, make some comments on employment rights issue, North and South particularly in the North and I want to take the opportunity here and I think that it is right that I make some comments to Conference about the plight of twenty six members of my trade unions who worked as Traffic Attendants in Belfast. They were sacked on 18<sup>th</sup> April. The reason they were sacked was that on the 3<sup>rd</sup> April they were so fed up with the way they were treated by the company, the employer, a company called 'NSL Services Group', and it is a privatised service and that will be something that is unfamiliar to people in the Irish Republic that your traffic attendants service is privatised, but this was privatised a number of years ago in the Northern Administration and the Labour Government that we have had to deal with, or had to deal with, their headlong rush to privatise everything. They privatised these staff but these staff walked out because they were so fed up as I say about they were being dealt with. And I didn't hear about this until the middle of the afternoon after they walked out on 3<sup>rd</sup> April and the decision they took to walk out, a decision of the workers themselves for a half day protest was probably taken sometime around mid-day. I can tell this Conference that at 12.37 pm that same day, I received a formal letter from the company in London, a legal letter, demanding that I repudiate the action of the workers using Thatcher's laws which are still in force in Britain. Not as the nature of the law that we have to deal with as trade unions. Now, I didn't repudiate the action. I had to live with some trepidation until my Council of the union met that they wouldn't repudiate the action, I don't know where that would have left me if they had decided to repudiate the action, but we haven't repudiated the action and we won't repudiate the action. That is the position we are taking. And, can I just say finally President, that we are fighting to get those traffic attendants reinstated and we are determined to win that particular battle as they deserve nothing less than their jobs back. And the last point I want to make is this. We have spent a lot of

time as trade unionists in the North and in Britain trying to find ways around the Thatcher laws. There is no way around them. The only way around them is to get rid of them and that is what we must do under this motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thanks John. Any further speakers on Motion 52? Ok, just before I call the movers of Motion 53, can I draw to delegates' attention, this is an appropriate time I think, the publication that is being circulated with the consent of the Standing Orders Committee, called 'Rest Assured' and it is telling you about offers from hotels on this island who recognise the right of their workers to benefits of collective bargaining through union recognition. This is highly important, this hotel is one of those employers and I am very pleased to say that through the good offices of SIPTU we are going to be able to hold the 2010 Northern BDC in an unionised hotel in Derry and all of us as affiliates have the power to make demands when we are going to put our business in a certain direction and also every individual has to power as a consumer so please pay attention and I would encourage you in the light of this on workers' rights to exercise something which is very much within our power.

I call on GMB now to move Motion 53, Rights for Agency Workers.

**Bob Gunn, GMB**

President, Conference, Bob Gunn, GMB moving Motion 53 and Rights for Agency Workers. Conference, this motion calls on the ICTU to pile pressure on Governments to ensure that employers do not abuse agency workers. The plight of agency and temporary workers is one of the biggest single issues across the UK today. There are over a million of them working across the public and private sectors. Our union ancestors fought to end casualisation of labour and now we face one of the biggest scandals of our time, the casualisation of the whole country. A million workers denied equal rights in the workplaces and don't be fooled – it is not about flexibility other than for the bosses. It is about casualisation and the exploitation of hundreds of thousands of workers right across the economy in construction, in food, in street cleaning, in our schools, our hospitals, our care homes, workers are facing discrimination. They are denied the rate for the job, no sick pay, holidays, overtime, all of which their directly employed colleagues enjoy. And why? Because it is currently lawful to mistreat agency workers and use them to drive down pay and conditions for us all. A dangerous gap in employment law has opened up and it is causing racial tensions as the indigenous Northern Irish worker blames migrants for driving down their pay and we have all seen the consequences of that in Belfast over the past two or three weeks. But be clear this is not about migrants and whether they speak English or not. It is about greedy bosses exploiting workers from which ever country they come and whether or not they speak English. We had 125 MPs in the UK supporting Paul Farrelly's Early Day motion



in 2007, only to see Ministers disgracefully talking the Bill down. Excuse after excuse. Government says show us the evidence of it well here it is. Plans for one third of the workforce are agency but employed all year round on worse pay, overtime, holiday rights and where permanent workers leave they are replaced by agency staff. A sixty five year old worker threatened at gun point for daring to complain and told his family would be harmed. A young pregnant Polish worker forced to live in a car for weeks after her agency had thrown her out of her accommodation and confiscated her passport so she can't even go home. A leading hotel chain employs Chinese agency workers to do the same work but are not paid the national minimum wage. The Chinese workers are given £5.73 an hour in envelopes because officially they don't exist. Colleagues, it is only in Europe that we have seen legislation to support agency workers. On 5 December, 2008, the European Directive on Temporary Agency Work was passed with the aim of providing increased protection for agency workers. The UK Government now has until the 5<sup>th</sup> December, 2011 to implement this directive although the unions have been pushing for early implementation. The directive provides that basis work and employment conditions of temporary agency workers shall be at least those of an employee in the same undertaking occupying the same job. The GMB appreciates the need for agency workers in the workplace where there are shortages of direct labour. However, there has been a constant abuse of using them for excessive periods thus preventing the agency workers from the benefits and job on a permanent contract. Congress, this movement is about protecting the weak and vulnerable in our society and as you said yesterday President, we are drivers for social change. We call upon our Executive, the Northern Ireland Committee to engage with the relevant Government ministers, Government departments, MPs and MEPs to bring this scandalous abuse to an end. I move.

### **Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder?

### **Paddy Mackell, NIPSA**

Paddy Mackell, NIPSA to ask you to remit Motion 53 back to the Executive Committee. Brothers and sisters there is absolutely no doubt that agency workers are badly treated. There is no doubt whatsoever that employment rights that most of us enjoy often do not extend to those agency workers. It is indeed absolutely appropriate for unions to do everything they can to assist agency workers and to recruit them into membership and fight the struggle on their behalf. However, NIPSA would ask Conference to consider the wording of this motion as it appears on the agenda in front of you. It is this wording you are voting on, it is this wording that will be passed and if passed would become the official policy of this movement. Comrades, our strength, the strength we have as workers is that we stand together. We speak with one voice. There is a line from a great songwriter I know which proclaims 'the bosses rejoiced when the

workers lost their voice'. Conference, when workers use that voice it has to be clear. Those listening to that voice have to clearly understand their call. Could I ask you to read the wording of this motion. It is not clear. In the second paragraph there is a reference to this branch and I assume that should have meant this Conference and it is a small point admittedly, but it becomes more unclear as you read on throughout the motion. We should as a movement stand and fight together to get rid of the scourge of agency working to be replaced with proper, permanent contracts with all their protections and benefits this can bring. That is the way to protect workers. This motion refers to contracts and I quote 'far exceeding three months'. Is four or five or six ok? If the contract exceeds three months just a little bit, is that ok? Would that be due policy? What is meant by the phrase 'holidays etc'. Does etc mean all the benefits other workers enjoy or just some of them. If it is some of them, which ones? Which ones aren't included? If you look at the last paragraph the confused and unclear position continues. Which stated benefits is the motion referring to? Is it holidays, is it etc? Which benefits would this movement be seeking to protect? The motion does not tell you. The final sentence of the motion, comrades, would surely have had employers quaking, shaking in their shoes. We are going to pressurise those bad employers to have a policy. ICTU would have truly flexed its industrial muscle if that was passed. Conference, I ask you to remit the motion back to the Executive so that the important issue of protecting agency workers and protecting their struggle is dealt with in a proper manner by this Conference so that we can have a proper policy that ICTU can be proud of. Conference, please remit the motion.

**Patricia McKeown, UNISON & President of Congress**

Ok, I thought you were seconding the motion. I need a seconder for the motion, formally, thank you. Is there a seconder for the motion to remit?

**Christine Ozdenur, GMB**

President, delegates, Christine Ozdenur, GMB seconding Motion 53 on Rights for Agency Workers. In May, 2008, the UK Government, CBI and TUC agreed that after a twelve week period in a given job an agency worker would be entitled to equal treatment to that of permanent staff with regard to pay, holidays, working time, overtime, breaks, access to available collective facilities, access to information about permanent employment opportunities. However, it did not cover occupational social schemes such as pensions and sick pay. And it does not afford any protection in the event of unfair dismissal or redundancy. Colleagues, in the present economic climate and with the negative impact that the Republic administration will have on the public sector workers in Northern Ireland, the role of agency workers is a key issue. While recognising the need for flexible workforce that agency staff can provide the system can be open to abuse. And we have evidence of temporary workers who have worked in Government departments, yes Government departments for up to six years. We must do our best to ensure that the new legislation not only aids business but

also protects the vulnerable agency worker. You can be certain that some of the countries will attempt to use the 'opt out' clause which reads as follows: "Member states may after consulting the social partners give them at an appropriate level and subject to the conditions laid down by member states, the option of upholding or concluding collective agreements which while respecting the overall protection of temporary workers may establish arrangements concerning the working and employment conditions of temporary agency workers which may differ from those in paragraph one. We heard a lot about equality yesterday and colleagues we in the trade unions have always been about protecting workers, all workers, from exploitation. These workers deserve our help and support. I ask that you support this motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Is there a seconder for remission? Yes, thank you. Ok, the main motion and the motion to remit is open.

**John Alfante, Unison**

Good afternoon President, Congress, delegates. I am John Alfante, Chairman of Alliance of the Pilipino Community in Northern Ireland, a member of Unison, in favour of Motion 53. It is my great honour to attend this Biennial Delegate Conference for the first time. Full time workers have regular contracts are sometimes given abuse by the bad employers. What about those agency workers – they are more vulnerable and very prone to get abuse because of the bad system. Can I share an experience, a bad experience that some Pilipino fishermen in Kilkeel, Ardglass and Portnavoige have suffered? They were verbally, mentally and physically abused. They were recruited from the Philippines through agencies to work in Northern Ireland. This individual has no knowledge of the minimum wage in Northern Ireland and they signed a contract to get paid USD\$500 a month – only USD\$500 a month. For long working hours – 80 to 90 hours per week – and sometimes non stop work. By the time their boat leaves the docks they have already started working until the boat came back. This Pilipino fisherman has no proper accommodation. They are sleeping in a small boat with no proper facilities, no showers and no proper toilets. Why are these things happening in the 21<sup>st</sup> century? It looks like a modern way of slavery. They get abused by the bad employers who are taking advantage of the bad system because they are from the agency. This abuse is unacceptable. So, please brothers and sisters, delegates, we need action and implementation and not words. Because for me action speaks louder than words. What is the use of all these papers that we have today without support and implementation. Yes, we need to do it now before it is too late. Solidarity, strategic planning and the most important of all is our commitment to participate in doing something for a better and brighter future. Delegates, this is really needed to have policy in place for the rights of agency workers, so please support the motion.

**Patricia McKeown, UNISON & President of Congress**

Next speaker please.

**Mark Flynn, SIPTU**

Mark Flynn, SIPTU. Colleagues, I would just like to say to you with regard to the point to remit back the motion. I would ask you to leave this motion stand on the basis of if we take note of the points to remit back and we can ask the Congress Executive to deal with those points and to take note of them. Because, I think on the basis of the work that we have put in the unions over the last number of years trying to highlight these issues, we come up against it time and time again and we have been looking to the Irish Government, and we call on the Irish Government to implement the European legislation which we will have to watch very carefully and press very carefully and very hard for these people to implement this legislation because time and time again we have seen employers use agency workers and migrant workers and to try and drive a wedge between all working people and the fact of the matter is that unless this stops, unless the Irish Government moves on this legislation it will be to the detriment of all working people. Thank you.

**Stephen Aisbey, Unison**

Madam Chairman, delegates, Stephen Aisbey, Unison supporting the motion. I was an agency nurse for several years. Being an agency worker allowed me to gain experience in many different health care sectors and the flexibility suited me at that time. However, I was acutely aware that I was getting paid less than nurses I worked alongside. I was given senior levels of responsibility for ward management even though I was being paid at the basic grade nurse. I had the accountability for managing a ward area and the staff who I managed didn't always respond as I was only an agency nurse. I was concerned that it was my registration at risk if something went wrong. I often worked for periods with employers for much longer than three months but gained no additional rights as I was still an agency staff. I welcome that there had been some gains for the rights of agency workers such as holiday pay. Now that I was in the public sector, as I am still now in public sector as you see, associate agency workers coming into my ward and facing the same difficulties as I faced a number of years ago. Even now with my employer there is reliance on agency staff rather than the employer providing the proper complement of internal staff needed to do the work. We do need agency staff but they are doing more than filling short term gaps caused by sickness or holidays. We need properly paid, properly protected and sustainable workforce if you are to deliver the best care to the community. Conference, please support this motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Are there any other speakers to the motion? Do I get a seconder for the reference back? Is there a seconder for the reference back? Oh, sorry,

the remission, you are seconding it right. Does the speaker want to exercise the right of reply and maybe you would indicate if you are accepting remission.

**Bob Gunn, GMB**

President, I accept that the wording of the motion may not be legally and grammatically correct. However, I think no one in this room is in any doubt about the intention of the motion and that has been better articulated by my colleagues than probably I have done. We do not accept the remission President and would wish to move to the vote, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Alright, let's take motion to remit first of all. All those in favour of remission please show, those against, that is lost. Sorry, I have got one more motion in this section before I move to the main vote on the motions themselves and that is 54 standing in the name of USDAW, Respect for Shop Workers.

**Jackie McNeill, USDAW**

Good afternoon, Jackie McNeill, USDAW. President, Executive Council, Conference, speaking on Motion 54, Respect for Shop Workers. This motion supports USDAW's 'Freedom from Fear' campaign which seeks to prevent violence, threats and abuse against shop workers. Conference calls on the Government of the Republic of Ireland, the Northern Ireland Executive, local authorities and the police forces to take action to stop the rise in abuse against shop workers. Conference is concerned that such incidents as silence, threats and abuse of work are increasing for many front line retail staff. USDAW's survey of shop workers shows that two thirds suffered verbal abuse in the last twelve months, many on a daily basis. One third have been threatened with violence. Ten per cent were assaulted which is twenty five per cent more than last year. To help tackle this escalating problem Conference calls on the Governments of the Republic of Ireland and the Northern Ireland Executive to promote safer shopping partnerships in towns and shopping centres ensuring that sustainable funding is available to ensure that local councils and the police are working with retailers and shop workers to jointly tackle problems of crime and anti-social behaviour, work with all trade unions to help promote a culture of respect in the workplace and protect all staff particularly those who's jobs requires them to deal with members of the public. Conference congratulates other unions who ran campaigns to protect their members from violence at work including Mandate with their 'Respect Retail Workers' campaign. This is a problem that faces all public facing workers and Congress calls on employers to safeguard their staff and prioritise their duty of care. I urge you to please support.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Secunder.

**Mary Larkin, MANDATE**

Mary Larkin, MANDATE. MANDATE trade union has great pleasure in seconding Motion 54 from our comrades in USDAW. MANDATE's survey like that of USDAW, shows 74 per cent of retail workers suffered verbal abuse in 2008. For us that is 30,000 shop workers last year were abused verbally. Now retail workers have many roles to perform in the workplace but abuse is not part of our job. A member in Galway was spat at by a customer, another member in Cork had stuff thrown at them. I can give you many more examples of physical and verbal abuse that shop workers suffer and I am sure that our friends and comrades amongst us all could do exactly the same. Our survey has shown that in the 21<sup>st</sup> century retail workers are suffering more abuse than ever. We should not have to campaign for our basic human rights. Freedom from fear in our workplace and respect for us and the jobs we do, and we are not willing to endure it any longer. Again abuse is not part of our job. Delegates, I urge you to support this motion.

**Patricia McKeown, UNISON & President of Congress**

Any further speakers on Motion 54?

**Fred Browne, NASUWT**

Fred Browne, NASUWT. As a teacher a large number of my former pupils and some of the students I work with at the present work in shops and I have been horrified at the stories that they have told me about some of the abuse both verbal abuse and in some cases physical abuse that they have suffered and it takes place in both large and small shops. A lot of the time it is because of young people wanting to buy drink or cigarettes below the legal age and in some cases it is customers who are intoxicated, but whatever the reasons for it there can be absolutely no excuse for it. Many of the shop workers that I know are lone workers. They are working on their own in small corner shops and they are particularly vulnerable to attack. And, to be absolutely honest there has been a lack of support from the police when they have been called in about things and I think this has to be addressed as well and this is something that we need to campaign on. It is not taken as seriously as it ought to be taken. Shop workers fulfil an absolutely essential function as important and as essential as any of the public service workers perform in our society. We have had a high level campaign to protect other public service workers – the fire workers and nurses and in my own union we have had a campaign about violence and intimidation of teachers, and the shop workers deserve absolutely no less than that. Please support this motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Any further speakers on 54, thank you.

**Margie McQuaid, SIPTU**

Margie McQuaid, SIPTU. I am speaking on Motion 54. As a shop worker myself I can relate to where people are coming from and I want to thank MANDATE and

all the other retail people for putting this motion forward. Over many years before there was security working in all the shops in town we got a lot of abuse from customers mainly people coming in trying to rob stuff and that and trying to threaten and abuse the staff, many of them were threatened, so before the security came into the shops a group of us went upstairs to our managing director and we demanded that we do something about it. We said we are not here to take abuse and be threatened by people and customers coming in. Many years ago the police uses to go around in plain clothes running in and out of the shops but due to all the cutbacks they are now not even doing that. So, I am glad to support this motion and keep up the good work because in the retail trade we need it. And, as they are always talking about the recession, we are trying to get the business into the shop and we want the staff to feel safe. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Another speaker on 54. Flora, you are speaking to the report. Come ahead.

**Flora Alfante, UNISON**

Good afternoon Chair, delegates, Flora Alfante, UNISON speaking to the section of the report on employment permits and regulation. I have been in Northern Ireland for seven years. I was one of those five Pilipino workers whom Four Seasons Nursing Home tried to send home because they had not filled in the forms to renew the work permits. Unison and the law centre in Belfast worked with us and ensured that we got our visas renewed and new jobs in other nursing homes. Thank you very much indeed Unison, especially Patrica and Pamela who played mother roles and a friend's shoulder to cry on in times of difficulties. I cannot forget that December 2005 when they asked us to come to the office to offer us financial support. I couldn't forget that. However, this discrimination against me by the Four Seasons left me with a gap in my employment. I though I am falling foul of the new borders immigration and citizenship bill. This new piece of UK legislation introduced further restrictions and the ability of migrant workers to settle and enjoy the rights and freedom that most of us take for granted. The proposed bill extends the number of years during which migrant workers are left vulnerable to exploitation and totally dependent on their work permit. Members delivering essential services have been presented to the Government as a problem. If you want racism this the climate for racist attacks that have blighted society North and South. This piece of legislation is part of a general trend and more will follow in the coming years. In supporting this section of the report I congratulate my union Unison and ICTU for leading on this issue. I call on Congress and all affiliates here today to stand in solidarity with migrant workers and to campaign against immigration, legislation and Government parties that will foster racism. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you Flora.

Ok, no other speaker on this section. We move now to the vote and back to Motion 52 on Employment Rights. All those in favour please show, those against, that is carried.

Sorry, I will stop the voting at this stage as I have just skipped over Patricia who wanted to make a response to this section of the report. Can I invite you to do that please?

### **Patricia King, SIPTU and Vice President of Congress**

Thank you President, delegates. As we are at this Conference today there are ten women outside the Customs House – that building that is under the shadow of Liberty Hall and where a monument to Connolly stands – and they have been picketing there for the last seven days. They clean the Custom House offices for four hours at night. They earn €9 per hour and their employer during the month of June has lost the contract to clean. And the new contractor came in, took on these employees for a number of weeks and then told them that their hours were to be cut. Now they have been cleaning there for about eight years and they came to us as their representatives and they said that their terms and conditions had been changed and in the normal way, we made contact with the new employer and we asked them to enter into a consultation with us to try to address this. And, I also heard that the new employer had engaged with them in so far as he was providing ID cards and so on to them to continue their work. And very shortly after they received the correspondence from SIPTU, they all got a letter which said ‘thank you for the representations we received on your behalf from SIPTU but we have decided now not to take on any of the previous employees’. And for the last eight days those women have been picketing, walking up and down outside the three gates of the Customs House. And then last Monday myself and colleagues spent firstly on Friday and then most of last Monday late into the evening in the LRC, nothing unusual about that where there is a dispute, but who arrived into the Labour Relations Commission – the Department of the Environment, we needed them there, and the previous employer and we needed him there and the new employer in the form of a senior counsel, a solicitor and two directors. And all day we spent on our own in a room trying to resolve this. Very difficult to do that when the people who can resolve it are somewhere else in another room. And as the day progressed it became exceedingly clear that the people who had procured the contract – the Department of the Environment – weren’t remotely interested in what was happening to those ten human beings outside the gate. But this was a contract which had been renewed, retendered and the new contractor was going to cost them less money so by Jove they were doing their duty to the Irish taxpayer. And the new contractor coming in the only agenda was we don’t do trade unions, we are not going into that room with her because we don’t do unions. No interest in the eight or the ten women outside the gate. And that dispute is not resolved and indeed we will depend I think strongly on the solidarity of others who are working inside that building to try and secure a settlement to the dispute. But why have I told you that story? I have



told you that story because I think that it bears a lie to the apostles of the right wing like Dan McLoughlin, like Mark Fielding, like my friend Leo Varadkar who say that the Irish labour market is over regulated. Now myself and Linda Tanham and Owen Wills were recently asked to work on the Advisory Council of NERA, the newly formed National Employment Rights Agency which came about as a result of a lot of difficult discussions to try and get a Compliance Bill on the statute books in this country with a view to underpinning some form of protection against exploitation. And what do those right wing apostles say? They say NERA is a bureaucratic interference with the right of profiteers to exploit workers. And they say that they don't accept being confronted with the inconvenient truths about the reality of exploitation in this country but unfortunately delegates the evidence is undeniable. The NERA statistics that have been developed even in the first quarter of this year. They tell you this, now I have to say that I am not great on the statistics but you don't have to be too bright at all for to understand these. Eight out of ten catering companies deny their workers statutory entitlements. Seven out of ten hotels are non compliant with the stipulations as laid down and remember that those stipulations are the minimum. Six out of ten cleaning companies are non compliant and this trend is evident across the low paid sectors. Every day this movement faces new challenges, new threats. But, our solemn duty as trade unionists, inheritors of the great tradition of Larkin and Connolly, is to do everything that we have to do to secure the strongest protection for the most vulnerable workers within our society and this can only be brought about by securing a comprehensive legal rights framework enshrined in legislation which is based on the fundamental belief that no worker will be open to exploitation. I thank you delegates very much.

**Patricia McKeown, UNISON & President of Congress**

Thank you Patricia. Two more motions to consider. I now put to you Motion 53, Rights of Agency Workers, GMB. Those in favour please show, against, abstentions. That is carried.

Motion 54, Respect for Shop Workers, those in favour please show, those against, abstentions. That is carried.

And, the relevant sections of the report which is the main section 3 and chapters 3, 4, 5 and from this morning 7 and the related appendices. Can I put those for your agreement? Thank you very much delegates. All the sections of this agenda are important, they are all highly important but I do think in that debate we saw and heard some of the terrible traumas our members have experienced and I do want to pay tribute to all of them for sharing that with us.

Now it is my pleasure to call on Edward Matthews from the Congress Youth Committee, not the first time you have addressed us Edward in the last number of days but you are very welcome.

## **Edward Matthews, Congress Youth Committee**

Madam President it was our pleasure to kick off proceedings of the Conference of course. Madam President we are very grateful of the opportunity to speak to you and as you have identified it is not for the first time but I want to try to just give you an overview of some of the concerns and issues facing young workers as we see them. However, before I do that I want to pay homage to my colleague from the Retired Workers Committee who kindly spoke of us and invited us to attend some his events. I have to say that I was hugely inspired by a man that has obviously given a lifetime in the representation of other workers and I want to say that having reflected on his comments both with the North and the Southern Youth Committee that we are very happy to work and enhance our relationship with the Retired Workers so that we can have an intergenerational approach to understand what has gone before and so that we can understand better how to deal with the problems that face us. I also want to thank Congress for their support and despite the fact that we don't always agree on every issue, I have seen a massive change in my last four years in the Youth Committee in the way Congress approaches the Youth Committee and the level of support that is offered and that comes from the staff and the officers and I wish to voice our appreciation for that. Furthermore, I would like to thank the individual unions, the General Secretary and Officers of those unions for the support they provide to us be it financial, moral and sometimes lobbying support on various issues that we address to them throughout the year. It is always welcoming when you visit, and I have toured a number of unions in the last couple of months on various issues, and it is always good that we do receive a warm welcome and you are pushing an open door in many respects and we appreciate that.

In relation to the work of the committee itself just to give a brief overview of what we have been doing in the South for the last two years, much of our work has been engaged in training activists who come and are nominated to the Committee to ensure that they are in a better place to represent workers in their own workplace and also to advocate the position of young people generally. We have been hugely involved and continue to be hugely involved in the Talks to Schools programme and it must be acknowledged that while we do our best as volunteers, we do not offer a systematic service in that regard and the establishment and development of the Youth Connect project and the systematic approach to Talks to Schools I think is a fundamental development and one that should receive enduring support that we referred to earlier. We engage in a significant amount of lobbying both within our own movement as to the position of young people and the position of young workers and we also engage in significant lobbying externally both to other voluntary organisations and statutory organisations in Ireland and throughout Europe. And in that regard we do meet and we do advocate very strongly, and sometimes as a singular voice the agenda of young workers and the rightful agenda that they can expect to be treated with dignity and respect and have a right to a job. It is always disturbing to me when I advocate the position of young workers within Ireland how many

people think that we are lucky to have a job and that is not the case. And a senior official from my own union made a speech at our conference and the enduring thing that I remember from that speech is that none of us are lucky to have a job and that must be something that we instil in our young worker colleagues and all workers. We are not lucky to have a job in a recession. Nobody gives you a job. You get a job, you are successful, you work and you are kept. That is not luck – that is hard work and we cannot allow a creeping agenda in these recessionary times so feel disposable and feel lucky to have a job. And, a huge amount of our work has and will continue to be to ensure young workers understand that they are as relevant and as deserving of a job as everyone is. We have been engaged in our advisory function and we are constituted as an advisory committee to Congress and we welcome the opportunity which is given to us on a regular basis to submit advice to the Executive on matters of relevance and we take that opportunity very seriously and we welcome it. We also hope to increase that going forward. My colleague in SIPTU, Lorraine Mulligan, has been involved heavily in the European Trade Union Confederation. We continue, and I hate to use the cliché, but we continue to punch above our weight in that forum. We are and will remain on the Executive Committee of the Youth Committee in the ETUC and we contribute heavily to their policy development. We have also run recently a poster campaign in respect of the local elections, I am happy to report that that is the second time we have done so and over 20,000 posters were circulated to workplaces throughout Ireland in a non-partisan way encouraging young people to exercise their democratic vote. We continue to publish the Rights at Work Card which had an enduring appeal both in the educational sector and in the employment sector. It provides readily accessible basic information on rights and entitlements and we will be very happy to provide copies for a small fee to anyone who wants them because it has to be printed.

So, moving on to some issues that we wanted to revert to you and I won't stay long because I know time is under pressure. Colleagues, I don't need to tell you about unemployment and the effect unemployment has. I am not going to lecture to the converted, but the social, economic, psychological and demographic effect of unemployment are huge. A young person who is unemployed or who is underemployed or who is in precarious employment will not have a family. Research shows that you are very, very unlikely and that is one thing that I want to bring up, because that is one of the lesser known affects of unemployment or lesser realised. That has a significant impact for all our futures. It has an impact on the generational demographic and that has a serious implication for future earning for retirement etc. And we need to remember that when we are looking at the position of young unemployed workers.

I want to also revert to you on a matter of serious concern to my committee which is the level of homelessness affecting young men particularly and young women but young men in particular. The level of drug abuse that exists currently within our society, a silent epidemic which has lifelong affects and decreases life

expectancy. We have a pernicious agenda now for we have cutbacks in the drugs strategy and drug funding so what are we going to do? Well we are going to lock people up because that is a solution isn't it, because when we lock people up surely they will arrive out of prison and when they arrive out of prison what will they do? We are creating problems not solving them. We need to understand that nobody or I certainly don't think that anyone grows up and wants to be a heroin addict. But yet people, and it is saddening and sickening to walk the streets of Dublin at night time, and I stopped last week at a sixteen year old male sitting beside a teller machine, nobody can tell me that he wanted to be there. He is a child for God's sake. He couldn't get a bed in a hostel and what do we do about it – very little. We will be renewing a campaign, the Youth Committee will in the coming year and we will be seeking individual affiliate support, we cannot as a movement see people destroyed in this way and stand back and do nothing.

There is another sickening epidemic affecting young people and again particularly young men in our society and that is the epidemic of suicide. But allied to that is the shameful and disgusting way in which we have organised mental health services for young people. And I use the word organised very loosely because I am involved in other voluntary activities. I had a twelve year old boy away on an activity weekend last week who is suicidal and cannot get a referral to the appropriate mental health services at twelve years of age. Now I am a nurse by profession and I have seen disastrous things but that really frightened me. What frightened me more wasn't that he felt like this but that he could not get the proper help that he needed. This is mirrored everywhere. We are visiting a blight on our young people but not offering them appropriate mental health services and the lost that is occasioned on families throughout this country through suicide every year is silent epidemic and one that should be addressed.

Another point which the committee has asked me to raise and has been the matter of discussion is the treatment of young people in residential care within the North and South but particularly I can speak to you about the South, we do not have an effective advocacy framework. We need to ensure and I am happy that the emergency motion moved in the name of the Executive was accepted by the Conference, we need to ensure that we have an effective framework which will not allow abuse to be perpetrated on the most vulnerable in our society and I am not encouraged currently and neither is our committee that that framework currently exists and we must develop that for fear that I will not be standing here in twenty years decrying another report and saying that we should implement procedures to prevent a further occurrence.

I want to tell you moving on from what are obviously desperate topics that the committee going forward in the coming year is endeavouring to increase our cross-border activities. I am very happy that the solidarity that which exists between the North and South Youth Committees has never been stronger and we are hoping to encourage working cross border activities on a number of fronts. We are also commencing a global solidarity initiative in the coming year,

we will be in touch with you regarding that. The Congress Youth Committees both North and South will be reconstituted later this year. Please do not miss the opportunity. You will get a letter from me and you will get another one, please respond. Try and find nominees from your individual unions to sit on the Youth Committees. It has been the most wonderful experience for me as a trade unionist. When I sat on the Congress Youth Committee it has developed me more as an individual and as a trade unionist and it has developed me in terms of the solidarity I feel to you as members of the movement and to all unions. That opportunity should never be lost. For, whatever else it does, the Youth Committee advises Congress and it advises it strongly but it is an excellent forum for developing young trade unionists and you should not miss the opportunity later this year to nominate your colleagues to that forum.

I also want to say to you very briefly and almost in conclusion Chair, there are things that we think you should do and we want to focus on two particular issues that we hope the Executive or three issues that we hope the Executive would work on in the incoming period. The sub minimum wage rate which payable by virtue of your age or the fact that you are for instance an apprentice, is an abomination, an absolute abomination. Do they think that you can live on less money because you are eighteen? I am sorry for you but rent is the same price, bread is the same price, milk is the same price. You can't live on less money. It is a paltry sum as it is. The sub minimum wage rate, and I know the Executive has received our comments on this before, should be abolished. There is no excuse for it. Even the term itself – sub minimum – my God I'd hate to have it referred to me. The reduced social welfare entitlement based on age, unemployment benefit based on age is just a disgusting ageist attack on young unemployed people. It is based on the premise that you are, obviously if you are young, you are living at home if you don't need that much social welfare to live. It doesn't work like that I'm afraid. Many people who have entered the labour market at younger years do so for very good reasons. They are often forced to do so because they have had to get out of a difficult home environment. Of course the social welfare cut will affect disproportionately certain geographical areas where it won't be seen. As a movement, a social movement, we should combat that at every opportunity and we should make it a priority to ensure that if somebody is visited by the blight of unemployment just because they are young doesn't mean that they are entitled to less social welfare.

Lastly, Chair, the incoming Executive we would hope would combat ageism within the movement itself. Great progress has been made in this movement regarding the treatment of young workers and the treatment of young activists. More progress is required. We welcome the statement of the incoming officer of Congress regarding providing a direct mechanism where we can address the Commission which will look at the structures applying in Congress. That must be, and we will ensure, that that becomes an opportunity to reach our final goal which is to have a constant and effective presence and voice for young workers at the highest level within the Confederation and we hope that that will occur.

And, I ask you individually within your unions to ensure that young workers are given an opportunity to change the faces to attend the next BDC, to ensure that you have somebody on your delegation or people on your delegation that adequately reflect the membership within your own unions. I say to you in closing that I am always and will always be encouraged and enthused by the commitment of my volunteer colleagues on the Congress Youth Committee, both North and South, we engage in a significant amount of lobbying and a significant amount of work and I know everyone does a lot of work, but I want to applaud them for their dedication and selflessness for their dedication in serving the issue of young workers and thank you very much Chair.

**Patricia McKeown, UNISON & President of Congress**

Thank you very much for that Edward. I think all affiliates sat up and took notice of what you have had to say about reconstitution of the Committees North and South and please extend the best wishes of this Conference back to both sections of the Youth Committee. Keep the good work up. Thank you.

Delegates, before I move to the next section if you could have a quick look at your wrists and if there used to be a silver bracelet on one of them and its not there any more, it has been found outside the hotel. Make yourself known to a member of the Congress staff please.

We are now moving to the section on Education and Learning. We are dealing with Section 4 of the Congress Report, that is Congress Organisation and Chapter 5 on Congress Education and Learning, and I would like to call on Sally Anne Kinahan, Assistant General Secretary to say a few words.

**Sally Anne Kinahan, Assistant General Secretary**

Thank you President, delegates. In fact I am not going to make a speech. I just wanted to draw peoples' attention to a document that has been handed out to everybody in the hall from Barbara Keogh and other colleagues outside about the Union Skills Network where we are seeking expressions of interests and just to reiterate what has been said many times over since the beginning of our BDC, that is that there is a strong link between skills, between training, between learning and peoples' wages and their job security. And, just very quickly the other thing I want to say because there are twelve motions on the agenda now and I do believe that we will be discussing all of the issues that are pertinent and relevant to us today in the whole education area and I think there is going to be a very interesting debate, but I just want to counter something that appeared in the papers today from the Head of the IDA, a man called Barry O'Leary, who believes that in order to deal with competitiveness, in order to enable companies to survive, that workers should take a fifteen per cent pay cut. Now the same gentleman who is employed by the IDA, his organisation – he is directly employed, indirectly employed by the DETE through Forfas, and Forfas is also

responsible for the National Competitiveness Council and this organisation reports all of the time on competitiveness, and what is a fact is that competitiveness is much more complex economically than about wages. Wages is only a small part of it, and what Mr O'Leary has come out with is clearly an ideological provision. Another person who is part of the bandwagon to try and drive down wages, but clearly colleagues, it is not wage cuts that is going to get us out of this recession or improve our fortunes in the future because all that will do is undermine consumption and exacerbate poverty. And I think just teeing up this debate, if we are serious about our future, if we are serious about competitiveness, then the best way to address it is by investing in education from pre-school to lifelong learning. Thank you colleagues.

### **Patricia McKeown, UNISON & President of Congress**

Thank you Sally Anne. We move to Motion 55 in the name of MANDATE, Union Learning & Upskilling. There is also an amendment from TUI.

### **Aileen Morrissey, MANDATE**

President, delegates, good afternoon. Aileen Morrissey, MANDATE trade union, I am formally proposing Motion 55. MANDATE members want training. This is very evident from the number of members who have attended training courses throughout the country which MANDATE has run, which Congress has run and also through the Women at Work Skillnets. They are willing to travel to the closest venue for training. They are often early school leavers who want a second chance at education. Why am I telling you this? Well, delegates, it is because MANDATE members must do most of their training in their own time, often having worked on a shop floor and, we have heard about the difficulties that that can bring in a day's work, or in the bar and they will attend the course for that evening and often giving up their day off. They give up their holidays for union training. I just wonder how many of us in the room here would show that kind of commitment to the trade union movement to give up our annual leave or a day off to go on a training course. This is because their employers will not give them paid time off to attend training during working hours. For example, a MANDATE member attending a basic three day course because they can only facilitate them over three days not five days which seems to be the norm, the example is what I am going to give you. Retail companies allow them two days off with paid leave, the third day must be their day off during that week. So they put aside their personal commitment and they come into MANDATE training course on their day off. Retail employers who do not give any paid release for training include Dunnes Stores and Heaton's. I ask you delegates is this because they are Irish as the ad says. How many of here in town have gone into Dunnes Stores and Heaton's? Both of these stores are here. You can see them as you are walking around town but the members, our member, would not get paid release to attend training and would not get paid release to be sitting in this room here with you people at the Conference. The only time that members are

guaranteed paid release for training is for health and safety training. Why, because there is legislation to cover it. The Health & Safety Act says that the employer is legally obliged to provide paid release for this training. In this environment of an economic downturn even company training will be put on the back of the agenda. They didn't give very much training when we had the good times as every talks about. In retail training is not high on the agenda. A further difficulty now being encountered by MANDATE members is that funding will not be made available for union training from FAS. The removal of FAS funding for union training and for members in employment is unacceptable. It is right that the unemployed should receive training, nobody would stand up here and say otherwise, and reskilling. However, union members in employment also need to have training in order to keep their skills up to date and to protect their jobs and not have them then swell the ranks of the unemployed. In the past our member have received training as part of programmes which were supported by FAS and we thank FAS for that. MANDATE members cannot afford to pay for these courses themselves. They come from a sector which is not highly paid. At a time when union members are feeling very vulnerable in their workplaces, it is vital that there are well trained shop stewards. The employers are still going to receive FAS funding through IBEC and the Chamber of Commerce. They will ensure that their managers are trained in order to attack the terms and conditions of our members. Delegates, it is a fundamental requirement that access to training is a right and therefore this motion is seeking the introduction of legislation which will ensure paid release for training and learning for all workers. I move Motion 55. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Is there a seconder for the motion? Thank you very much, seconded thank you.

Mover of the Amendment by way of an Addendum.

**Annette Dolan, TUI**

Delegates, Annette, Teachers Union of Ireland moving the Amendment. Delegates, the raising of the level of education of those in the workforce, those currently on short time or those who have recently become unemployed is crucial for the economic development of this country. That is not alone set out by all of you delegates here, but on political, social and economic commentators. Ironically, the way forward in relation on how to do this was agreed prior to the current economic crisis. This policy is simply called the National Skills Strategy. This strategy has as its objective the raising of the skills levels of those in employment so that by 2012 Ireland will have a highly skilled population. The targets in this policy are simply that by 2012, a half a million workers in this country will have raised their levels of education by a level. In other words those who have a certificate will move to a diploma and those with a diploma will move



to a degree. It is those kind of simple steps. But the reality of the current economic crisis means that it is necessary to take that National Skills Strategy, which hasn't been implemented, to take it down from the shelves in Government Buildings, dust it off and simply implement it but implement it now as a matter of absolute urgency. Because this has to be done and must be done if we are to find our way out of the current crisis and recession. There is also a need for those who have high levels of skills, those with diplomas and degrees, or with higher level qualifications who have become recently unemployed to diversify and upskill in different areas because of decreased demand for jobs in their particular area. There is umpteen policy documents and research reports in relation to the dividends generated from education and training. For instance, in Dublin today there is an ESRI research seminar entitled 'Does Money Matter for Schools?' and the authors of the recent study which is being discussed at this conference today, the authors are McNally, Holmlund and Viarengo found that a 40 per cent increase in real spending on education in the UK since the year 2000 has had an impact on outcomes.

Colleagues, in the interests of fair and equal access to education, training and upskilling which will pay dividends for this economy, I urge you to accept the amendment to this motion. Thank you for your attention.

**Patricia McKeown, UNISON & President of Congress**

Is there a seconder for the amendment? Formally seconded, thank you. That is both the amendment and the motion up for debate.

**Margareta Chambers, UNISON**

Good afternoon President, Conference, my name is Margareta Chambers supporting Motion 55. I am a union learning rep with UNISON in the Health & Social Care Branch in Northern Ireland. I was a frontline worker who got the opportunity to go back to learn with my union through the 'Return to Learn' programme. I left school at 15 with absolutely nothing, with typing and that was it. As a woman in a small rural area I expected that I would get married, have children and be looked after so my education wasn't important. My father thought that if he got me a job with a seamstress that I could sew and that would be a good job for me. I actually did get the husband, had the children but I saw then that things were changing and if I wanted to be able to do more in my job and working life I would need qualifications. I did gain the qualifications, got rid of the husband along the way and no I don't have a patio but I have a few acres. This began a journey where I found out that I had skills that I could build on. I discovered more about me and my potential. In doing so I realised the benefits of that to me and I wanted to share it with others. I know that there are many courses out there in further education colleges and through organisations such as Open University, so why aren't people in the lower paid jobs with qualifications, few qualifications. Just walking through those doors and getting

them. Even if they have the confidence many people in lower paid jobs, particularly women, could not spare the time. They often look after children or elderly parents. Some have more than one job, many work shifts, which makes it impossible to commit to even night a week at the Tech. People many want to go on courses, they may even dream of going on courses, but having time off to do so makes it possible. Also being given time to go on a course by your employer makes you feel more valued as an employee. This makes you more loyal, improves recruitment and retention and the learning might open doors up for promotion within the organisation which means that the employee brings all the experience right through the ranks. One of the reasons I took a chance in going back to learning was because it was offered by the union. I wanted to do it but didn't want to do it in my own, so I asked some of my friends at work and one of these friends is at Conference with me today. This made all the difference both in terms of confidence and support on the course. My journey that began all those years ago has benefited me in my personal life as a union activist and has provided opportunities that I never could have imagined all those years ago when I left school. Conference, support this motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you.

**Mags O'Brien, SIPTU**

I think the last speaker very eloquently expressed what actually does happen in union learning. Mags O'Brien, SIPTU and SIPTU College and I would also echo much of what Aileen has said around release for work but could I just point out that as SIPTU celebrated its centenary this year the words of James Connolly are ever more pertinent, educate that we may organise. This recession, comrades, allows employers to erode the hundred years that we have worked in Ireland to build a decent trade union movement and decent terms and conditions. If we cannot get paid release for shop stewards and for activists then we are in danger of them being fearful of negotiating in the workplace and negotiating as regards redundancies or terms and conditions and we are seeing this all around us now. It is imperative that we ensure that there is paid release for shop stewards. I support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you Mags. Any further speakers on this motion? Have we an indication from MANDATE if you are accepting the amendment? Yes, you don't want to exercise the right of reply then, ok so, thank you. Ok, MANDATE is accepting the amendment. Can we take the vote on the amendment first of all, all of those in favour please show, those against, abstentions that is carried. And the substantive motion, all those in favour please show, against, an abstention, that's carried. Thank you very much.

We now move to a group of motions, 56 through to 59 and I would like to call on UTU to move the motion on the Possible Effect of WiFi on Health.

### **Lewis Love, UTU**

President, delegates, before I begin the resolution, could I take this public opportunity to pay tribute to Peter Bunting and the Congress for the support that he has provided and the patience he has shown in helping the teacher unions in Northern Ireland to find a way out of their small local difficulties, but thank you Peter for all of that.

Delegates, wireless networks known as WiFi or wland wireless local area networks are increasingly used in schools, offices and other public places to connect computers and laptops to the internet using radio frequency transmitters with no need for further complex cabling. In future whole town centres will be transformed into WiFi hotspots enable people to access the internet wherever they are through hand held devices such as mobile phones. The internet, like it or not, is here to stay. However, it has taken us a while to wake up to the idea that perhaps wireless transmitters could be less than benign. As with mobile phones we first embraced the liberating technology and only later asked the awkward questions. The official line on the health complications of WiFi is that exposure to low level electromagnetic radiation from wireless networks is well below the recommended levels and that there is no evidence of risk. But despite those soothing words there is a groundswell of concern mounting with some people blaming everything from headaches to cancer on the exposure to the radio frequency field. As long ago as 2007, a *Panorama* programme highlighted the dangers and brought attention to the general public to the concerns that there were about the possible effects of exposure to children from electro magnetic radiation, although in truth it is fair to say that the programme makers attracted a significant amount of criticism from the scientific community about the validity of their research. Paddy Regan, a physicist with the University of Surrey criticised the experiment at the heart of the *Panorama* claims because the measurement of signal power had not been made at equal distances. However, the spokesperson from the programme responded that the comparison was a fair one based on the distances that they had used and the measurements they were recording. I say that not to confuse you with the jargon but rather to show you some of the conflicting evidence that there is in relation to this matter. A number of schools have dismantled the wireless networks after lobbying from worried parents and others under pressure to follow suit. In Austria the public health department in Salzburg has advised schools not to use wlands or cordless phones. Lakehead University in Ontario, Canada, with 7,500 students has removed WiFi because it's Vice Chancellor; a Dr Fred Gilbert called on the weight of evidence demonstrating behavioural affects and physiological impacts on tissue, secular and cell level. Further experts have continued to express their concern and in September, 2008, thirty scientists from all over the world, signed

a resolution calling for a full and independent review of the scientific evidence that points to the hazards in current electromagnetic field exposure. Closer to home the Irish Doctors and Environmental Association has asked this country's Government to carry out a full assessment of the health impacts of electromagnetic radiation. Anxiety about WiFi focussed on the affects of radiation in children because of their thinner skulls. Less fully developed nervous systems and the fact that they will undergo a life time of exposure to cell phone technology. In his report on mobile phones, Professor William Steward, Chairman of the Health Protection Agency acknowledge that radiation below guideline levels, while thought to be safe, may have affects. I will go on as the orange light has come on – I think the important factor here is that the jury is still out on this. There is still conflicting evidence that WiFi and other wireless technologies can have an affect and what this resolution seeks to do is to ask each of the Governments (... *piece missing, change of tape*), there is conclusive evidence before we jump one way or the other. I urge your support, thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you delegate. Is there a seconded for the motion? Thank you very much. Speaker to the motion. Ok. Can we move to Motion 57, Special Needs & Alternative Education Provision in the name of NASUWT.

**Fred Browne, NASUWT**

Colleagues, in Northern Ireland an enormous amount of political energy has been spent on the question of academic selection and providing the most effective education for those who show the most academic promise. Northern Ireland has an excellent record in terms of exam passes but it also has a poor, an abysmal record, in meeting the needs of those children who are struggling in schools. Far too many leave school without any functioning literacy or numeracy skills at all. It is clear that most of these young people have special educational needs which are not being met. In Northern Ireland children are regularly denied statements on special educational needs which gives them a legal entitlement to support on purely economic grounds. I am involved in a case at present where the boards are refusing even to carry out an assessment and I am sure something similar is happening throughout the island. All of our children have a right to participate fully in education and we must put in place the necessary supports to make this possible. The authorities and the Government know the extent of the academic underachievement and they know how much it will cost to remedy it and they know how much it will cost society if it is not remedied. Their budgets for education should and must reflect the real needs of our children. We maintain that the only valid reason for deciding whether additional support is required is the educational needs of the children. By reducing the support children are being denied the right to an appropriate education and teachers are being denied the support they need to teach these children effectively. In order for a statement to be issued a child has to be assessed by an educational

psychologist. Educational psychology hours are being rationed. A school is given a certain number of hours and when they are used up no one else gets assessed. If that doesn't meet the needs of the school then the needs of the school are simply not met. Teachers struggle without the support they need and the children wait and wait and wait – the usual wait is six months and some will wait forever. They will never be assessed. For the educational psychologist and all of those that I know are dedicated and very highly skilled, the situation is frustrating and demoralising. Education psychologists are being instructed in some areas not to inform parents that special school is an option. A special school is one which has a specialism in enabling children with learning difficulties or behavioural problems or physical disabilities to realise their potential. Parents should be advised on what best suits their individual child. Many children who flounder in main stream schools flourish in special schools and there are a lot of children who cannot cope at all in any school who can achieve an alternative education projects.

Lets look at what happens to a child who has special needs which are not being addressed and who stays in mainstream school. There are two options – you can attract a little attention as possible, copy other people's work and hope that nobody notices that you don't understand what is going on. And such children experience school as ongoing misery. Their self esteem suffers drastically. They come to believe that they do not deserve any attention and they become especially vulnerable to bullying. They eventually develop illnesses which means time off school and increased problems in coping and may stop coming to altogether. And it the end all this misery will have availed them nothing. They will leave school without achievement, without self respect and without prospects. Yet, many of these children, given opportunities to use their particular intelligence and utilise their gifts, can flourish. Academic success is measured by a very narrow range of abilities. As far as our examples are concerned, research on multiple intelligence might as well never have taken place. For other children their option is to create as much as a disturbance as possible so that their lack of ability in a particular subject isn't noticed and is all deflected on their behaviour. And they are rewarded by having increased attention paid to them. Teachers are prevented from doing anything effective by the sheer workload and the coping strategy of those pupils who are struggling. The pupils that discover that being disruptive can take attention away from their lack of ability create stress for the teacher and for other pupils who want to learn but they never lack any attention. What they learn in school is that there are rewards for being anti-social. Some people think of special education as carrying a stigma. The authorities have done little to attempt to change this way of thinking. I believe as a union representing teachers and defending the rights of children that we need to educate the public. We need to emphasise the specialist nature of special schools and perhaps abandon the term 'special school' altogether. We should campaign to ensure that specialist support is seen as a right. We should campaign to remove those things which signal stigma. For example in Northern Ireland special school children are all transported in yellow busses, no one else

is. Children hate the yellow busses because it does stigmatise them. Some children have such a calamitous start in life that they will never be able to cope with mainstream or special schools. In Northern Ireland a number of alternative education projects have been created to work with those children and young people. My colleague, Mairead, will tell you more about them. These projects receive little funding from the Department of Education. The money to educate these children is somewhere but it isn't going to the people who actually teach them. We raised this issue with Martin McGuinness when he was Minister for Education and he promised to ensure that the money followed the child but this has not happened.

Colleagues, I would have a lot more to say on this but I see that the red light is on. I urge you to support this motion for the sake of all of our children

**Patricia McKeown, UNISON & President of Congress**

Thank you very much Fred. Secunder. Are you speaking as seconder?

**Mairead McCafferty, NASUWT**

President, delegates, Mairead McCafferty, NASUWT seconding Motion 57. As Fred has already said, there are a number of alternative education centres established primarily in Belfast and the reason they were set up was because a lot of our young people for lots of reasons already outlined were disaffected and disengaging from schools. These are our children, these are our young people. If nobody was picking them off the streets, what was to become of them? A new Start Education centre which I set up and have been running for the last almost twelve years, we deliver a five daily timetable curriculum. It is an alternative school hence the name. What we do is address the academic, vocational, the personal and social life skills that are necessary for our young people to enter the workplace and to engage with life and to address a lot of the issues that I think Eddie has already alluded to from the Youth Committee earlier on. Many of the young people who disengage from school as Fred has already outlined do so because they have special educational needs. We have to ensure that the resources necessary to address those needs are put to the front line. We have to support his motion. The cost to society in the long term is that if we don't invest in our children and young people now has been well documented. In the AEP forum we have been lobbying for the past ten years in Northern Ireland to ensure the rights of children and young people to an effective an appropriate education and also to address the rights of teachers working in alternative education provision. Teachers working in community based AEPs do not have the same terms and conditions as their colleagues, in fact, they have none at all. They have the same terms and conditions as any other community worker which is something which will have to be addressed as well.

In conclusion, therefore, what I would say is, the recent statistics that were released in an Assembly debate in Northern Ireland are quite staggering. We have 13,000 children and young people in Northern Ireland who have statements of educational need and I am sure that that is reflected proportionally in the South. We also have from the Department of Education, figures of 60,000 – that is 18.6 per cent of our children and young people who have additional educational needs. It is vital that we put the resources at the front line to address their needs if we are not to create problems for the future. Thank you very much colleagues, support the motion.

**Patricia McKeown, UNISON & President of Congress**

Thanks Mairead. Speakers to Motion 57.

**John MacGabhann, TUI**

President, delegates, John MacGabhann, Teachers Union of Ireland. I want to make reference to the situation at second level in this part of the island in relation to special educational needs and to voice a growing and justified concern as to the disparity that there now clearly exists between the empty, hypocritical words that are spoke as a sock to the equity agenda by Government ministers and the practical affects of Government policy as they now manifest themselves in terms of special educational needs. The statements of empathy and solidarity which even as recently as last week, Taoiseach Brian Cowan was heard to utter in respect of special education and provision therefore in this jurisdiction. Those words ring hollow when we see what has happened. A start was made, a good start one has to say, with a piece of legislation – the Epson Act in 2004. It is now 2009 and that Epson Act was in Budget 2008, consigned not so much to the long finger but to an extension on a bionic scale of the long finger, into the way distant future. What has happened in the meantime? A costed reported or a costed implementation report provided by the statutory agency, the National Council for Special Education, in terms of the implementation of those unimplemented or non-commenced parts of the legislation that was produced and as was required under the statute to the Department of Education in October 2006, there has been no response, none at all to date to that by the Department of Education and Science. Shame now heaps upon shame in respect of at this point Ministers Dempsey, Hannifin and latterly O’Keefe. An arid, empty ideology of placement has now overtaken any realistic effort to make genuine provision for genuine integration. Integration has come to mean in practical terms simply loading more students with a very, very diverse range of needs under the one roof. Quality has been absolutely sacrificed and it has been sacrificed in what purports to be the name of efficiency. We must make it clear that inefficiency that leads to inequity is itself inefficient and it is inefficient in the long term in the most damaging of exclusionary practices by a range of schools in this jurisdiction at second level must end and the first step to making it end is to publish the data school by school relating to the enrolment of students with special educational needs. Data

that this minute could be produced at the turn of a switch for the Department by the National Council for Special Education but which the Department refuses to look for because it would embarrass every politician of every party in every town, hamlet and city of this country where they protect sensitivities that are based on unequal treatment instead of prioritising equality and equity. Please support this motion and please insist that the policy of pretence which currently passes as valid currency in this jurisdiction be put paid to.

**Patricia McKeown, UNISON & President of Congress**

Come ahead. I just really want to opportunity to say delegate time is up put down your pen. It might come yet.

**Declan Kelleher, INTO**

Thanks very much Chair, Declan Kelleher, Irish National Teachers Organisation supporting Motion 57. What I want to say is very plain and it is very, very simply and it is very basic. I want to point out to Conference that as a primary school principal appointed in the late 1970s, and I watched in the late 70s, 80s and into the 90s, I watched children with special education needs go through my school and go through every mainstream primary school in this country with no recognition and no support for their needs. That was absolutely indefensible and wrong for the Government and the Department of Education to allow that situation to come about. No opportunity will ever come for those children to reclaim their lives and reclaim the education and special attention that they should all have had. In the late 90s and the 00s, some elements of support came into mainstream education for our special needs children and it did bring about a revolution. I now see those children walk out the door of my school at the end of their time with their heads held high, with their self esteem where it should be and at least getting near their potential. No Government must ever be allowed to row back on that right for those special education needs children. But, that is precisely what the Fianna Fail and Green led Government are doing at the moment when they turned about and closed down 128 special needs classes and likewise we know that An Bord Snip are examining special education and the provision of Special Needs Assistants now extremely carefully. And I would appeal to you as trade unionists to draw a line in the sand in relation to these most vulnerable group of children, draw that line and let's say to the Government these children are a small minority. They don't have a voice and their parents have very little voice. The trade union movement must stand up for them and colleagues I ask you to do that.

**Patricia McKeown, UNISON & President of Congress**



Thank you – just before the next speaker commences, can I check how many people in the front row are actually on Motion 57. Right there are four of you and I am closing that to other speakers now because we do have another ten motions to get through. Please go ahead.

**Gabrielle Carton, UNISON**

President, Chair, delegates, Gabrielle Carton, UNISON speaking in support of Motion 57. Between 2003 and 2008 in Northern Ireland there has been a 4 per cent increase in the number of children identified with special educational needs. The Department in Northern Ireland started its review of special needs and concluded way back in 2006. With the theme being to support the current provision and address a growing diversity of needs within our school. Proposals from the review talked about an additional £25 million to be added to the present budget to meet these needs, so how come in my school, a special school for children with severe learning difficulties, we are losing five staff – two teachers, two classroom assistants and our school nurse. This is why the special educational needs and the physical and medical needs of these pupils attending or due to attend in September are continuing to rise. I ask Congress to pressure Executives to release this money so that the staff and the services needed to support our pupils as they move through our schools into the world of adulthood is made available. Please support.

**Patricia McKeown, UNISON & President of Congress**

Next speaker.

**Agnes Keane, ASTI**

Agnes Keane, ASTI. Congress, delegates, I am just speaking on a personal reaction here to this issue because having read the motion it actually touches exactly what I feel. In my school because of the hatchet job the Minister for Education has done to our school, particularly to special needs, our resource teacher who has been with us for the past four years and who has built up a fantastic rapport with our special needs students was told that her contract wasn't being renewed. She was devastated. We the rest of the staff were devastated and the children whom she has built up this relationship with couldn't be told until the last day or two before the holidays because we know they were going to be upset, and they were upset. She is now gone to Singapore, she is working in Singapore, she got a job in Singapore. It is actually a different version of outsourcing but at least she has a job, it is in Singapore. The sad thing about this is that these students, as somebody just said, have one window of opportunity throughout their school years. This is their window. They cannot in five years time upskill, retrain, come back for further development. What they lose now they lose forever and the work that has been done with them in the last few years is actually being thrown out with the bath water, and from that

point I think this is such a retrograde step. We are here in Ireland always saying that we value our students, we love our children, children are our priority. In the past we saw what we did to our special needs students. To say that some of them were actually sent into mental hospitals and were dumped is not an exaggeration either way back in the 50s – that is what happened. We are now in a different way doing the same thing. We are sending them to the sidelines saying get on with it, tough luck, maybe in the future we may have a little bit of money to kind of help you on but for the moment we don't have anything, goodbye. Please, this motion I think is such an important motion for all of us. I am a parent, I am a grandparent, my nephew is an autistic student and I can see already what this type of system is going to do to him if he loses his support, so please support this motion. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Next speaker.

**Anton McCabe, SIPTU**

President, delegates, Anton McCabe from SIPTU. Like other delegates who have spoken here this week, this motion gives me a chance or an avenue to get something off my chest. I went to school in the late 50s and 60s and I saw where children who were intellectually challenged where their place was in school. It was in the back seats. They were the people who actually cleaned the schools, cleaned out the fires, washed the corridors and done the job as a caretaker in those schools. And, I would certainly hope that this witch hunt that our Government here is carrying out at the moment doesn't send us back to that era.

But this afternoon I want to talk about something that is close to my heart at the moment, a conflict in my own back yard. The conflict that denies children with autism an education that suffices their needs. There are seven children with autism enrolled in the national school in my town, five of them in mainstream classes with autism and two with ASD, Autistic Spectrum Disorder. This school is to lose three SNA teachers in September of this year. The parents of these children have secured within the school a unit designated as a facility to cater for the needs of the seven children. This unit would have dual purpose, one addressing the specific needs of the children and two it could be done in a specialised setting. Delegates, we the committee of that school and the town of Navan, we have ticked off all the boxes of needs, including the unit, we have secured a teacher and all the necessary medical reports and assessments. We have the support of the Special Education Needs Officers and the Irish Autism, Ireland Committee. We also have a promise of funding from the Department of Education and Science. Delegates, the only barrier preventing this unit opening is the one man Board of Management and the school patron. This is a classic example where the power of the collar supersedes the needs of the children. All this man has to do is sign an application for the funds to make this unit a reality.

In supporting this motion, I call on the Executive Council to lobby for change, a change that would prevent a single patron of a school dictating the needs of the children as in this instance. I will just finish on this – this is the solution of one nine year old autism child who was out for a drive with his father last Friday night. He asked his father had the Bishop signed the letter and he said no, and he said where does he live and he told him where he lived. He said lets go there and get him to sign it and the father said to him, well he won't at the moment. But he said to hell with him we will open it anyway. It is as simple as that. Thank you delegates.

### **Christine Ozoemir, GMB**

Christine Ozoemir, GMB. I just felt that I had to get up to speak on this working as a support teacher staff member with disabled children in schools. We cannot forget, as well as supporting the teachers, we cannot forget our support staff the classroom assistants who are working with these children on a one to one basis for very little money in some instances, and the cuts we have had to deal with when our disabled children's hours are cut. What is happening in some cases is that the classroom assistants are taken on, differentiated in pay but still doing the same job because of their commitment to work with these children and they are only getting possibly a child's hours have been cut from one to nothing but the classroom assistants still continue to do the work in order to try and facilitate that these children can reach their potential. So, it is something that we shouldn't forget, the support staff that are working along with the teachers in trying to make sure that these special needs children reach their potential that they should be getting a fair rate of pay for the job that they are doing as well.

### **Patricia McKeown, UNISON & President of Congress**

Next speaker.

### **Antoinette McMillen, NIPSA**

Antoinette McMillen, NIPSA for a change supporting the motion. Conference, the lack of funding in education in the North led to a decision a few years ago which meant that Boards took a decision that when the child went to a psychologist and no diagnosis was given and therefore no support had to be made available, if there is no diagnosis then the kid doesn't get any support. Part of the problem with alternative education is that there is basically no funding in the North and there are little and few resources available to children who cannot get along within a mainstream environment. And, that doesn't necessarily mean to say that those children have behavioural problems because I have a son who didn't have behavioural problems but basically the difficulty that he had was that he felt very nervous in a big environment and really couldn't cope in a big school. Basically what I had to do was that my son was moved to a small school called the Open Door which gets absolutely no Government funding whatsoever and it was the

only alternative education that we could find. That school is basically run on the basis of teachers volunteering their time to educate ten children per year across the community. They have no resources whatsoever in terms of books and every year they basically have to go around various schools and see will they donate books to them. These kids in many ways have social skills weaknesses but are very academically bright and they are thrown on the scrapheap. After the age of 16 in Northern Ireland, there is no provision, sorry there is provision actually but it is spreads schools which is called 'give and take' and basically it works on the basis of lottery funding. How disgraceful is it that a child's education is based on a lottery? I am sure you will agree that it is absolutely disgraceful that any child has to depend on lottery funding to be educated. It is schools like that and teachers who are in those schools who are getting next to no pay or are volunteering and who, quiet frankly, are getting nowhere near the terms and conditions they should be getting. The money that is supposed to be set aside for the children in education in the North, which they are legally entitled to, where is that money going? It is a disgrace. We need to be pushing harder. I pushed Catriona Ruane about last year about this and she couldn't give me a definitive answer on whether or not she was going to provide support for those children or fund those children going on and year on year more and more children are coming through on the autistic spectrum so where is the money coming from. It is about time that they were challenged and it is about time that those children had the same rights and equality as everybody else. Thank you.

**Patricia McKeown, UNISON & President of Congress**

Thanks very much. Any more speakers on 57? Ok, thank you. Just before we move on to the next motion, let me make Mary O'Callaghan of NIPSA very happy. Mary you have won two nights and a free spa treatment in the Radisson, Galway and if you go out seeking Frank Vaughan of the Congress staff he will give you the voucher. Thank you and well done.

Ok, we move to Motion 58, Knowledge Economy, ASTI.

**Pat Hurley, ASTI**

Pat Hurley, ASTI. President, delegates, in proposing Motion 58, the ASTI is asking Congress to call on the Government to implement the recommendations of the report of the Taskforce on the Physical Sciences published in 2002. A key goal of that Taskforce was to promote scientific literacy for all. The report addressed years of underfunding of science education which left schools with second class laboratories and equipment, inadequate staffing and no resources for the promotion of science education. Science is one on the three literacy groups as well as reading and maths that is now included in evaluations of educational achievement by the OECD. Ireland is near the top of the OECD evaluations of reading literacy but is only average for scientific literacy. Meanwhile, many other countries not just those which are considered wealthy

continue to focus investment in science and technology education. Teachers here today are well aware of Ireland's record for funding of education. When the ASTI talks about the importance of scientific literacy, we are not talking about some high level skills set. There has been a lot of talk during this conference about the knowledge society and the knowledge economy, a society and an economy where knowledge is a key human activity. We believe every child regardless of background or ability has the right to participate in this knowledge society. Just as reading and numerical literacy have had a crucial impact on the life chances of previous generations, scientific and technological literacy is becoming a fundamental prerequisite for successful living in the knowledge society. Our children will need scientific and technological literacy to make every day life decisions. They will need it to survive and succeed in the world of work so that the country can compete at international level. They will need to contribute to vital decision making affecting all of society on issues such as energy and climate change. Congress, we believe every child has the right to leave school with an appropriate level of scientific literacy. Given this goal it is of great concern to me as a science teacher that a significant number of our students will complete their second level education without ever having stepped inside a modern, fully equipped scientific laboratory. One of the recommendations of the Taskforce is the provision of state of the art laboratories and equipment in our schools as well as the provision of technical assistance. This and other key recommendations have the objective of increasing the number of young people who take up science subjects and who go on to study science or science related subjects at third level. Earlier this year, the National Competitiveness Council stated that education would be central to Ireland's future economic and social wellbeing. It further stated that knowledge intensive high technology education is vital to our future. The Government itself talks about the knowledge economy as if it will happen by itself. The knowledge economy won't happen by itself – it will be driven by workers and the main drivers are sitting in classrooms around the country. They must be given every opportunity to achieve their potential as workers, citizens and human beings. I ask to support his motion.

**Patricia McKeown, UNISON & President of Congress**

Is there a seconder to the motion? Thank you.

**Gerry Breslin, ASTI**

Madam Chair, delegates, Gerry Breslin, ASTI. In seconding the motion I want to refer to the difficulties in getting it through and I don't mean getting it through here today because I am quiet confident this will be passed here today, and the urgency of having something done about it. We don't want to stand here today and pass these motions and forget about them for another two years. That will not be good enough. Pat has outlined the difficulties in the classroom and the importance for children. But in relation to the difficulties, we are told by our

Government that when the upturn comes, as Pat says, we must have a knowledge economy. The Tánaiste, from my own county, a great woman for clichés - she talks about the smart economy – but the problem about getting a smart economy in this country is that we haven't got a smart Government. I ask you would a smart Government reject the recommendations of the committee that they set up themselves to increase science literacy, leave it for seven years and done about 20 per cent of the actions, and, this talk about a smart economy, not all. Not only have they rejected many of the recommendations of that committee but they have actually in the latest cutbacks last October reduced what has been available to the schools for teaching science and physics. I wonder, I wonder, now that they have got the McCarthy Report, how long will it take them to implement the recommendations of that? Will they wait seven years? I doubt it and we can watch and that is why I want to say that it is important for Congress and for the Executive that what follows up in relation to the other debates on the education cutbacks, to take these as a priority. Because if we don't fight these now there will be more and more and more. Now, the urgency and the point is that every child that starts schools be it national or secondary school this year, they are not going to get a second chance, this is their first and we will be letting down each and every one of those if we don't act with urgency. Now, we have to do something about it and if the Government doesn't react, we must use another cliché of the Tánaiste – she talks about bringing matters to a finality but if this Government does not roll back in these cutbacks it is time that we brought them to a finality.

Finally, delegates, I am looking here at the report on the Congress in Bundoran in 2007 and my own union had a motion on reducing class size and it says that the matter was raised with the Department of Education. Now if I come back here in two years time in Derry and I read in the report that it says we called on the Department to introduce and implement the Taskforce on Education and we have just had more cutbacks just as when we asked them to raise the matter of the class size, the only thing that was raised was the class size, they increased that. We cannot allow that to continue. I second the motion.

### **Patricia King, SIPTU and Vice President of Congress**

Could we have speakers to the motion please?

### **Íde Ní Fhaolain, TUI**

Congress, delegates, Íde Ní Fhaolain, of the TUI. As a lecturer in the Department of Life Sciences in GMIT, which is the Galway Mayo Institute of Technology, I would like to support very strongly this ASTI motion seeking the implementation of the many and worthwhile recommendations of the report entitled 'Taskforce on the physical sciences', which by the way was published in

March 2002 and as the previous speaker said, only 20 per cent of the recommendations and the very good recommendations in that report have been tackled to date. Now the report pointed out and it is still true at this point in time that there is a very low uptake of subjects such as chemistry and physics at second level because firstly the students' perceptions that these are difficult subjects and it is therefore difficult for them to obtain good grades in the leaving cert. And, secondly, the perception of students that science related careers are poorly paid. Now to counteract these and some other such negative perceptions, the implementation of the six point strategy as outlined in the report and its recommendations is extremely important. The report states that priority should be given to pre-service and in-service training of science teachers to address the content relating to science which includes the provision of e-learning, resources and suggests sabbaticals for teachers to allow them to spend time working in relevant industries, in relevant research laboratories and in third level colleges. It also recommends that, as the previous speaker said, the improvement of laboratories and equipment in schools and the provision of technical assistance and there are many, many more very, very good recommendations. Now I believe that the implementation of the strategy and its recommendations would greatly improve the quality of science education at second level and consequently those students entering the third level sector, it would greatly improve the first year experience for those students. It would also improve the retention rates which can be quite bad which is most pronounced in the first year of study. And I also believe it would improve the average grade of award achieved by students at the end of their period of study. So we need high quality science graduates, who are now needed more than ever to help promote the 'Smart Economy' as the politicians love to talk about, but which I believe they may not possibly understand what it means, and to underpin the present success and the future growth in the chemical, pharmaceutical, medical devices industries and in the food and agri industries also. Now these industries at the moment are responsible for the bulk of exports from this country and their markets are being currently sustained and are stable even in the current adverse economic climate.

So, in conclusion, we need investment in science and in all education and not this strangulation of our educational system that is currently taking place, and it is very severe strangulation, and in order to produce those high quality graduates and to realise the benefits of the 'Smart Economy', so I strongly urge you to support this motion and also I would hope that ICTU will make a good follow through campaign on the basis of this report.

**Patricia King, SIPTU and Vice President of Congress**

Thank you delegate. Further speakers to Motion No. 58, are there further speakers? No. Thank you.

We will move on now to Motion 59 in the name of the TUI.

## **Don Ryan, TUI**

Chairperson, delegates, Don Ryan, President moving Motion 59 on behalf of the Teachers' Union of Ireland. Delegates, our motion is not about teachers, it is not about pay and it is not about conditions. This is about you, it's about me, it's about our children, and it's about the future wellbeing of the county and the social cohesion of communities. It is about all of us attempting to undo the damage inflicted on our education system from primary to third level over the last twelve months. The vicious and foolhardy decisions taken over that past year have cut the legs from underneath an already creaking education system - system that was seriously underfunded by international standards even when we had budget surpluses, languishing 27<sup>th</sup> out of 29 OECD countries. Our schools, our colleges, our children are hurting and will hurt more. The education in this country has been delivered an almost mortal blow. David Begg in his address to this Conference last Tuesday referred to 'the threshold of decency' that we must not pass. The Government of this country overstepped this threshold when they used our children as scapegoats in their attempt to resolve a financial crises caused by its own mismanagement. While calling for solidarity and patriotism, while protecting the vested interests of the greedy, this Government was punishing the most vulnerable, the most educationally marginalised and most disadvantaged in our society. They withdrew funding from disadvantaged schools, they abolished grants from programmes such as Junior Certs Schools Programme, Leaving Certs Applied, that play a vital role for the less academically orientated students and which encourages them to remain on in school. They slashed capitation funding for traveller children, they abolished the book grants for hundreds of schools leaving parents to resort to charity for assistance. They increased charges for school transport placing greater financial burdens on low income families. They removed mild learning disability classes, they reduced the allocation of language support teachers in schools with high concentration of newcomer students, whom we claim we want to integrate into our schools and our communities. Also, on Tuesday last we were asked by a speaker at this rostrum to stand up in we the delegates had anything to do with the causes of the current economic crisis – nobody stood up, nor should they have. The children of this country do not have to stand up. Students and schools did not cause the problem. The education and future of our children should not be undermined to solve financial crisis caused by Government ineptitude and by those who had their snouts stuck back to their ears in the trough of the nation's wealth. In our attempts to write our listing economic ship we must protect the cornerstones of our society, especially education and other essential services. The savings made in penalising our children in order to correct the financial mismanagement of the country must be put against the price the economy and society eventually pays in social welfare and in health costs as well as the devastating affects it will have on our communities.

Delegates, good public service cost money. One of the foundation stones of our way out of the economic crisis in the mid 80s was to trade wage restraint for



improved public services. The agreed partnership deals such as the programme and I have them here and indeed I would encourage you read them, we gave a lot and we got nothing back but empty promises. And, I would say that earlier ones, *The Programme for Economic and Social Progress* and *The PCW*, at least gave us some consideration to social equality. They provided towards schoolbooks, the provision of alternative education programmes, expansion of places at third level, upgrading of sub-standard school buildings, improvements at primary and second level were part of the agenda in terms of class size, additional posts and resources for disadvantaged were also agreed. However, we in the Irish Congress of Trade Unions had taken our eye off the ball. The more recent partnership agreements, *Programme for Prosperity and Fairness*, *Sustaining Progress* and a totally discredited *Towards 2016* have failed to follow through on the social reform. These agreements are more concerned with the establishment of bureaucratic processes and a measurement of performance with performance management, performance verification processes and strategic management processes being the buzz words. We are asking you, and considering the time that I have, we are asking support us, support us like you did on 6 December last when 100,000 citizens marched ..... (piece missing, change of tape). Cutting back on teacher numbers is not going to get us out of the economic crisis.

**Patricia King, SIPTU and Vice President of Congress**

Thank you delegate. In fairness to the other speakers delegate, can we just conclude please?

**Don Ryan, TUI**

Without these sort of measures building capacity, these measures in the knowledge economy are pointless.

**Patricia King, SIPTU and Vice President of Congress**

Any further speakers to Motion 59, thank you Peter.

**Peter MacMenamin, TUI**

Thank you Chair, Peter MacMenamin, TUI, seconding the motion. I would like first to comment and welcome what was said in the introduction to this debate for the Assistant General Secretary, Sally Anne Kinahan, when she said that spending in education is investment and is a very good investment. We in the teacher unions have been saying this on an almost daily basis for the past year and every time we do somebody in Government or some helpful media commentator spins what we are saying and turns it against us and said we are doing nothing more than looking for jobs for our members and that we are not interested in the education system at all. Colleagues, nothing could be further

from the truth. We have the right to speak for our members, we have the right to look for jobs for our members and we also have the right to criticise Government who is dismantling the education system without it being spun at us by right wing commentators and a Government that is trying to avoid blame on this one. I want to in seconding this motion to refer to the latter part of it, the moratorium on the promotions and the appointments in the schools and colleges. There are in the vocational sector which we represent, there are in the order of 130 principals and deputy principals retiring this year because of the attack on public service. They will be replaced almost certainly by people who hold the grade of Assistant Principal and they in turn will not be replaced. The middle management of schools will be dismantled and functions, vital functions such as Year Head, such as Examination Secretaries will fall into disrepute and will not be done. It will gradually fall apart. It will be a trickle affect but it will happen during the coming year. Within higher education the situation is even more drastic. There is a document called 'An Employment Controlled Framework', it has been issued within the recent days. It unilaterally changes the condition of service of our members, it stops all appointments in the technical and administrative sectors of the higher education institutions, universities and institutes of technology. It bars all promotions, it bars all continuation of fixed term contracts holders and the institutions can make a case for one in three of academic vacancies. By definition this means courses must fall, vital courses will fall, courses which the economy needs for development that previous speakers have referred to, will fall. I ask you to support this motion. Thank you.

### **Rose Malone, IFUT**

Chairperson, delegates, Rose Malone, Irish Federation of University Teachers speaking in support of Motion 59 and in particular the section on the funding of third level education. Delegates, it is a privilege and an honour to be addressing Conference and it also gives me very useful practice in speaking to very large groups because that is to be a major part of my working life from here on in if the framework document to which Peter has just referred to and to which our General Secretary averted to this morning if that document is put into practice. That document is a document that is the framework for the employment control of higher education and it will have dire consequences for all workers in the higher education sector leading to intensification, casualisation, increase in class and exercises and the ongoing threat of privatisation. But what I want to focus on here is the implication of that destruction and it means nothing less than the destruction of the third level sector for the wider trade union movement, participation in third level education is heavily class based. That means that the children of the rich are massively over represented in the composition of the student body. If we want to welcome into higher education young people from working class backgrounds, young people from families living in poverty, people with disabilities, adult returners to the education system, we need not just the expansion of provision in third level, we need the development of appropriate

teaching and assessment methodologies, we need appropriate student support. None of that can be done in a climate where at best two thirds of vacancies remain unfilled. Even less than a third of vacancies will be filled and only the will only be filled by contract workers. The universities and other third level institutions have also been charged with producing the innovation for the 'Smart Economy' to renew the economy and create jobs. We are asked not just to produce green shoots but to produce green shoots of special new high yielding variety and that depends completely on research. This document is a direct attack on research, on the employment rights of research workers. And, finally, this document is an attack on a critical voice. It leads to a muffling and silencing of yet another critical voice in civil society. In supporting this motion, I am call on you to support the unions who are directly involved in the struggle to prevent the destruction of third level education or to cause it becoming simply a training ground for the rich. Thank you delegates.

**Patricia McKeown, UNISON & President of Congress**

Thank you. Any more speaker on Motion 59. Are you all on 59?

**Karen O'Loughlin, Limerick Council of Trade Unions**

Good afternoon, Karen O'Loughlin, Limerick Council of Trade Unions speaking in support of Motion 59. We have decided to speak on this motion because we believe it has particular relevance for the people living and working in Limerick. As you will be aware we have what has become a very highly publicised crime problem in Limerick for some time now and the number of very young men and teenagers carrying guns and involving themselves in crime and murders and shootings is growing every week and they are becoming younger ever week. A lot of taxpayers' money is due to be spent in Limerick is currently being spent on the regeneration project where they are knocking a very large number of these housing estates to rebuild them but that can't be a stand alone project. You can't just dismantle the physical environment and rebuild it and think that things will be different just because you have changed the physical environment. It has to be part of a more integrated plan and one of the strands of that has to be education. Education is the key to life, it is the key to freedom and it is the key to choices in life. The education cuts of this nature will have a disproportionate affect in Limerick particularly those areas which that are targeted for regeneration. I grew up in one of those areas and even as I was growing up, I could recognise that there were people living in the environment around me who had no chance in life. Even as a very young girl I knew that these people had no chance in life. And, now years and years later, every day when I open my newspaper I see the children of those people who are going to jail to do life terms for murder at 20 years of age or 21 years of age or who are arrested for gun crime and a day in the court in Limerick would show you fourteen and fifteen year olds belonging to those families who have been brought before the courts for crimes as serious as guns and drugs. So the key to breaking that cycle has to be education and social

progress and you can't have one without the other. You must have the two in parallel. Without the proper education support especially at the early learning stages this cycle will continue, so that in fifteen or twenty years time you will all open your papers in the mornings and you will see the children of those people who are now going to jail being arrested for the same crimes and living the same type of life. So, as I commend this motion to you delegates, I think that we can take it as read that these cuts won't greatly affect the better off in our society and I can tell you that recession or no recession there is still plenty of them around, and it certainly won't affect the people who are making the decisions to introduce these cuts. But the people who are living in the O'Malley Parks and the Moyrosses of this world will be feeling them for a very long time. Thank you delegates.

**Patricia McKeown, UNISON & President of Congress**

Thank you.

**Peter Nolan, IMPACT**

Peter Nolan, IMPACT. I think everybody in the room recognises the dangers of the cuts that we face. I think that is taken for granted. I'm not sure so much time needs to be spent in relation to that issue. I am rather going to make a small point concerning campaigning against these cuts. A point prompted by Mike Jennings this morning when he argued that we get language right and it is a phrase that I want to bring attention to, it has been on my chest for a number of months and years, a new language that has crept in which talks about frontline services. IMPACT, SIPTU, UNITE and many other unions represent workers who might be termed to be support workers and may be backroom workers and there is a language of something akin to the 'four legs good and two legs bad' language which is the preferred choice of Government in the circulars on the moratorium in the education of public services. I don't believe that there is anybody in this room who believes that Special Needs Assistants, School Secretaries, School Caretakers, Research Workers, Administrative Workers, School Completion Officers, Education Psychologists, Educate for Welfare Officers, Scientists and other technical groups aren't an essential point of delivering a high quality education service. Sometimes I think in using the phrases we are talking about staff that are in the public view on a daily basis. But I plea that we don't fall into the language that was developed by the RWBs and the privateers and is now the language of Government preference. It is not about frontline, it is about essential workers about delivering a quality public service. Many of our members quite frankly feel excluded and somewhat offended in relation to this term and it certainly doesn't add to the principal theme of this Conference in terms of building solidarity. We need to build a solidarity across all educational workers and I caution you in terms of allowing these phrases creep into the trade union movement. Thank you.

## **Patricia McKeown, UNISON & President of Congress**

Thank you delegate. Next speaker.

## **Susie Hall, ASTI**

Susie Hall, ASTI. I would like to share the assurance of the last speaker that we all know here the affect of the cuts but I wonder how much we all know about the world the other group works in or lives in. I have learnt a huge amount by listening to people who work in sectors other than education since I came to this Congress, a vast amount. I wonder how many of those who are not teachers could give an accurate sum of the number of teachers that will loose their jobs this year as a result of the education cut backs. There is a myth around that teachers cannot loose their jobs. This could not be further from the truth and certainly in my own school about five teachers will be loosing their jobs this year, one of whom though highly qualified and registered with the Teaching Council, her husband lost his job earlier this year, she had a baby last year, they have a mortgage and she is loosing her job in my school this year. We would dearly love to retain her but we are not allowed to do so. So, just in case there is anybody out there who doesn't fully understand this, I think it is important that the point be made. The Department of Education will say that no teachers have been let go because they don't consider many of the people who are qualified and registered with the Teaching Council as teachers. Why not? Because they haven't got permanency, and you would hardly live long enough at second level to get a permanency. It takes you so long that very few teachers at second level are teaching long enough even to draw full pension when they reach their retirement age. So, this is a myth that teachers cannot loose their jobs. Most of us who are teachers know people this year who have lost their jobs. Just in case that forms part of the public debate I would like people to be informed and to rebut that. As the proposer of the motion said, many of these supports for education which are itemised here in the Teachers' Union of Ireland motion were granted as a result of part of former National Wage Agreements and teachers gave productivity as part of the package. Now that the teachers have given the productivity the deal has been pulled and who will suffer from that – the children – the most needy and the most vulnerable in our society are the ones who will be at the loss of it. What is worse, just like the health cutbacks, what it has every danger of doing is causing a two tier system to develop in education where those who can afford it buy the services outside and there has already been a growth in 'for profit' institutions setting up in education. We have had up until now, the situation where the non-fee paying schools are providing a comparable service to that which is available to that which is in private education. I stand over that. I work in community school and I guarantee that the quality of the education we provide is absolutely on a par that anything that can be bought but that will not continue if these cuts are implemented because we will not be able to offer the level of services that we have been offering and those who can and naturally want to do

their best for their children will have to seek it in the private system. Thank you very much.

**Patricia McKeown, UNISON & President of Congress**

Final speaker on Motion 59.

**Johnny Fox, IMPACT**

Madam President, delegates, Johnny Fox, IMPACT union. I want to continue on the theme that Peter Nolan spoke about and that is the impact that could be had on frontline support staff. Very often the people who are most affected by cuts are those who are providing the frontline services. Mike Jennings this morning in his address to Conference spoke about hypocrisy and what I want to do today is to give a real example of hypocrisy in education. I want to speak about Special Needs Assistants, School Secretaries and Caretakers, and at the moment we have Special Needs Assistants who nearly have to justify their existence. We have School Secretaries and Caretakers who are paid by a grant, they are not paid directly, they are paid by a grant from the Department. It is known as the Ancillary Services Grant, and by the way, the work 'Ancillary' in the dictionary means having the status of a female slave. It's capped at €22,000 a year regardless of how many School Secretaries and Caretakers there are in the school. So, you can immediately say they ain't going to be paid the rate for the job. The vast majority of those workers, after ten years service, have less than €12 per hour. Quite a lot of them and the vast majority of them are on an hourly rate which is just above or below the national living wage, never mind minimum wage. Both SIPTU and IMPACT made an address to the Dáil Committee on Education and we also made an address to the Minister for Education on this issue. And to man and a woman and the Minister they all said that was terrible and we are going to do something about it. We waited and we waited and we waited and we eventually last week got the answer back from the Minister in the form of Circular No. Departmental Educational Circular No. 40 and what it says was very, very simple. It addressed school principals and it addressed school boards of management and it said, I am very, very sorry that I have cut your funding, and I realise that by cutting your funding you can't fix your leaks, you can't fix the hole in your roof, you can't fix anything or you can't even buy school books but I have a solution and here is the solution. You see that €22,000 we pay to the grant that is supposed to pay school secretaries and school caretakers – well instead of using that to pay them you can employ them but you can also use that money to fix the hole in your roof, to fix your leaky taps and to buy your school books. That is the answer back from the Minister, fantastic, what a great Government. And, here is the moral of the story – when school secretaries and caretakers go home tonight and go asleep they have a dream, I have a dream, and the answer is not yes, but the dream is this – that I hope to God that I can wake up in the morning and that I wake up as a leaky tap or a school book or a

hole in the roof and maybe then I may get paid properly. Support the motion Chairperson and don't forget the support workers.

**Patricia McKeown, UNISON & President of Congress**

Thank you delegate. That concludes this section of the debate. We move to the vote now.

Back to Motion 56, WiFi, all those in favour please show, those against, abstentions. That's carried, thank you.

Motion 57, Special Needs, all those in favour, those against, abstentions. That's carried.

Motion 58, Knowledge Economy, all those in favour please show, against, abstentions. That's carried.

Motion 59, Education Cut-backs, all those in favour, those against, abstentions. That's carried, thank you.

Now I have a desperate plea from the Construction Workers Health Trust. They are finishing their business this evening. The medical results are backing up so those of you who applied please go out there and find out whether you are alive or not. I would also just like to announce that you were very generous in the bucket collection at lunchtime and you have raised a tremendous €2,5000 well done.

Now, delegates, we have 35 minutes of movers' speeches alone left in this section of the debate, so I am going to restrict speakers. I am going ask the movers to please be as succinct as possible and I would now like to invite IFUT to now come forward on Motion 60, Higher Education Tuition Fees.

**Mike Jennings, IFUT**

Thank you very much Chairperson. Can I just say that I am always proud to be a trade unionist but I am practically bursting with pride at the moment? We have just had three hours of debate when all we were talking about was the needs and rights of the most vulnerable people in our society. Nobody was talking about getting an extra bob a week, nobody was talking about getting more shift premium, nobody was talking about getting an extra hour off and Seamus, I know there are good journalists but would somebody talk to the bad journalists and tell them to wake up and take notice. It was a great unselfish debate and it made me very, very proud.

When you come up here as I normally do, you kind of look for a friendly face and you try to speak to the converted and that gives you a bit of courage. I am

actually going to depart from that and I am going to speak to people who mightn't agree with me because I want to say and I want to recognise in relation to the issue about the continued provision of third level education for undergraduates on a free basis, in other words paid for by the state and at least no tuition fees, that there are significant number of people who don't agree and they are decent people and not necessary the sort of people that we would be in conflict with every day and I would just like to address my remarks specifically to them. Those of you who are already converted you can go out and see, as Patricia said, if you are alive or dead in your results outside, but there are two categories of people it seems to me who believe possible that the reintroduction of fees if not desirable is at least necessary. And the first is those who genuinely care about the higher education system and can see that it is yes chronically underfunded and creaking at the seams and they are in despair and think that it is the only way to go forward. I just think that is a fallacy and I think the reality is if you look at the fees model proposed the reality is that it won't bring in a single extra cent into the higher education system. All it will do is that it will shift the onus from the state which it properly lies onto what these people call, because they can't bring themselves to call them citizens or students, it is will shift it onto the so called education consumers. Now, there are certain people such as the President of the Universities, who are all men by the way which is another thing which makes me a little less proud, but they have been guilty of the most crazy naivety in terms of calling for fees on the basis that they said that they need more funding. They won't get any more funding from fees. The fees instead will be shifted onto the burden of citizens who shouldn't have to pay. But, there is a second category of people who don't necessarily oppose the reintroduction of fees and it is people who believe that education is something for the elite and that since it is all for the elite anyway, let the elite pay for it if the elite want it. And I disagree with that fundamentally. And I have to say that your oppressor has succeeded in his oppression of you when you internalise it yourself and he no longer has to deny you your entitlement when you think that you are not entitled to it and you don't see it. I fundamentally reject that. And, I think as trade unionists we have to fundamentally reject that. And as trade unionists we have to say we are not sitting on the back of any more busses anymore. We are not going to confine ourselves to living on one side of town any more. We are people, we are citizens, we paid for, we built this state, we will build a future if our future, we want it, we want our children to have it. We want our children to have the same culture, the same history, the same art, the same science, the same enrichment of knowledge, it is our right and we demand it. It isn't yours, it's ours. Remember that. It is often said that, and it is true, that the reality is that graduates earn more money on average than other people in society. It is true, there is no denying it, why should you deny it? Just in the same way that students who remain in second level education until leaving cert earn more than those who drop out of second level education. That is the right and proper thing to do. People should be encouraged to achieve the maximum of their potential. And in terms of getting the justice of people paying back, the just way to do it is that if they earn more money, if you had a fair and progressive tax system, they



pay more money but the RWBs that I was talking about this morning have demolished and destroyed a fair tax system. And if we want to reintroduce fees you will end up with the same people paying twice as always happens. We mustn't allow that to happen. It should be paid for, it should be paid for out of a fair taxation system.

Now, Batt O'Keefe is the Minister for Education. Batt O'Keefe, he says that he is worried about the fact that millionaires are getting into education without paying but Batt O'Keefe was never worried about millionaires before when they were ripping off this society and availing of every single tax evasion loophole going, so spare us the crocodile tears Batt. And Batt O'Keefe tells us that we needn't worry about poor and working class children because when he brings back fees, there will be a fair grant system. I don't believe him. I don't know if you believe him but I have to say this, but if you believe him well then once bitten twice shy, fool me once, fool me twice, shame on me. What I am saying is that anyone who believes Batt O'Keefe will introduce a fair grant system is a fool. It won't happen, it will be the same old grant system that was there before, it will be just enough to keep us out and just enough to benefit them. So, the reality is that's not a solution. And Batt O'Keefe says that the abolition of third level fees, I can see the red light is on and I promise I will finish in two sentences, he says that the abolition of fees hasn't done enough to encourage the greater participation rate. I agree, everybody agrees, but the reality is that twenty years ago 20 per cent of our citizen's children went to third level education and we are now on 55 and the thing is, will making people pay for it, will that encourage more people to go, of course it won't. And finally, finally, they are talking about introducing a loan scheme, a loan scheme will only defer the bill and it is a charter to force our children into emigration if every there was one. I ask you to support the resolution, and I am sorry for taking up so much time.

**Patricia McKeown, UNISON & President of Congress**

You have got me thinking detention now. Is there a seconder down here? Seconded. Get up and second the motion. I have just stopped you being a speaker, you are a seconder. I am taking a seconder and two speakers. We are not going to get to Motion 61. I am terribly sorry about that.

**Noel Treanor, Irish Nurses Organisation**

Noel Treanor, Irish Nurses Organisation. I second the motion.

**Patricia McKeown, UNISON & President of Congress**

Thank you, thank you, bless you. Let's move to the vote please on Motion 60. All those in favour please show, those against, abstentions. That is carried.

The only thing we can do is to say to you that the motions, there are two from yesterday, and the rest of these motions will move to the agenda for tomorrow.

I want at this stage to someone who has been waiting there very patiently, representing the Congress Network Centres, Tom Murphy. Tom you are very welcome and thank you for putting up with us and I would ask all of you to take a few extra minutes to listen to what Tom has to say about very important work that is being done by our Centres.

### **Tom Murphy, Congress Network Centres**

Congress, delegates, President, thank you for inviting somebody here to talk from the Congress Centres Network. Congress Centres Network are twenty-five of them across the island of Ireland, all the way from Belfast to here and Tralee. I actually operate in the centre in Killarney. The centres operate in urban and rural areas and in rural areas they are probably the only visible face of the trade union movement. The centres employ 500 persons from CE. There are 22, 500 place on CE so we have a very small allocation from that and most centres' staff come to us from the Community Employment. In other words they are people who have to qualify either by virtue of their social welfare situation or their lone parents' situation and so on. Each centre is a registered employer operating under a Board of Management as a registered company so therefore we have expertise, we have to do things. The services that these centres provide are our nineteen centres provide FETAC registered training courses. Most centres provide information on labour law, social welfare, consumer rights, housing and union membership, back to education and community welfare payments. Most centres provide typing services, some provide crèche services and some centre provide employment for tutors who run their FETAC courses. Most centres provide literacy programmes.

The structure of the centres is that each centre has a board of management which is usually drawn from the local trades council and local community groups. All centres and all community employment operations have to get authorisation from the relevant union and that is to ensure that we don't engage in work which impinges on union members and this is very, very important. Now, we should also remember that there are employment schemes out there such as the Rural Social Scheme who don't require authorisation from anybody and don't have to provide any work programme so that they can be up to whatever. Now all these centres operate under the FAS community employment system and that means we have progression targets and they are currently set at 30 per cent of our participants. And what's progression in FAS's definition of progression – we turn to education, take up a FAS training course, engage in training full time or part time. Now this means that the centres provide 100 jobs for their participants every year. And in the present circumstances that's probably fairly good considering IDA and the rest don't seem to be providing any jobs for us. Now what do the centres do? The centres help people and members of unions in their

dealing with the Department of Social Welfare, the HSE, and various organisations like that. What we can do for unions is that we can provide early warning systems on local employment trends, local employment practices, and the affects of budget changes. Now local employment practices need to be monitored because as we are all aware over the last number of years, employers have been slowly but surely nipping away at conditions of employment and service. And over the past number of years most centres have been involved with unions in preparing their member with information on redundancy, short time working and signing on procedures. Now we are now dealing with people who have never been unemployed in their lives, who have worked for twenty/thirty years and this is their first time coming in to contact with the social welfare services and we need to talk them through the procedure they are going to go through to ensure that inadvertently they don't say something that is going to cause them problems in their ability to sign on and so on. Now, another thing that when people come in to the centres they will find the people that they deal with in there are people who were in the same situation as themselves. They have all been through the social welfare system. They all understand how the system works and there is no doubt that when people sign on for the first time, spending five, ten, fifteen minutes whatever talking to somebody who has been through this is of great assistance to them.

Now in conclusion, I would just like to say that further information on the activities of the Congress Centres Network can be found on pages 83-86 of the Executive Council Report and in final conclusions, I know at its at the end of the day and we all like to go home, the Centres would like to thank the following – the staff in Congress, specifically we would like to thank Sally Anne, Sylvia, Fiona and Bill and we would also like to thank all of the other Congress staff who have been involved with the centres over the years. We would like to thank the trades councils and the individual union members who advise us and make up our boards of managements. And, I suppose it is only fair that we thank FAS for providing us with 500 places out of 22,500! Thank you very much.

### **Patricia McKeown, UNISON & President of Congress**

Thank you very much Tom. Again keep the good work up and bring back our best wishes to the centres. I have two more winners to announce just to put you in a good mood here. I have got Joan Farrell of CPSU who is the winner of the TM Rowland watch, well done Joan. And I have got Alan Linlay of SIPTU and Alan you have won hundreds and hundreds of euro worth of a photography voucher and you are both going to be contacted directly, so well done. Can I also just announce that we have the bag of a delegate who is staying at the Imperial hotel that is as much information as we can fathom from rooting through the contents of it. If it is yours please collect it from Congress staff, thank you.

Delegates that concludes the business for today. With your cooperation we should be able to complete our agenda tomorrow. Can I remind you that we are

being addressed by a number of our international speakers tomorrow – John Monks of the ETUC, Penny of the AFLCIO and we are of course also being address by An Taoiseach. The one point I would make in respect of that one is whatever your feelings may be and I do understand that they run deep, he is the guest of the Irish Congress of Trade Unions and we must greet and meet him as trade unionists in the best spirit we know how. Thank you very much delegates.

**Conference adjourned until Friday morning, 10 July at 9.30am**

## Friday Morning 10 July Morning Session

**9.30 – 11.30**

**International and the European Union**

**Patricia McKeown, UNISON and President of Congress**

Thank you. I would be grateful if you would all take your seats that we can commence what is now the home run. I hope your hangovers are not too bad. I am about to make them worse. You may remember a few years ago at the BDC in Belfast we serenaded you with a wonderful performance called 'Different Drums', that was a set of drummers with every possible type of drum found in Ireland and further afield, which was very much one of our attempts to demonstrate that people on the island can not only live together but that they can enjoy themselves together. A lot of you have taken part in the workshops over the last number of days and I am absolutely pleased that Irish Aid was able to do something just that little bit different. So, I would like to welcome to the platform Austin Gormley from Irish Aid and Austin is going to briefly introduce the drummers.

**Austin Gormley, Irish Aid**

Thank you Chairperson and it is a pleasure and honour to be here and thanks for the invitation. Just to build the anticipation with a few words just about Irish Aid maybe and the links to Congress and to the trade union movement. I think the fact that Congress has thrown so much weight behind Global Solidarity is a testament to obviously to your commitment to the cause of workers' rights, human rights, social justice in developing countries and Irish Aid is proud to provide financial support for the Global Solidarity initiative, deepening the engagement of the Irish trade unions with international development issues and supporting trade union movements directly in countries such as Lesotho. We also support international programmes such as Fair Trade, the Fair Trade movement, the International Labour Organisation to promote decent and fair employment conditions in the developing world and through these partnerships we are working to combat obviously all forms of slave bonded child labour. I guess respect for core labour standards is obviously a key component of poverty eradication and Irish Aid is very much at the centre of the fight against global poverty. We are working very much with the international NGOs such as Trocaire that are here at the Conference, with UN agencies, and in direct partnership with Governments in our nine priority countries, seven of which are in Sub-Saharan Africa. We focus very much on areas such as health, education, agriculture, areas that have a direct impact on poverty and we work closely obviously with civil society also to build accountability, transparency and to advance social protection. Just to say very briefly that we are delivering results

through the Irish Aid programme, for example, in Uganda between 2000 and 2008 the number of primary school children attending school thanks in part to our support has increased from two million to seven million. In Ethiopia we are supporting social protection schemes where it protects seven million people from hunger, it's called the 'Hunger Safety Nets Programme'. So we are making a difference towards the fight against global poverty and we very much welcome the partnership with the Trade Union movement and with Congress in that. To mark the theme of the Conference as I say which is Global Solidarity we have a very international group of drummers with us here. We have Raja from India, Toninio, if I could pronounce it correctly from Brazil, and Miriam from Georgia who are going to gradually warm up today's proceedings. Thank you very much.

### **Drumming Demonstration**

### **Patricia McKeown, UNISON and President of Congress**

Right, that should have awakened you all. Got you in good shape for the 12<sup>th</sup> as well. Now I would like to call on Michael Sharpe, Chairperson of Standing Orders.

### **Michael Sharpe, Chairperson of Standing Orders**

Michael Sharpe, Chairperson of Standing Orders. Colleagues, we are in a position that in addition to the business scheduled for this morning and it is important and there is quiet a lot of it, we have no less than eight motions – two from Tuesday and six from yesterday that have fallen off the agenda and one would hope that we could slot them in at the end when we are finished the business scheduled for this morning and the various fraternal addresses and An Taoiseach etc. To have any hope of doing that Standing Orders has abandoned the 'light touch' regulation. We should have listened to the speeches and realised that it doesn't work, so we have to move to quite a draconian situation. Speaking times are therefore cut to three minutes for proposers and two minutes for seconders and other speakers. We would basically hope that unless there is something very significant that seconding would be done formally and the President will be monitoring the debate. If there is opposition obviously that needs to be heard or if somebody is seeking remission that needs to be heard but there will a severe limit on people just speaking in support of a motion. If we don't adopt that approach then we have no hope of finishing the business that is scheduled let alone try and get to the motions that have not been taken. So, with that approach, I would seek your support. Thank you.

## **Patricia McKeown, UNISON and President of Congress**

Thank you Michael. Is there a seconder for that verbal Standing Orders Report? Thank you. Is the report agreed? Thank you.

Now, we move to another equally important part of our agenda and that is the International and European Union. In this debate we are dealing with Section 6 of our Biennial Report, Europe and the Wider World and at this point I have very great pleasure in introducing a good friend of the Irish Congress of Trade Unions, an excellent trade unionist, someone who is starring in the latest edition of our Union Post – if he hasn't seen it himself I would advise him to have a good look at on the internet. It is an excellent publication and someone who has also represented hundreds of thousands of workers across Europe who have taken to the streets in the last number of weeks in response to the crisis. On your behalf I am absolutely delighted to welcome the General Secretary of the European TUC, John Monks.

## **John Monks, General Secretary of the ETUC**

Patricia, thank you very much for those kind words. Good morning everybody. I thought it would be my job perhaps to have to wake you all up after the heavy night that some of you had last night, I know! I hope the drums ere good for the hangovers. It certainly was a very enjoyable start to the day. And thank you to Irish Aid for that. And thanks again for the invitation to come back to your biennial congress.

Two years ago it was, in Bundoran, I remember praising David Begg's thoughtful introduction to the report of your Executive Council and in particular the warnings that he gave about casino capitalism.

Well, a lot has happened over the last two years, and no one can say that the unions at least didn't ring the alarm bells. We saw this coming. It is no pleasure in saying 'we told you so' because the situation is so serious, but we saw it coming. And, we warned that a system which is expressly designed to make rich people richer and trade unions weaker; we saw that, we saw a system designed to make welfare states cheaper and less sustainable and inequality greater. We saw a system of shareholder value designed in the Reagan/Thatcher era but continued ever since; and we saw too that this was a system centered in the English-speaking world in Wall Street, in London, in Dublin being an enthusiastic participant in it.

And it is this system now that has had a heart attack. And it is us workers who are paying the price – with our taxes, with our wages and pensions also threatened, and worst of all, as unemployment soars in nearly every country, with our jobs. So, the party caused by casino capitalism is now well and truly over.

Actually, I am trying to stop calling it casino capitalism because someone who knows about these things told me that casinos are more honestly run than many banks – and often more effectively regulated.

And now we say “no return to business as usual” as the banks having been bailed out at great expense by the taxpayers, trying to get back to their old ways, resisting tooth and nail modest proposals for regulation being discussed in Brussels and elsewhere. There is an irony in this, old friend of this Congress I say ironically, Charlie McGreevy in Brussels was eventually persuaded that he had to do something about hedge funds and private equity. He didn't believe it, he didn't believe in it but now he is being assailed by the City of London and elsewhere as the man who is trying to cripple their business and he is now the Regulator who they are all against. There is a huge PR campaign being launched against his very modest, and I believe inadequate proposals in that area.

And, we want to say today from Tralee that it is not an exit strategy from Government spending we want. It is an exit strategy from casino capitalism. We don't want it any more. We want a more sustainable system. And, yet just when we need ambition and imagination, the European authorities, including national governments, seem nervous about what to do and they are not acting with the necessary drive and commitment to really take on those who brought us to this present situation. And, this is where Europe comes in and it is very important because with the funds for farmers, which many in Ireland know about, its structural funds, again which Ireland and others have benefited from, with the access to markets, this has powered prosperity in many, many countries. The crisis has come for the EU to act together, a bit like a trade does because when we do things together, we are more effective, we are more powerful and we are more impressive than when we act separately. And we are looking for a plan across Europe which keeps up wages, not bonuses. And a plan which leads to better balanced, more sustainable, greener economies, less short term speculation and more serious investment in real, sustainable goods and services. And, when Patricia referred to our demonstrations that is what they were about. 350,000 workers a few weeks ago in four European capitals came out and that fight goes on and that fight will dominate our work and I am sure that the work of the Irish Congress in the years ahead because getting out of this crisis is going to be very hard. So, that fight goes on and I just want briefly to touch on another fight that goes on and that is a fight I know that has interested this Congress earlier in the week, a fight against an EU bilateral deal with the Columbian regime. The Columbian regime, a regime which presides over a country where forty nine trade unionists were killed last year according to figures from the ITUC. And we are saying that the EU should not confer respectability on this regime by giving it a bilateral deal and I will be asking the Irish Congress to raise with the Irish Government and all the all the trade unions of the EU to do the same with their Governments, to see if we can stop this deal taking place and confer



respectability on a country which is murderous and tyrannical in the way that it treats trade unionists.

Now a different subject and a difficult subject from this Congress from what I can see from what already has been said. President, two years ago, you were also discussing the then named "Reform Treaty", which is now called the Lisbon Treaty. On the margins of this Congress, I remember well, you were putting the squeeze on Bertie Ahern not to follow the UK in its drive to limit the Charter of Fundamental Rights.

You won that one. It wasn't easy but you won it and the wider issue is back with us, as you very well know. We have got this Lisbon Treaty and the referendum in Ireland in October 2<sup>nd</sup>.

Now, as a Briton, I wouldn't presume to try telling the Irish what to do. I think only Saint Patrick and, perhaps, Jack Charlton ever did that very successfully. And I am not up there with St Pat and St Jack and I certainly don't want to emulate President Sarkozy either when he expressed his views to Ireland.

But as General Secretary of the ETUC, that counts your Congress as a most valued member of the ETUC and speaking today as a European, I owe it to you to be clear and frank about where we stand on the EU constitutional issue so that you can take that into account when you all come to make your decisions in the run up to October 2<sup>nd</sup>. And that is particularly the case as I have been quoted in pitiless detail by some in Ireland when it has suited them to do so.

So, I want to make clear that the ETUC supports the ratification of the Lisbon Treaty and I hope the Irish people approve it. It didn't deliver all what we wanted by a long chalk. It missed some opportunities to reinforce social Europe but we also said it was a step forward compared to existing treaties and provisions we have got, and particularly in relation to the legal enforcement of the Charter of Fundamental Rights, which has got commitments to full collective bargaining, the right to strike across Europe which I think are a big improvement on anything we have got at the present time. There are commitments too to full employment, there are commitments to the social market rather than the liberal market economy which we in the English speaking world have so lorded in recent years, and there are commitments too to public services. And, a very, very important part, and I know some public services unions are particularly wary about Europe, but there is a commitment to public services and anyone who goes to Germany, Holland, the Nordic countries, this is not a European Union that denigrates public services. These are the best public services in the world and you see them at a glance, the quality of the public transport, the health services, the local Government services, the civil services and so on in those Northern European countries, but increasingly too in the Southern European countries. So, we want a Europe that is ambitious with a springboard for further action and we are proud of what we have managed to achieve despite the kind of opposition that we have

had including from some people who should be our political friends. Just remember this, we won equal rights for agency workers – that was a big step for Ireland and a big step for the UK. We won stronger European Works Councils, so you can't say that social Europe is not happening, that it is inert in some way. We want Europe to move forward and not to be bogged down in institutional wrangling, particularly in these perilous economic times.

And, I will be recommending in the autumn a whole new area of work for the ETUC which is that we take on the whole question of this shareholder value driven company. This is what I believe has brought us to the present disastrous state that we are in. And it is not just the financial markets and the banks but all our leading companies have been engaged in this game and we need to build in responsibility to shareholders. Of course we know that. That is the only object of companies at the present time but we want to add to those responsibilities to workers, to communities, countries and of course to the environment, very, very important. But we can't do that at national level because one country can let down its neighbour but we can do it at European level.

Second, we have been campaigning for a "Social Progress Protocol", seeking to rebalance the four decisions of the European Court of Justice – the Laval and Viking cases, some of you know a lot about that which we believe have subordinated fundamental rights to the economic freedoms, free movement provisions of the EU. . You had a taste of this with the Irish Ferries case. Those judgments are based on the existing treaties, not on the Lisbon Treaty. The Lisbon Treaty with the newly enforceable Charter of Fundamental Rights will be a step in that direction to put these things rights.

Let me put this right, we never said that the protocol to be attached to the Lisbon Treaty. Indeed we are the ones who suggested that it should be put in the next treaty because so many countries had already ratified the Lisbon Treaty and the next treaty will probably be the Croatian accession one – or it may be the Iceland accession. Iceland is racing to seek shelter from the economic storm and heading very, very quickly into the arms of the EU where it thinks it will get help and solidarity. So, there has never been a connection between the Lisbon Treaty ratification and our demands for a social progress protocol. And, there is no conditionality in the ETUC's support for Lisbon.

I come now to the question of the "Irish guarantees" which were negotiated by the Taoiseach recently. Now, we were glad that the Irish Government included workers' rights as part of its negotiations with the other 26 Member States. It was correct to do so: workers' rights were certainly were a big issue in your referendum a year ago and I believe it was the influence of this Congress that got it on the agenda by the way and got it on the European stage. From the polling I have seen, it was one of the most important issues to the Yes and the No voters the last time round and I conclude from having looked at the opinion polling data,

it wasn't that people saw Lisbon is a threat to workers' rights but mostly that they rightly wanted more rights from Europe, more things and that was very important.

They didn't get more in these recent negotiations and I am disappointed and not very surprised about that. And the group that stopped them all being got were the British government – they were at the forefront of those who opposed the initial Irish proposals on workers' rights through a long night last December in Brussels, and all we have got is the so called solemn declaration on workers' rights adopted by the Council last month which is certainly not enough. And, you know the paradox is that the UK was claiming that it was defending the British industrialisation system from foreign interference, particularly on the rights to strike which as you will know are limited in the UK. In fact, it has been tolerating the European Court of Justice imposing further restrictions on the right to strike not just in the UK but across Europe. And that a paradox but perhaps not such a paradox when that there is a chance of giving options on strengthening collective rights at work, the British Government too often chooses the least favourable. I say that with a mixture of regret and bitterness because I am talking about the party of which I am a member. Anyway, we go on, you don't get all you want in the trade union movement any time and when you don't you carry on the fight and you carry on the campaign.

So, we are campaigning for the Social Progress Protocol, for a revision of the Posted Workers' Directive which through these court cases has become a ceiling of workers' rights, the minimum wage is the most a posted worker, that's a migrant worker who is brought in by his employer as part of the job. We are going to see a lot more posted workers around, not just people who come from Latvia maybe to Ireland but people that a Latvian company or employment agency brings them with them and they are not entitled to equal pay in Ireland and Britain and many other countries of the EU. That is a major, major campaign for us to fight

A single labour market in Europe must have adequate traffic rules, or people will turn against it and against Europe. These disputes about British jobs for British workers in Lincolnshire recently are a reminder of just how explosive these issues can be if the rules are not clear and if they are not adequate they will be worse. Now, the Lisbon treaty unfortunately does not solve this problem so the fight goes on, and I believe to save the EU from itself it must go on.

And here I come to the heart of the argument about Europe because it is not an a la carte menu where you pick and choose what you want. It is a package, a package I believe that has done great things for Ireland and for many other countries and I think it is going to be called upon to do a lot more for Ireland and for many other countries before we exit from this perilous economic crisis.

European solidarity is going to be essential in the face of the crisis and in support of the hardest hit economies. The adoption of the Lisbon Treaty helps, not

hampers that process of solidarity, one reason, incidentally, why the British Conservatives detest it so much.

Anyway, the treaty is in the hands of the Irish people, and the eyes of the whole of Europe will be on you when you go to the polls on October 2nd. 25 countries have already made their decision and you will make yours. And to those of you who are minded to vote No, and I know for sincere trade union reasons in very many cases, but just before you vote no just have a look at some of those in the rest of Europe who are praying for the same result – the British Conservatives I have already mentioned, the narrow blinkered nationalists who put their own country first, second and last, and beyond them the racists and the fascists of the sort we see in coming to the fore in some parts of the United Kingdom.

Europe is far from perfect but it is a far, far better deal for working people than any of that lot will ever offer.

So, good luck to Irish Congress, good luck to Irish trade unionism and to the people of Ireland and thank you very much for your attention, thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much John.

I would now like to invite our General Secretary to respond to John.

**David Begg, General Secretary of Congress**

John, thank you very much for your address. I want to just echo what Patricia said in her introduction of you that you have been a very good friend of the Irish Congress not just in your current capacity as leader of the trade union movement in Europe, but indeed during your whole time as leader of the British TUC. We had a very close personal relationship with you good self and we appreciate that very much.

I am a member of the Executive Committee of the ETUC and I get to see what John does at very close range and I know the extent to which he is held in very high regard by all of the political leaders in Europe and has ready and immediate access to them. I think that we are very fortunate I have to say in having an advocate of that quality and that calibre who can cut it at that level because at the end of the day reflecting back to our discussion on Tuesday, so much of what affects working people is now political and having someone of John's calibre able to influence and be taken seriously by people like Angela Merkel and Nicolas Sarkozy and Gordon Brown and so on is really a very, very important thing.

As regard the content of your speech John, I mean as you know I support completely the position of the ETUC in all of this. We have tried to do our best in Ireland to influence what the Commission has done and we have made the strongest possible case to them about the jurisprudence emerging from the ECJ, in fact we had a three hour meeting with Commissioner Spidla last, I think it was the earlier part of last week, when we impressed upon him the reservations that the ETUC had about the nature and drift of the thinking within the court. We had to do it I'd say slightly tongue and cheek for this reason, that anything positive that has ever come by social legislation in Ireland has actually come from the ETUC. Our biggest difficulty in Ireland has been trying to get our own Government to transpose those rules into domestic Irish law so that the problem very often for us has been a domestic problem not the problem with Europe. Europe is the only thing that has managed to give us an edge in many of the issues which do affect workers. So, I just compliment you again John. Thank you for the work that you are doing and you will always be a very honoured and very valued guest at this Conference.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much David. And now we move into the debate on these issues starting with Motion 67 standing in the name of RMT on European Court of Justice Anti Trade Union Judgements and the Lisbon Treaty. I invite RMT to move please.

### **John Matthews, RMT**

Thank you Chairperson, delegates. We in the RMT urge you to support our resolution for the following reasons. Where trade union rights have been removed, collective bargaining colleagues, falls. And this has contributed to a marked increase in inequality. Therefore, the restoration of trade union rights would give trade unions the freedom to face inequality and poverty. There are serious implications for the rights of trade unions to take effective collective action arising from the Viking/Laval and Rufert European Court of Justice Rulings. These rulings could mean that EU rules on the free movement of goods and services may take precedent over the right of trade unions to take collective action to protect their members' interests. These rulings could encourage employers to make challenges in domestic courts as to whether strike action is an appropriate or proportionate way for a union to protect its members' interests. The RMT participated in the ETUC Day of Action in Brussels on May 15<sup>th</sup>, a key theme of which was the challenging of Viking/Laval/Rufert/Luxembourg decisions of the European Courts of Justice. The Lisbon Treaty would exacerbate these attacks by handing greater powers to the unelected judges of the CECJ to interpret disputes concerning the Charter of Fundamental Rights. Congress must campaign to have the ratification of the Lisbon Treaty. These are the summaries. The Viking Judgement – the Viking shipping company owned a ship called the Rozella which operated under a Finnish flag on a route between

Tallinn and Helsinki. It was making a loss and sought to reflag the Rozella to operate under a flag of convenience in Estonia or Norway, which would have enabled it to avoid collective agreements with Finnish trade unions and cut jobs and terms and conditions. Following a request from the Finnish Seaman's Union, the International Transport Workers' Federation to which RMT is affiliated, issued an instruction to affiliates to boycott these activities. The FSU also called for strike action from members. They even brought proceedings in the high court in London arguing that it's right to freedom of establishment i.e. being able to sell its business anywhere in the European Union under European community law was infringed by the industrial action. The Court of Appeal referred the issue to the European Court of Justice. The European Court of Justice ruled that the freedom of establishment provisions in Article 43 of the European Community Treaty applied to industrial action. The ECJ found that taking industrial action can amount to a restriction of an employer's right of freedom of establishment. The ruling went on to say industrial action in these circumstances may only be justified if the action is suitable for ensuring the achievement of that objective. That is to say that the union may be open to legal action against it if it did not explore other ways of resolving the dispute other than industrial action. But, who is to say what is a suitable way of resolving the dispute or not.

### **Patricia McKeown, UNISON and President of Congress**

Secunder?

### **Jimmy Kelly, UNITE**

Jimmy Kelly, UNITE seconding. Delegates, no matter what position any of the unions take in terms of Lisbon 2, and we know what happened on the first referendum and the fact that it was rejected by the citizens in this Republic, whatever position we take we are still going to have to confront the fall out from European Court of Justice findings and John earlier, John Monks, referred to what needs to be done on the Posted Workers Directive. All of those issues still have to be dealt with in the Republic of Ireland, across Europe and all the issues that come from the European Court of Justice Findings. As far as we are concerned they have savaged the principal of social justice and solidarity in the EU from a fundamental guarantee, we now see workers' rights being eroded and being subordinated to the rights of business and to the rights of the market. In Ireland workers face a double burden – not only do we have to live with the implications of European Court rulings, we have to live with a Government that sees labour rights and workers' living standards as an obstacle to economic recovery. We can expect no support from this Government for the social progress that is needed. Fianna Fail obstructed the Social Charter; they obstructed agency workers' protection and are now obstructing pension protection that delegates have come to this rostrum to fight for. When it comes to the European social market, Fianna Fail are deadweight. The Government now calls upon workers to support the Lisbon Treaty, the Charter of Fundamental

Rights but yet the Government point blankly refuses to implement those same rights into Irish law. We shouldn't be surprised at Fianna Fail's hypocrisy but we shouldn't tolerate it any longer. Its time for our movement to be central to argument, begin to work with political parties that share our values and our principals. It is time that we actively and unashamedly work for a Government that will support the progress clause in Europe; introduce the right to collective bargaining and honour fundamental rights instead of betraying those rights. We can turn back the attacks on workers' rights whether they come from Europe or whether they come from IBEC but we can't do it alone. We can't do it without a progressive Government that works within the trade union movement not against it. It is time we stopped negotiating with this Government and start to change this Government. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you.

**Shay Cody, IMPACT**

President, delegates, Shay Cody from IMPACT. We are all agreed on the unacceptable outcome of the European Court of Justice Rulings on Viking, Lavel, and Rufert etc. However, we should recognise a most recent very promising set of rulings from the European Court of Human Rights that recognise the triple inter-related rights to be in a union, to engage in collective bargaining and to take strike action. So we are agreed what the problem is, where we fall out is over the action proposed in this motion. In a totally illogical jump, the motion calls on us to accept that Lisbon will worsen matters because the European Court of Justice can interpret disputes concerning the Charter. This is a ridiculous objection. Without Lisbon the Charter has no status. With Lisbon it is given equal status to other treaty provisions, equal status will oblige the European Court of Justice, the factor in the Charter Rights on an equal basis to economic rights in any future judgements. Lisbon improves matters from the current unacceptable situation. Let's look then at the motion's call to campaign to halt ratification. Where do we do that? With Klauz, the Czech President, a Euro sceptic who wants the EU scrapped, who rejects climate change and an admirer of Thatcher? With the Polish President, a founder of the right wing Law and Justice Party, a man who banned gay marches in Warsaw? Do we campaign with the British Tories who have opposed every progressive move by the EU on labour rights or anything else? Or, finally, are we to campaign in the forthcoming Irish referendum? Are we being asked to support the status quo by voting no, a status quo where there are no rights to collective bargaining, where there are no rights for trade union recognition and where the Supreme Court says that any law to secure those rights would be unconstitutional. The only body that can overrule the Irish Supreme Court is the European Court of Justice. I would rather have my argument in front of them with the Charter in my back pocket than take my chances at the PD influenced Irish Supreme Court. The Executive is proposing

remission on this. IMPACT will support remission because there is a consensus amongst us on the unacceptability of the ECJ ruling.

**Patricia McKeown, UNISON and President of Congress**

Ok, thank you Shay. Next speaker please.

**Blair Horan, CPSU**

Thank you President, delegates, Blair Horan, CPSU. John Monks sent out a very clear message here this morning of support for the Lisbon Treaty and I welcome that and I think it is very, very important that he did so. I support the remission of the motion back. Yes, there are issues with the European Court of Judgements, we know that. But we also need to remember that the European Court has been a fundamental driver of social Europe. It did it on equal pay in the 70s. Each equality and equal pay case I have, I look to send it to Europe rather than have it decided here in the domestic courts. The Charter will make the social Europe part of primary EU law and will put it on a par with the four treaty freedoms, so let's not throw the baby out with the bath water. It is important to have the Charter in EU law. And, just to quote one of the decisions of the court when it decided on equal pay in the 1970s, it said 'the community is not merely an economic union but is at the same time intended by common action to ensure social progress and seek constant development of living and working conditions of their people'. Now that is hardly an anti-worker court. Yes, we have problems but we need to overcome them. People say to me that the problems started after Nice when open borders happened with the accession in 2004. Two things delegates – we need to remember the decision to have the accession of Eastern Europe was made because of the Balkan wars and because of a resurgence aggressive Russia. It was a political imperative because at the heart of Europe it is a peace project and we need to support that more than anything else. Just one final point delegates, just imagine each male in this room and their teenage sons along with all the men and teenage boys in this town being herded onto busses and taken out the roads to the killing fields to be moved down in cold blood, 8000 men and boys. That's what happened in Srebrenica fourteen years ago tomorrow. Europe is still a peace project and we need to be at the heart of it.

**Patricia McKeown, UNISON and President of Congress**

Thank you Blair. Next speaker.

**Kevin McCurry, UNITE**

Kevin McCurry, UNITE speaking in support of the motion. Earlier in the week the General Secretary identified three elements to the current crisis facing our people. He identified the fiscal, the employment and the banking. I would



suggest that there is another element to that crisis and that is the whole question of the political legitimacy of the institutions and the democratic process within this country. The suggestion that the people of this country have not expressed an opinion one way or the other on the Lisbon Treaty. In June, 2008, 862,415 people voted against the constitutional changes that were necessary to ratify 62,415 people voted against the constitutional changes that were necessary to ratify the treaty. This represented 53.4 per cent of those who voted and the question that raises the whole point about the democratic legitimacy of our institutions is, the question obviously is, is a majority vote really sufficient to ensure respect for a particular referendum decision. What else would have been required in June, 2008? What would be required in the second referendum? And, in relation to the Charter of Human Rights as being an important element in changing the whole dynamic of the EU, I would remind you that the European Court of Justice even prior to these judgements have already said that the fundamental rights recognised by the courts are not absolute but must be considered in relation to their social function. Consequently, restrictions may be imposed on the exercise of those rights, in particular in the market, the market always wins out. I urge you to support this motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you. The General Secretary to respond. Debate now closed.

**David Begg, General Secretary of Congress**

President, on behalf of the Executive Council, I want to move remission of this motion for this reason. It is concerned with the final sentence and the last few words of that sentence which says: 'Congress therefore agrees to campaign to halt the ratification of the Lisbon Treaty. You adopted Standing Orders Report No. 1 on the first day of the Conference and if you consult that Standing Orders Report, it makes the point that we cannot actually discuss this thing in a Special Conference arrangement because simply of a deficiency in our constitution. The difficulty is that if you pass that motion as it is currently written, it will not be understood by people outside this hall, that the decision has not yet been made. It will appear that the decision has been completely pre-empted by the motion. And, on an issue which, with respect to everybody's position whether you are for or against Lisbon, this is one of the biggest decisions that this country has ever faced and it has to be made in a very calm, calculated and clinical way taking into account all the factors that are present in the case. But you would completely pre-empt it in the public mind, not in practice, by virtue of our Standing Orders, but in the public mind if it is passed as it is written at the moment. So, it is in our interests overall it seems to the Executive Council to have this matter remitted back for further consideration by them as we get closer to the decision time on the referendum.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Right of reply.

**John Mathews, RMT**

Chairperson, delegates, I agree to remission and expect the incoming Executive to consider this matter fully. It is far too important an issue to be crammed into a short space of time. Also, I would like to remind Mr Monks that the British left is also opposed to Lisbon.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much. We go back to the vote and movers of the motion are accepting remission. All those in favour please show, those against, abstentions. The motion is remitted. Thank you delegates.

I would now like at this stage to call on Billy Hannigan, Chair of the Scrutineers.

**Billy Hannigan, PSEU and Chairperson of Scrutineers**

Thank you President. Billy Hannigan, PSEU and Chair of Scrutineers, just to give you the results of the elections. Now, you should note Chair that for the purpose of doing the count, each vote was allocated a value of 1,000. So, the result of the election for thirty seats on the Executive Council, the total poll was 561,000, there was 1,000 spoiled, giving a valid poll of 560,000 and the quota is 18,066. And, what I will give you know is the result of the first count for each candidate and the count on which they were elected or eliminated:

Larry Broderick:	19,000, elected first count
Brian Campfield:	19,000, elected first count
Shay Cody:	15,000, elected 16 <sup>th</sup> count
Eamon Devoy:	22,000, elected 1 <sup>st</sup> count
Pamela Dooley:	13,000, elected 11 <sup>th</sup> count
Seamus Dooley:	17,000, elected 2 <sup>nd</sup> count
Liam Doran:	19,000, elected 1 <sup>st</sup> count
John Douglas:	19,000, elected 1 <sup>st</sup> count
Steve Fitzpatrick:	19,000, elected 1 <sup>st</sup> count
Tom Geraghty:	20,000, elected 1 <sup>st</sup> count
Noirin Greene:	19,000, elected 1 <sup>st</sup> count
Arthur Hall:	22,000, elected 1 <sup>st</sup> count
Brendan Hayes:	24,000, elected 1 <sup>st</sup> count
Blair Horan:	17,000, elected 5 <sup>th</sup> count
Lawrence Huston:	5,000, eliminated 17 <sup>th</sup> count
Mike Jennings:	19,000, elected 1 <sup>st</sup> count
Jimmy Kelly:	20,000, elected 1 <sup>st</sup> count

Peter MacMenamin:	20,000, elected 1 <sup>st</sup> count
Patricia McKeown:	19,000, elected 1 <sup>st</sup> count
Peter McLoone:	16,000, elected 16 <sup>th</sup> count
Jim Moore:	14,000, elected on 17 <sup>th</sup> count (without reaching quota)
Maria Morgan:	17,000, elected on 11 <sup>th</sup> count
Louise O'Donnell:	16,000, elected on 3 <sup>rd</sup> count
Paddy O'Shaughnessy:	21,000, elected on 1 <sup>st</sup> count
Sheila Nunan:	18,000, elected on 11 <sup>th</sup> count
Máire Ní Chuinnegáin:	12,000, elected on 17 <sup>th</sup> count (without reaching quota)
Carol Schaffer:	1,000, eliminated on 15 <sup>th</sup> count
Jerry Shanahan:	20,000, elected on 1 <sup>st</sup> count
Ann Speed:	24,000, elected on 1 <sup>st</sup> count
Linda Tanham:	20,000, elected on 1 <sup>st</sup> count
Dave Thomas:	5,000, eliminated on 16 <sup>th</sup> count
Clare Treacy:	10,000, elected on 12 <sup>th</sup> count
John White:	19,000, elected on 1 <sup>st</sup> count

Now, the second election was for the Standing Orders Committee, five places plus two substitutes. The position of the substitutes being determined at the point at which people were eliminated. There was 561,000 votes, 5 seats, none spoilt, so the quota was 93,501 and again I will give the results in the same fashion:

Ann Donnelly:	67,000, elected on 6 <sup>th</sup> count
Pat Guilfoyle:	77,000, elected on 2 <sup>nd</sup> count
Jack Kelly:	140,000, elected on 1 <sup>st</sup> count
Mary Maher:	07,000, elected on 1 <sup>st</sup> count
Liam O'Meara:	61,000, eliminated on 6 <sup>th</sup> count
Michael Sharp:	88,000, elected on 3 <sup>rd</sup> count
Alex Thompson:	31,000, eliminated on 3 <sup>rd</sup> count

Now Liam O'Meara by virtue of being the first person to be eliminated is the first reserve and Alex Thompson would be the second reserve.

So, that is the elections and I would just like to record my appreciation of my fellow Scrutineers and to Liam and Mary from Congress for their assistance. Thank you President.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Billy. Please record our thanks to the Scrutineers for the work that they have done. Congratulations to everyone who has been elected, commiserations to those who haven't, and that is another piece of our business concluded successfully.

Can I now move to Motion 68, standing in the name of Unite, International Issues of Concern to Irish Trade Unionists.

**Noirin Greene, UNITE**

Thank you Madam President. Noirin Greene, UNITE and newly elected member of the Congress Executive. I am moving Motion No. 68 and we are also accepting the addendum and the additional bullet points. Delegates, this motion from UNITE calls for active interventions and campaigns on international issues of concern to Irish trade unions. We accept that those issues are many as attacks on working people and abuses of human rights against trade unionists is a global issue with no borders needed to effect daily torture, murder and embargos which cause hardships and suffering to ordinary people trying to make a better life for themselves, their families and their communities. We have cited just three countries where aspects of these violations are happening, but you will notice a common political thread which has its base in the policies of the US Government. In 2007, the ICTU BDC reaffirmed support for the Palestinian people and committed Congress to a series of actions and high level political interventions on behalf of the Palestinian people. I am please to advise Conference that many of these actions have been implemented but we still have so much to do in this important campaign. For the first time Irish trade unionists have reacted to a call for an economic boycott of Israel, a call which has been taken up by the IFTUC and many others. As part of the ICTU delegation to Israel and the occupied territories, that despite our own knowledge and political analysing of this conflict, those of us visiting for the first time were ill prepared for the abuse that we witnessed at the hands of the Israelis with the full support of the US Government. Other motions deal specifically with the oppression of the Palestinian people but we would like to send out a clear message to the representatives of the Israeli Government in whatever form that they appear, that we will not be bullied or intimidated in pursuing justice and democratic rights for the Palestinian people. We also support Motion 72 dealing with the appalling human rights abuses in Columbia and anyone who attended the Global Solidarity fringe meeting on Tuesday couldn't help but be moved when we saw the names of the 2,500 trade unionists murdered in that country in the last 15 years while trying to defend their members and improve the lives of workers. Our campaign needs to be intensified and the world and especially those who support reign of terror in Columbia need to be told that these crimes against humanity and against trade unionists must be stopped. The perpetrators who kill and terrorise trade unionists must be brought to justice and the Columbian Government must be pressurised to respect core labour standards and the UN Declaration of Human Rights. Our ongoing campaign in support of people in Cuba and in particular the demands of the US embargo and sanctions being lifted immediately without preconditions has to be done at every opportunity. We must use any influence that we have in the United States to pressurise the new President to end the unnecessary and inhuman practices. This motions also calls on the US Government to accept that the five Cuban nationalists that

infiltrated Miami must be released and it must be a voice that their trial was grossly unfair. The specific issues in this motion are not elevated above other questions of global justice and solidarity but focus Congress on interventions. And, finally we commend Congress on the magnificent work of the Congress Solidarity Project in ensuring that global solidarity is continued. I ask you to support the motion.

**Patricia McKeown, UNISON and President of Congress**

I am going to have to have this motion formally seconded, otherwise we are going to get cut off in the middle of the debate. Is there a formal seconder, thank you, speaker. I will take a speaker unless there is dissent.

**Geraldine Kelly, UNITE**

Congress, delegates, Geraldine Kelly, UNITE seconding Motion 68. Due to time restrictions, I will just highlight the three points and that will be it. The first is justice for the people of Palestine in their struggle, secondly the human rights in Columbia and in particular the appalling violence and murder against trade union activists. And, finally, two aspects of the long running campaign by successive US Administrations to destabilise Cuban political and economic systems. Also, the Miami 5 who continue to be held in solitary confinement and their families denied visas to travel and visit them. Delegates, please support the motion. Dr

**Patricia McKeown, UNISON and President of Congress**

There is an addendum to this motion in the name of the INO. Are the INO here to move the addendum?

**Noel Treanor, INO**

Noel Treanor, Irish Nurses Organisation. I move the Addendum.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Any other speakers? Are you accepting the addendum? Yes, you do, the addendum is accepted by movers. Any other speakers? Can I put this motion to the vote then? All those in favour please show, those against, any abstentions. That is carried. Thank you very much Congress for your cooperation there. I am going to just hand over to the Vice-President who is going to introduce our next international guest, Penny Schantz.

**Jack O'Connor, SIPTU and Vice President of Congress**

Thank you President. I want to call on Penny Schantz to address Conference as the fraternal delegate from the AFLCIO which is a trade union confederation with

which we have the warmest relations going back several years and in introducing Penny I want to take the opportunity to congratulate the AFLCIO and all in the American labour movement in the contribution they made, which was decisive, to getting rid of Libcons in the election of Barack Obama which offers so much hope for the future so I would like to introduce Penny Schantz.

### **Penny Schantz, AFLCIO**

Good morning sisters and brothers. You can do better than that, come on. First I want to thank you for actually changing the timing of when I am actually going to be speaking this morning because I must admit I was a little bit concerned about being the last speaker, the last day, the day after the last night, following our colleague and good friend, John Monks and not to mention thinking that I would be following the Taoiseach as well. But since I have been asked to talk about possibilities for trade unionists under the Obama Administration, it is clear that there is no group in any country who could be more interested in what I am about to say. Because after all as that 2008 election hit song went, quote, 'his granddaddy said he came from Monegal, a small Irish village well known to you all. You don't believe me I hear you say but Barak is as Irish as JFK'.

More seriously, thank you officers and proud members of the ICTU, I bring you greeting and solidarity on behalf of President John Sweeney, Secretary Treasurer Richard Trumka, Executive Vice President Arlene Holt Baker and more than 11 million working men and women of the AFLCIO. Now, a close friend of the ICTU, John Sweeney in particular regrets he cannot be here with you and he asked me to convey how very concerned we are about the Irish economy and that he has been invited by the Taoiseach in a meeting here in the Fall on the global financial crisis. Now with unemployment expected to reach 15.5 per cent in 2010 in Ireland, a real social solidarity pact and the ICTU's job creation and protection plan need to be implemented without delay. But returning to my topic, I want to very briefly share with you one, why in the US we are hopeful, two, what is the trade union agenda and then finally why we can't miss this opportunity and I will be very brief.

So why are we hopeful? Against all odds we elected a compassionate intellectual community organiser who ran on one of the most progressive agendas since the Great Depression. Against all odds, we elected the first African-American President and the AFLCIO clearly made a difference. In addition to mobilising more than 250,000 volunteers, the AFLCIO reminded our members how racism is used to divide workers. Rich Trumka, our Secretary Treasurer, went from factory to factory telling members quote, 'there is not a single good reason for a worker and especially a union member to vote against Barak Obama, and there is only one really bad one and that is because he is not white. I have never been more proud of our movement. And under the new Administration, we finally have a Secretary of Labour, Hilda Solis, the daughter of Latino immigrant workers and union members. Now addressing the AFLCIO

Executive Council this past March, and John was here for that too, she told us hand on hip, that there is a new sheriff in town and we believe her. With her help, President Obama is going to lead an America where working families share in the wealth we work so hard to create. And during the campaign Obama told our building and construction trade union, politics didn't lead me to working folks, working folks led me to politics. So what is labour's agenda? We must restore the freedom of workers to organise. Obama supports the passage of the Employee Free Choice Act which is the single most important piece of legislation on labour's agenda and we need your support in helping us do that. We need healthcare for all, immigration reform, investment in education, an expanded public sector, new energy and creation of decent and green jobs in a planet that is threatened by carbon induced climate change. We need oversight, transparency and accountability not only on Wall Street but in all financial markets and we must fix our broken trade policy that has been dominated by multi-national companies. We need to restore credibility to America by supporting peace, democracy and justice for workers everywhere, bringing an end to the 10 billion dollars a month war in Iraq and helping secure a lasting peace between Israel and a new internationally recognised state of Palestine. Yes, we have already made some gains, yes, a lot of progress has been made but we need to make Obama do the right thing. Now just because we elected a democratic majority does not, and I repeat does not mean we elected progressive majorities. We support the President and will help him secure reforms. At the same time, just as trade unionists along with other allies in the civil rights and other movements did in the 1930s under Franklin Roosevelt, and in the 1960s under Lyndon Johnson, we are mobilising and organising in our neighbours and in our cities and in our streets building a movement which is fighting for the changes that we seek and much more. That is why we put together our largest legislative mobilisation in decades to win the Employee Free Choice Act. That is why two weeks ago we mobilised 10,000 union members on Capital Hill for health care. We are taking responsibility because we won't have this chance again. The choices made, the structure set in place these next few years will determine the world as we know it for decades to come. So, that means that we must shape, challenge and drive the debate, putting forward ideas and actually creating the new paradigm that is needed for systemic change. Never in modern times have the needs been greater, nor the opportunities better to actually go beyond what is possible and to fight for what is conceivable. So working with others to share our values, we need to go as far beyond George W Bush as Franklin Roosevelt went beyond Herbert Hoover.

So, concluding sisters and brothers, I am reminded of George Bernard Shaw's famous quote, 'you see things and you why, but I dream things that never were and I say why not?' As a nationalist we see encouraging signs in the US, is part of our broader vision that we share to further the hopes and aspirations of all workers. We see a world that does not exploit its most vulnerable, migrant, informal, ethnic, racial minority - primarily women workers. We see and envisage a world where no workers risk their lives or livelihood when struggling to improve

their lot. We see a world where equality, respect and human dignity realises its potential. In our hearts we know that we can't do it alone but in our gut we understand that collectively, through our work together in the international trade union confederation, through international solidarity to quote the great United Farm Workers' leader, César Chávez, can we do, Si, se puede. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Penny, please accept and express our very best wishes to our good friend, your General Secretary John Sweeney.

And now delegates, I have pleasure on your behalf in welcoming to our Conference An Taoiseach, Brian Cowan.

### **An Taoiseach, Brian Cowan**

Good morning delegates. Tá áthas orm a bheith anseo ar maidin chun labhairt libh don chéad uair mar Thaoiseach agus sibh bailithe le chéile anseo i dTrá Lí do bhur gComhdháil. Faraor gan muid ag castáil lena chéile faoi imthosca eile, agus dúshlán eile á phlé againn agus dearcadh difriúil againn ar an tréimhse amach romhainn.

Is tréimhse chasta agus dúshlánach í seo agus táim ag súil le bheith ag obair le ceannaireacht na Comhdhála agus muid ag iarraidh aghaidh a thabhairt, trí Chomhpháirtíocht Shóisialta, ar na saincheistanna crua atá os ár gcomhair sa tréimhse atá díreach amach romhainn.

President Patricia McKeown, President elect Jack O'Connor, General Secretary David Begg, delegates, I am happy to be here this morning to address you for the first time as Taoiseach as you gather here in Tralee for your Conference. As many of you know, I have a great respect for and belief in the Trade Union movement in Ireland and am proud of the long and respectful relationship I have had with you since becoming a politician 25 years ago in many different Ministerial capacities.

Today, as we all know, we are meeting in challenging times. Our economy is under threat from some of the most seismic events in our living history. We have been hit by a unique combination of national and international factors that will require all our focus, determination and continued co-operation if we are to pull through this as a people and as a Republic.

The tragedy of this recession is not that some of us have to do with less. The real tragedy - is that so many of us have lost the opportunity to contribute to society through meaningful work, - it is the despair and genuine hardship that this uncertainty brings, and - it is the lack of hope in so many of our citizens that jobs and prosperity will return.



This is a time for all of us in this room to lead. A time to provide assurance, direction and courage. We have a duty to our fellow citizens to do all that is humanly possible to demonstrate solidarity with their plight and do what is needed to turn the corner back to sustainable growth and prosperity.

My message to you this morning is that I believe passionately that there is a way through this crisis that can bring not just economic recovery, but a sustainable basis for jobs and prosperity for our people. I believe that this way forward requires clarity about the nature of the challenges we face, focus on the steps that need to be taken to build recovery, fairness in the way we go about implementing the necessary action, and consistency in the way we go about our business.

The Government has set out a vision for economic recovery. Our goal is to develop a critical mass of companies - both Irish and international - at the forefront of innovation, creating the products and services of tomorrow and providing well paid jobs for this and future generations. We want to work with all stakeholders to deliver this vision of a high productivity, environmentally-sustainable 'Smart Economy'.

There has been a lot of comment recently on the reasons we are where we are. I do not intend to revisit that debate here today. However, as I have already stated publicly, I fully accept my own responsibility for decisions which I took, and the decisions of the Government of which I was part, over the past number of years. These decisions were taken in good faith, in the light of the best analysis and advice available, and were clearly steering the economy in a direction which, as the NESAC pointed out, could reasonably be seen as appropriate.

One thing however is clear from our recent history. This country proved that it can compete with the best in the world. Our dramatic leap from poverty to prosperity was not a mirage and it was not all based on imaginary wealth.

Our real success was based on producing goods and services which were in demand internationally, because of a combination of quality, price and reliability, and were produced through a winning combination of overseas investment, indigenous enterprise, a growing skill base and a high level of employment. The rapid rise in the labour force participation of both men and women, of all ages, was a critical ingredient in our strong performance in converging with, and then surpassing standards of living across the EU. That was sustainable insofar as our costs, including labour costs, were competitive. This model generated a surplus to be applied to developing our physical and social infrastructure, and protecting social services for those who need them.

That simple lesson, which is the commonsense experience of men and women throughout this country, must guide us in the direction of recovery and renewal.

At the core of that recovery and renewal is the issue of jobs - both the protection of as many existing jobs as possible, and the creation of new ones. But we know from the practical experience of recent years that the jobs growth we now require will come only when the necessary conditions are met.

Supporting jobs has therefore been at the very heart of the Government's approach. Unless we have a functioning banking system that can lend to businesses and households, economic activity will stagnate. Unless banks, in turn, are seen as viable, they will be unable to attract and retain the capital and deposits which make banking and financial activity possible.

It is for that reason and that reason alone, that the Government has taken the necessary steps to secure the continued operation of our banking system. This is why we guaranteed deposits and bond holders. This is why we recapitalised the banks and in one extreme case, nationalised a bank. And this is why we are creating a vehicle to remove bad assets from the banks and enable them once again to support job creating activity and investment in the economy.

In all of this, we have taken great care to protect the interests of the taxpayer, both by minimising expenditure and by protecting the value of the investments we have made, both now and for the longer term.

For the same reason, we have committed ourselves to a demanding pathway to restoring fiscal stability. These measures have proven difficult and painful. There is more pain ahead. There is no possibility of attracting the confidence of investors and lenders, whose support is critical if our economy is to survive and recover, without confidence that we as a State can meet our obligations and restore the public finances to a sustainable base.

We have done this in a way which reflects the principles which we agreed with Congress and the other social partners last January. In particular, we have sought to protect the most vulnerable and to ensure that the burden of adjustment is allocated in accordance with the capacity to bear it. All independent analysis shows that the measures which we have announced meet this standard: we have, for example, substantially increased the revenue being raised from those on higher incomes. These are principles which we will continue to apply as we implement the necessary adjustments over the next two years.

Despite the difficult adjustments which have been made already, we are continuing to operate at record levels of deficit - the gap between income and expenditure. By any definition, this is an expansionary fiscal approach. It includes funding for about 5% of GNP devoted to investment in infrastructure. This not only builds our economic and social capacity for the future, but provides a stimulus to economic activity and to jobs.

And we have other measures to protect jobs and help those who lost them.

We have introduced an Enterprise Stabilisation Fund of €100m to support vulnerable but viable companies. This will help sustain jobs in companies affected by recession-hit overseas markets.

Drawing on detailed discussions with Congress, we are introducing a new initiative to safeguard vulnerable jobs through a Temporary Employment Subsidy Scheme. This will provide a subsidy to support jobs in exporting companies in the manufacturing or internationally-traded services sector.

This new Scheme is in addition to the significant support that the State already provides to people on short-time work. At present, over 50,000 more workers are receiving social welfare payments in respect of short-time working than was the case 12 months ago. We are currently spending an additional €540million to support workers in these situations when compared to last year. This is the equivalent of, or in many cases greater than, the support offered in other EU Member States.

The Government has also introduced a wide range of measures to help those who become unemployed. A total of 128,000 training and work experience activation places will now be funded through FÁS in 2009 while provision has been made for 146,000 participants in further education programmes.

The Congress has asked if the Government would be willing to allocate €1 billion to show an appropriate level of commitment to addressing the jobs crisis. The fact is that we have already committed an additional €1 billion to the jobs agenda through the measures I have outlined.

I have already made it clear, and I confirm here this morning, that the Government are committed to applying further resources to the jobs agenda - by reallocating resources from other, less urgent spending - where we can be confident that they will be effective in addressing the problem.

We are also seriously engaged in discussion with the Congress on ways of enhancing the impact of our measures to support jobs, especially through support for short-time working and the enhancement of skills and productivity.

There should be no doubting the scale and depth of my commitment and that of the Government to the jobs crisis. But this is a challenge for more than the Government: if we are all truly committed to jobs, then our actions and our decisions must reflect the consequences. When we have done so, together, we have produced remarkable outcomes in terms of employment and living standards. The much-criticised social partnership model is precisely about operating in such a way as to incorporate the consequences into the decisions we make about how we will behave.

Those who are far removed from the process often fundamentally misunderstand the nature of the social partnership engagement. It is not about a consensus

which is created and sustained in Government Buildings in denial of the real world. Neither is it a selfless search for the common good without reference to the underlying conflicts and divergence of interest between the parties - although I do believe that the search for the common good is a powerful influence in the process. In reality, social partnership is about structuring the engagement which takes place anyway between the social partners, and between the social partners and the Government, so that each can take better-informed decisions about how their interests are best advanced.

For the trade union movement, I accept fully that growing and preserving jobs is as much a priority as improving the income levels of those at work. I know that you also have strong views about how a just and fair society should be organised, and the needs of ordinary men and women addressed, through public provision, often described as the social wage.

Over many successful Agreements, you have made the judgement, ratified by your members, that the outcome of the social partnership engagement was a better outcome than the most likely alternative in pursuing your objectives. The same must be true today if the social partnership process as we have known it is to continue.

Above all, if it is truly the case that we share a commitment to the jobs agenda, then how we behave in the world of industrial relations across the board must reflect that over-riding priority. That is as true of engagement at the level of the individual enterprise as it is of national level negotiations in Merrion Street.

It is also relevant to how we organise ourselves to deal with disagreement and dispute. There is frankly no greater penalty that we can impose on ourselves than to revert to the failed models of industrial conflict at a time when we require to apply all our energies to positive innovation and creative change in order to preserve jobs and living standards. The current dispute in the electrical contracting sector reflects little credit on either side. The industrial relations machinery of the State, at the request of the National Implementation Body, has been engaged with the parties in an attempt to bring about a solution.

There is an onus on both sides to engage constructively in that process and to reflect in their behaviour the reality of the impact the dispute is having on the wider economy and its reputation.

I hope that the social partnership process at national level will continue, because I believe it is the intelligent way to do our business. Over the course of recent engagements we have addressed together, not only the urgent question of support for jobs and the unemployed, but other matters of major concern to your members.

These include the legitimate anxieties of those who become unemployed and

fear the loss of their home if they are unable to maintain repayments. We have given assurance of our commitment in this area in respect of those who make and honour arrangements to reschedule those payments.

We have also taken very significant steps to address the problems with members of insolvent pension schemes operated by an insolvent company. Together with other regulatory changes, these provide a very substantial improvement in the protections available to pensioners and the active and deferred members of pension schemes. The decisions which we announced recently with regard to a new Pension Income Maintenance Scheme have, I know, been examined by the Congress and certain issues have been identified by you for further consideration. These are receiving careful and sympathetic consideration at this time.

We have also confirmed our commitment to finalising a comprehensive new National Pensions Framework, which will be published later this year.

I want to emphasise the Government's strong commitment to policies and measures which protect employment standards and appropriate compliance, on the basis that we have developed with the social partners.

As further clear evidence of this commitment and of ongoing delivery with the Towards 2016 framework, I am happy to announce that the Government has published today the Employment Agency Regulation Bill, 2009 which addresses a significant legislative commitment under Towards 2016.

This Bill will modernise the legislative provisions in this area, providing an appropriate regulatory framework for the sector with effective redress mechanisms.

I should also mention in this context that is intended to amend the published Bill to provide for a legal prohibition on the use of agency workers in strike situations and lockouts.

As you know, we have recently promised the publication of further legislation by the end of July.

It is in that same spirit of positive engagement through partnership that I want to raise important issues about the future of our public service.

We need a public service which carries the confidence of the wider society as regards its competence, efficiency and value for money.

Expenditure is quite clearly constrained so we have to go about improving public services through radical change - by doing more with less. I believe that the vast majority of public servants want to make a contribution to improving the quality

and efficiency of our public services. They want to play their part in our national recovery.

Many people are more dependent than ever on public services which need to be easy to access, efficient and equitable. We must ask ourselves if those in most need, such as people who have lost their jobs and are seeking benefits, would endorse our current arrangements to deliver public services? These are questions for managers and unions across the public service.

We have to re-organise how the whole business of government is conducted and how services are delivered. This is the reason that the Government published the Transforming Public Services (TPS) programme last November. The TPS programme is about getting different parts of the Public Service working better together, and about efficiency and effectiveness in our Public Service. It is designed to secure maximum value for public spending. It is about offering the best service possible to citizens, greater use of technology to deliver services to the public, and the development of shared services on a wide scale.

It is quite clear that we cannot proceed with a business as usual response to the current challenges facing the Public Service.

The Public Service unions are necessarily part of designing and delivering this response - it is a challenge that we must face together. It is only through such transformation and change, and the delivery of services valued by the public, that the best interests of public servants can be secured.

In the context of our recent discussions on a recovery strategy, I have stressed the need for flexibility, redeployment of resources to priority areas, mobility across organisational boundaries and best practice - and for an approach to change which is facilitated on a timely basis in the context of an agreed, time-bound approach to the industrial relations issues which arise.

We need to work more imaginatively and build services which are manifestly based on the needs of citizens, rather than on the needs of service providers. This is as much a leadership and management challenge, as a question of industrial relations.

Important dialogue on transformation, modernisation and flexibility has been ongoing at sectoral level. In our recent position paper, the Government proposed further, urgent engagement with you to take this agenda forward. Difficult budgetary decisions will have to be taken later this year. The report of the Special Group on Public Service Numbers and Expenditure Programmes will contribute to that process. I am anxious that the Government's decisions should also be informed by the outcome of these negotiations on the future of the public service.

More efficient public services are in all our interests - Government, trade unions and the citizen. This unprecedented crisis calls for an unprecedented and imaginative response from us all. I would ask that you reflect on the need for change in that context.

I want to speak for a few moments about Ireland's role in Europe. I want to set out at the very beginning again the Government's unequivocal view that the Lisbon Treaty is good for workers, and that the entry into force of the Charter for Fundamental Rights will be positive for workers' rights. The Charter contains a number of principles relating to workers, which will be given full Treaty status for the first time, if Lisbon enters into force.

At the European Council last month and in response to Irish pressure, our European partners adopted a Solemn Declaration on the importance the EU attaches to workers' rights. That declaration sets out in a single, simple text the importance the European Union attaches to a Social Europe -- and makes clear that growth and competition are not ends in themselves.

It is important we look to the sum of the parts in our assessment of Europe, and our assessment of the Lisbon Treaty.

Much of the social progress in Ireland in recent decades has been either required, or more often inspired, by our membership of the European Union. I speak of equal pay, and equal treatment for part-time workers. I speak of limits on working hours.

I speak of maternity pay, and parental leave where there may be more to come. I speak of advances in health and safety. I speak of protections against exploitation of migrant workers. I speak of progress in relation to employees' information and consultation, to rights when undertakings are transferred.

I think it is fairly obvious that if Social Europe is to survive as a source of progressive change, then it depends on a Union which functions well, which is fit for purpose. It is difficult to see how a weakened Europe might stay the hand of those who, in the fears of some, might wish to race to the bottom.

I wish also to recall the horizontal social clause in the Treaty which states for the first time that ... "In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health."

In speaking of Europe, I do not want to focus solely on workers' legal rights. Because a major benefit of Europe to Ireland and to Irish workers is jobs. Right now, that is the most important issue facing us here today.

60% of our exports go to other countries in the European Union. Our membership and clear commitment to our future in Europe play an important role in attracting Foreign Direct Investment to this country.

Difficult as our current economic challenges may be, the euro has prevented the current crisis in Ireland being far worse. We only have to look at other small nations where the knock-on economic hardship and fall in living standards are worse.

Our nation now faces a fundamental decision - whether to be relevant at Europe's heart or whether to risk being seen to be on the margins. I am calling on the Trade Union movement, as it has done historically, to accept the responsibility of leadership, to actively support a Europe that is in your long term interests.

I accept that Europe, and the Lisbon Treaty, may not be perfect. But that cannot be a credible reason to reject it, or to oppose the significant improvements, for workers in particular, that it nonetheless brings forward.

We need to pass the Lisbon Treaty because it is good for Ireland, because it is good for Europe, because it is good for workers' rights; But most of all, because it is good for jobs.

Turning to Northern Ireland, President, I want to commend Congress and your Northern Ireland Committee for being so visible and vocal in your desire to fully eliminate violence, sectarianism and racism.

Last March, in the days that followed the terrible murders of the two British soldiers in Antrim and a PSNI officer in Craigavon, you organised a street protest in Belfast which resonated widely at home and abroad. You have also recently spoken out against the sectarian murder of Kevin McDaid in Coleraine and rallied for political action to challenge racism. It is deeply regrettable that we are still witnessing such acts of violence and thuggery.

More than a decade on from the Good Friday Agreement, Northern Ireland must now move closer to achieving the genuinely shared future for which many people have taken risks over the past decades. I have no doubt that Congress will continue to play its part in working towards this goal.

Active participants across civil society, North and South, are an integral part of building an enduring future for this island. I am pleased to announce that in the autumn the Government intends to facilitate a conference involving social partners and voluntary groups, both North and South with an interest in promoting further cooperation. I look forward to the contribution that Congress will make to this new process.



As the largest all-island organisation, you have engaged proactively with the First and Deputy First Minister on the current economic difficulties as well as on building up the linkages North and South. On Monday I welcomed Peter Robinson and Martin McGuinness and members of their Ministerial Executive team to Farnleigh.

This was the second meeting this year of the North South Ministerial Council, in addition to meeting regularly in sectoral format. Real engagement and partnership are taking place with the Northern Executive and I remain committed to implementing the ambitious North/South agenda.

In acknowledging the important contribution that Congress continues to make right across the spectrum in Northern Ireland, it is only fitting that I acknowledge the work of your outgoing President Ms. Patricia McKeown. Patricia has been a strong voice for the trade union movement over many years now and has, in particular, championed women's rights and the wider equality agenda. I would like to commend her on her term as President and wish her well for the future.

I would also like to congratulate Mr. Jack O'Connor on being elected President. I have no doubt that Jack will be a very effective President and I wish him every success in his new role.

These are, as we well know, complex and challenging times, and I look forward to working with Jack, General Secretary David Begg and the Congress leadership as we seek to address through social partnership the many difficult issues confronting us in the immediate period ahead. Go raibh maith agat go léir. Thank you.

### **Patricia McKeown, UNISON, and President of Congress**

Go raibh maith agat Taoiseach and now I am pleased to call on our General Secretary, David Begg to respond to your contribution.

### **David Begg, General Secretary of Congress**

Taoiseach, thank you very much for your wide ranging address and I want to say that you are very welcome. We very much appreciate that you have taken the trouble to visit us here at our Conference and we are very honoured that you by virtue of your high office have honoured us with your presence. I want to thank you for your very kind remarks about the work of the Congress in Northern Ireland which I want to pass on completely to my colleagues in the Northern Ireland Committee because they have been at the forefront of that and they will appreciate your remarks and I think both the incoming and existing President will appreciate your good wishes towards them as well.

I suppose Taoiseach I should say to you that it probably won't come as a huge surprise if I mention that the Government hasn't been madly popular in the debate here this week, although I am very pleased that you arrived for another reason because for most of the week I gathered that I wasn't the flavour of the month personally so I feel my position in the ratings may have slipped just a little bit. But, you at least have some chance of restoring your popularity and if I just commend one course of action to you from listening to everybody during this week, we saw Bernie made off with as he is well mentioned because he made off with all the money, but we saw him get 150 years in jail, but I'd say if you managed somehow to organise, I don't know what the constitutional imperative would be, but 150 weeks in jail even for some of the characters who have wrecked our banking system would be very welcomed.

I haven't spoken a lot during this week Taoiseach. I have spent a lot of time on the platform listening to what was happening in the hall and listening to what delegates said and it has been for me a very instructive week because we all need guidance I think as to how we should handle our business and there were two major emotions I think which featured in a lot of the contributions from delegates. One emotion was fear and the other was anger. And, I think the fear arose for a real and very genuine concern about livelihoods and about jobs and about the absolutely horrendous figures that we are all facing – the 413,000 of our fellow citizens who are unemployed at the moment and the awful prospect that by early next year that might be over half a million people. And, I think fear also for what kind of country we are going to be when all of this is over. And, to whether there are any red lines which we won't cross. I referred to them myself earlier on in the week in the one contribution I did make as the concept of 'a threshold of decency'. You know there are things that shouldn't really be interfered with. There are questions like the minimum wage, like the social insurance contributions and the awards that people get as a result, I don't like to call them social welfare because people have paid for these things, like the question of children with special needs, like the issue of people with pensions who when they come to the end of their working lives and face into an old age of penury when they have expectations that they would live in some level of frugal comfort. These are basic things I think in any society and it will be a measure of us as a people on our watch as Jack described it last night, about whether or not we can get through this crisis, maintaining some level of protection for the most vulnerable people in our society. Now these should be self evident truths to all of us and I make no differences between you and us in this regard, I don't assume that you operate by a different set of values than the rest of us, but there are people in the country who do. And they generally are to be found in the pages of the Sunday Times and the Op Ed pages of the Irish Times and on every political programme that's on television. This commentariate who come forward with their ideas about how the country should be run. These people have ice in their veins; they don't concern themselves with any of this. And to some extent one can write them off or put them into one corner of society and say that they are

possessed of some kind of right wing orthodoxy and they cannot be changed, but it was very disturbing I have to say for us this week while we were at Conference, to read that the head of the IDA, Mr Barry O'Leary, came out and made a statement saying that there should be an across the board 15 per cent wage cuts. Now, I have found over the years that very often the people who head up these agencies, maybe they are acting on what they get instructions from the Department of Finance or alternatively what they perceive to be the objectives of the Department of Finance. But just as a proposition to consider it – how nonsensical that actually is in our current circumstances, because the figures out this week show that deflation at the moment is running at 5.4 per cent – well ahead of the rest of Europe. Now, I have never known any country that could deflate itself out of recession. It is just economic nonsense and it doesn't have regard also to one other factor which exists in Irish society and that is the implication of debt deflation. The level of private sector debt of Irish people is very, very large here. It runs at 175 per cent of GDP as distinct to the European average of 98 per cent of GDP. So, our fear as a Congress Taoiseach, and we would appeal to you on this, we need to get a grip on this and pull up the joystick before we crash because we are into that type of downward spiral if we follow those policies and really they are put forward at every hands turn as being the solution to our problems, the solution to the problem of competitiveness particularly. But on the question of competitiveness you will not even get a dead cat bounce out of any improved competitive position on wages in a global economy where trade has collapsed by 25 per cent. And, as most economists if they were honest about it would recognise that in any event wages are quiet a small part of the competitive position of a country. So, I just want to make it clear to you Taoiseach, we can't live with that, we are not going to sign up for a deflationary policy acting into deflation. We would believe that we would be irresponsible in terms of our duty to the workers of the country if we were to follow that particular line and we just simply will not do it.

Now we do have the alternative as you know from our many discussions over recent months and I want to acknowledged Taoiseach by the way, that you have always received us and Congress very courteously on many occasions and we could never complain about access. What we could complain about perhaps is that the access actually influences decisions but nevertheless you have received us and listened to us very carefully about our ideas on a social solidarity pact. But this is quiet crucial because the starting point for success for any way of getting ourselves out of this is going back to that question of unemployment. We have to try I think Taoiseach to keep people in jobs. Now there are differences between us on that. You for your part have come across with the idea of a subsidy to employers. We don't think that this is the right way to go. We favour the more mainstream European model where it is the question really of shared working time which is at the core of what is happening and which has been quiet successful in Germany where 1.25 million people have been maintained in employment in this way. But I note this morning from your remarks that you are open to further discussions about that and I welcome that and I hope that we can

develop that further. But, really it is an issue I think of how we pull out of this, it is an issue of distributional justice. And, distributional justice is best served by a progressive taxation system. I don't think we should torment ourselves looking around at what sort of unique measures we can bring in. What we need is a comprehensive system of taxation which will supply the revenue necessary to keep the country running because although it has been put about by some of many in the commentaries that our public services are really very large by comparison to everywhere else, as we know that they are not, the problems is not with the size of the public service, it is with the collapse of the tax base that funds it. And, on those two questions Taoiseach, there are two forthcoming reports which I know you received one of them which is the McCarthy Report on the cutbacks in the public service and the other is the Commission on Taxation which I think is the report some time soon. We will be watching those very closely because they really are the keys to the future. But I would just make a point to you about the McCarthy Report if I may for a minute. I mean it is often said that if you are a good gardener you should get your worst enemy to put in your roses. Now I don't think this really applies in the public services properly to be honest and if you think of some of the people who are foremost in that particular committee, they are people who have a long and established track record of philosophical criticism of the public service. They don't actually believe in it and there is nobody on that committee who will suffer in any way as a result of the cutbacks in public services. I mean I suppose, let me just give you a comparison. We in Congress have very strong ideas about corporate governance in this country. If you were setting up a committee on corporate governance tomorrow, I don't think you would appoint me to it to be honest. And, I don't mean that you would do that out of any personal disagreement with me but the reality of it is that it wouldn't be acceptable to the international sources of finance to which every country nowadays has to be responsible and concerned and it is part of our problem that when you get up in the morning, on the one hand you serve the Irish people and do it as well as you reasonably can but you also have to serve these international finance interest who have some powerful influence. The Minister for Finance made a speech several months ago in Tralee, he made the point that if any other country had attempted to do in the public service and so on what this Government has managed to do, there would be a revolution. Now, I know that he didn't say that to provoke us, he said it to appease the international financial people but at the same time it has to be known that there is only a certain distance than any trade union movement can go to accommodate adjustments and we can only do it in the context of an overall settlement which is fair. And, I mean, we must know from the events of this week that an industrial revolution, it is a bit of an overstatement perhaps, but certainly a breakdown in stability in industrial relations is entirely possible if this gets out of control in the future.

Now you did mention that subject yourself Taoiseach and you made the point that it was important to have this stability and all of us would objectively accept that that is the case, but in relation to the electricians, you know that I detected a

certain type of criticism in what you said of them, but what has not really surfaced very much in the public debate about the electricians is that for the last year they have been dragged through every court in the land by a group of what are deemed to be renegade employers who won't accept the essence of the 1946 Industrial Relations Act and the structures that it set up. Now there is more than a little suspicion, quite honestly, that these employers are not as renegade as they appear, that they have more popular support amongst the employers' organisation generally speaking than is being acknowledged. But, the fact of the matter is the electricians took the action they did at the end of a long process out of which they could not see themselves extracting themselves other than the cost of their union going under in terms of legal bills that they had to face and it is true also I think that if we had managed to complete the legislative programme upon which we agreed in *Towards 2016* we might have obligated the need for that because the Industrial Relations Bill as you know would deal with some of the issues which have taken the electricians into the High Court. And, just to explain one thing and just so that you understand some of the things that frustrates us so much, one of the chief witnesses that was produced on the side of these renegade employers in the Labour Court to argue against the electricians when they were trying to strike down the REA, was Mr Alan Aherne. Two weeks later he arrives as an advisor to the Department of Finance. Just consider the signals that this sends out to us.

I want to welcome Taoiseach what you said this morning about the legislation on the Agency Workers that will be very welcome. We had a debate on that as it happens yesterday but consider this also if you will. We have an agreement under the transitional agreement on *Towards 2016*. The Government got hit by a Tsunami in terms of economic conditions and ok many delegates here have different views about all of that – what should and shouldn't have happened, but leaving aside the financial aspects of that agreement, surely we should have carried through expeditiously to implement what we had agreed in terms of the six or seven pieces of legislation. I think we do have to complete that in justice to the fidelity of the agreement and I would ask you to follow through on that as soon as you can, particularly on the Compliance Bill, which has been long delayed and which is very important because delegate after delegate who came to the rostrum during the week gave detailed evidence of cases around the country where individual people, workers, many of them in usually very low paid jobs are being exploited. Now we will never properly eliminate that exploitation but we could reduce it greatly if that Compliance Bill was actually brought into force and I would ask you to try to push that along as quickly as you can.

I just want to also mention in relation to what you said about Lisbon. I think it is a matter of public record that I personally am in favour and do support the ratification of the Lisbon Treaty and I do that from the point of view of the knowledge I have that effectively Europe at the moment is keeping Ireland afloat in terms of the European Central Bank money. I would also say in terms of how we intend to be in Europe, we don't want to find ourselves in terms of the Euro

sceptics corner of North West Europe with the British Tory Party and I think that the Charter of Fundamental Rights is a very good thing and will advance workers' rights. But, we have to acknowledge though, Taoiseach, that there are two sides to this argument on the workers' side particularly and I think it is as well to confront what they are. I mean when the Millward Brown survey was done, it showed that a huge majority of the people who voted both for and against the treaty had workers' rights as their main concern. Now what has happened within Europe has been this. That the political settlement which arose out of the country of origin principal in the Services Directive which was agreed with the Parliament has effectively been unwound by the jurisprudence emerging from the European Court of Justice. That's at its most simple. And the second major thing is that the political consensus doesn't exist now in the 27 countries to amend the Posted Workers Directive in a way which would give protection to cover that off and the net result of that is the danger that European and the European Council and Commission has lost its grip on the concept of the Social Europe. Now that is a significant point which has got to be acknowledged by everybody and in a sense we went there and you put forward the idea of getting some statement on workers' rights, but like with the best will in the world, we have to say that that statement doesn't amount to very much because you couldn't get agreement on it. But it is also important to say that effect can be counteracted to some degree here in Ireland by a determined effort on the part of the Government to give us a regime of workers' rights which is as good as the rest of Europe. We don't ask for better but is as good as the rest of Europe. That is, I think, what the key to it all is and I say that in the context of one who is committed, absolutely committed to working for the enactment of the Lisbon Treaty but it is an important issue I think which has to be acknowledged of the critics of that process.

Now, just finally, I would say this to you Taoiseach. We heard Eamon Gilmore who was present with us on Tuesday and he spoke here about one subject which you strangely enough would probably agree with. He drew attention to the record of Sean Lemass as Taoiseach and what he had achieved for this country. And, it is interesting about Lemass that he was a Statist in fact in his approach and he was a Statist because he found that he couldn't actually get any good of the domestic capitalist class in Ireland. And, I just want to quote you a line from a book which was written about Ireland and about the network development state by Sean O'Riain, Professor in Maynooth and this is what he said about Lemass. He said his efforts to form an industrial efficiency bureau in 1947 failed in the face of resistance from a united domestic capitalist class and a deflationary coalition within the state headed by the Department of Finance. There is a ringing of familiarity about that.

Now Jack O'Connor is apt to say in his more reflective moments that when he looks at any mistakes he ever made and I'm not saying he ever made any in his career, but he always says that when he made a mistake he found that it was because he didn't follow his instincts. If you are a disciple of Lemass and I

believe you are, my advice to you is to follow your instincts and you will get the support of the people and we all have a more sustainable, more just society at the end of your tenure as Taoiseach, if I can be so disrespectful as to give you that advice.

Just finally Taoiseach, you mentioned at the very beginning of your contribution that it was twenty-five years since you came into the Dáil and I was sometime ago looking through old photographs and I realised that twenty-five years ago I was the General Secretary of the ESBOA and we went to see you and a number of other deputies and indeed the leader of Fianna Fail at the time, Mr Haughey, about some issues affecting the midland region and the retention of power stations and so on, and we got a photograph taken together which I unearthed and a lot of colleagues won't be able to see this but the backdrop to it is the Fianna Fail slogan in the local elections at the time and it says 'Power Back to the People' and it struck me that although you and I are a bit different looking from the way we were at that time, it is not a bad piece of advice and I just want to give it to you in honour of your contribution here.

### **Patricia McKeown, UNISON and President of Congress**

Conference, I want to once again on your behalf to thank An Taoiseach for taking the time to come to see us, for addressing us, for listening to what we have had to say and I do have to say fair play on him. I cannot think of too many countries on the planet where the leader of the Government, the Prime Minister, call that person what you will, would come to the centre of the trade union movement and listen in that way to what we have to say. And, of course, our abiding desire Taoiseach, is that you having listened to what we have had to say that you will now take it to heart. I know you have pressing commitments and that you must leave us. Once again, thanks for your attendance and at this point I am going to hand over to our Vice President, Jack O'Connor. The General Secretary and I will escort the Taoiseach from the Conference. Thank you all for your attention.

### **Jack O'Connor, SIPTU and Vice President of Congress**

Ok, delegates, as the Taoiseach is leaving we will resume our business and we are now proceeding to take Motion 69 pm Sri Lanka, Human Rights in Sri Lanka, which is to be moved by the FBU. Do we have the mover? Can we have it formally moved, yes, moved, thank you, formally seconded, speakers?

Can we move to Motion 70, on Palestine in the name of Derry Council of Trade Unions. And, just before I call the mover from Derry Council of Trade Unions, can I just alert your attention delegates to the fact that we have been circulating an excellent publication by Trade Union Friends of Palestine prepared for the Conference. I just want to explain that it was prepared under immense pressure and has one or two minor amendments to be made. It is available on the web. So, can I have the mover from Derry Council of Trade Unions.

## **Jerry Devine, Derry Council of Trade Unions**

Yes, President, delegates, Conference, Jerry Devine, Derry Trades Council moving Motion 70 on Palestine. The 2007 Biennial Delegate Conference unanimously adopted two resolutions on Palestine which committed Congress to a series of actions including representation to the Irish Government and the EU Council of Ministers. Actions to the international trade union movement, the holding of an high level international trade union conference and to vigorously, actively and vigorously promote a campaign of boycotts, divestment and sanctions on Israeli goods and services. In November, 2007 and official Congress delegation went on a fact finding visit to the region visiting both Israel and Palestine. That delegation's report contained ten recommendations, all of which were later adopted by the Executive Council. They together with the 2007 Congress policy formed the basis of our campaign of solidarity with the Palestinian people. We welcome the fact that the GPF in March, 2009 recommended that a Working Group be established to progress this strategy for the implementation of the policy. This will I believe help to put flesh on the bones of the policy. Within the context of policy and adopted recommendations of the Congress delegation, we need now to press forward and action our words and sentiment. This motion is calling for progress in three areas: BDS – Boycott, Divestment and Sanctions. Miguel d'Escoto Brockmann, President of the UN General Assembly in his inaugural address of 24 November, 2008, and I quote, 'More than 20 years ago, we in the United Nations took the lead from civil society when we gave the sanctions required by non violent means of pressurising South African to end its violations. Today we in the United Nations should consider following the lead of a new generation of civil society who are calling for a similar campaign of boycott, divestment and sanctions to pressure Israel to end its violations. In 2005 a 170 representatives of Palestinian civic society including the Palestinian General Federation of Trade Unions, called upon international civil society organisations and people of conscience through the world, to impose broad boycotts and implement divestment initiatives against Israel similar to those applied to South Africa in the apartheid era'. The Irish Congress of Trade Unions has been congratulated by the Palestinians for its principled decision to support the call for divestment and sanctions to oppose Israeli apartheid and its breaches of international law. Accordingly, we are calling for adequate officer time to be allocated to the implementation of this policy. We are calling for as regards to Gaza, and we have since the BDC motion of 2007, on a visit by Congress, we have witnessed last Christmas, 22 days of genocidal slaughter. This is a result of the mass bombing of the people of Gaza. During this onslaught in Gaza, 1,444 Palestinian died, 288 children, 121 women. We therefore call for the establishment of a War Crimes Tribunal to investigate Israel for crimes against humanity and breaches of the 4<sup>th</sup> Geneva Convention and international humanitarian law during the assault in Gaza. We recommend also that you read the book. In summary, I want to thank the ICTU and particular the current leadership of ICTU for their courageous stance they have taken to defend



people who are suffering mass oppression, discrimination, ethnic cleansing and now what has been described as genocide. I move this motion.

**Jack O'Connor, SIPTU and Vice President of Congress**

Thank you delegate. Is there a seconder? Formally seconded. Thank you delegate. Now Motion 71 on Columbia's Human Rights Record to be moved by the Limerick Council of Trade Unions and Kildare Council of Trade Unions to second.

**Karen O'Loughlin, Limerick Council of Trade Unions**

Karen O'Loughlin, Limerick Council of Trade Unions and ICTU Global Solidarity moving Motion 71. I am very mindful of the time delegates, I am going to be very brief, and I just want to take a minute to contextualise some of the stuff that is in the motion. It has been acknowledged that Columbia is probably the most dangerous place in the world to be a trade union activist or a trade union leader. In 2008 alone, 46 trade union leaders and activists were murdered. So, just to contextualise it for a minute, we have all been following the TEEU dispute this week with the electricians. Can you imagine if we had opened our papers this morning to find out that the TEEU delegation had been shot down on their way back from the LRC and that they were all now dead, or if David Begg had to arrive here with two armed guards and a bullet proof car to make an address to other trade union activists. Or if when the Visteon or Waterford Crystal people were occupying their premises, that their families were subject to death threats and constant harassment while those workers were trying to stand up for their rights. That is the reality of what our sisters and brothers in Columbia are living with every single day, and the one thing that all of those people who were murdered have in common is that most of them knew that it would probably happen to them. And they one thing they said was that if I am murdered and there is a possibility that I will be murdered, somebody will come behind me and somebody will carry on. So those people really and truly need to be commended for the exemplary courage and fearlessness that they show every single day in trying to stand up for what's just and what is right for ordinary working people. So, I think that we have a responsibility to try to bring this motion to life by trying to get people to realise the actual horror of what is happening in Columbia. We have a moral responsibility to ensure that no Government will operate on the basis of murder of its citizens and its trade union activists. So international solidarity and political solidarity and trade union solidarity really need to continue and to grow, so this motion has real potential to deliver a tangible outcome for the trade unionists in Columbia so we urge you to support the motion delegates, thank you.

**Jack O'Connor, SIPTU and Congress Vice President**

Thank you Karen. Secunder?

**Larry Lynam, Kildare Council of Trade Unions**

Larry Lynam, SIPTU delegate and Kildare Council of Trade Unions. I would like to formally second this motion. As Karen and John Monks have referred to all the salient points, I implore you to support this motion. Thank you.

**Jack O'Connor, SIPTU and Congress Vice President**

Thank you Larry. Motion 72 in the name of Cork Council of Trade Unions.

**Colm Cronin, Cork Council of Trade Unions**

Delegates, in relation to Columbia I don't need to go any further than the previous speakers say, but this state sanctions political murder. It is nothing else. It cannot be called anything else and with the EU backing them, the status that they have, America has refused to do the same, where is the social conscious in Europe if it grants Columbia, if it doesn't refuse to reverse the decision it has already made. This is ethnic cleansing of trade unionists, nothing else. Please back the motion.

**Jack O'Connor, SIPTU and Congress Vice President**

Thank you Colm. Is there a seconder? Formally seconded. Thank you delegates. Now, are there speakers on Motion 71 or 72 first please. Any speakers in relation to Columbia? Ok, no speakers. Unaccustomed as I am to this role, I omitted to call speakers on Motion 70 on Palestine and I think there are two speakers offering. So, Mags.

**Mags O'Brien, SIPTU**

Mags O'Brien, SIPTU and Chair of the Trade Union Friends of Palestine. I will be brief on this but I do think on following on what Karen said, I think it helps sometimes to actually visualise what actually happens on the ground rather than have the basic facts about somewhere and having visited Palestine, the overwhelming thing I would say is that the people there are degraded on a daily basis. If you take for instance, we went to Bethlehem and there is a marvellous hospital in Bethlehem that takes both Israelis and Palestinians, a maternity hospital, women have often given birth at checkpoints because of the fact that they can't get through the checkpoints. And, another example is that if you were sick and you wanted to get to a hospital you couldn't take an ambulance because the ambulance would have to stop at the checkpoint and is not allowed through the checkpoints so people have to be carried. So, just envisage that for a moment and think of however bad our health system is, if we had to endure that. Having been to Palestine, I said that I would give witness and I think that we all should remember those facts. Thank you.

**Jack O'Connor, SIPTU and Congress Vice President**

Thanks Mags.

**Brian Campfield, NIPSA**

President, Conference, Brian Campfield, NIPSA to support Motion 70. And, you would think really that there should be a controversial motion, there are very few trade union centres any where in the world which have adopted a position on the boycott and divestment in respect of Israel, and its control over the life of the Palestinian people. It is a controversial motion. It is good to see in one sense that there is no controversy within our own movement because the last number of years there hasn't been any short debates on this and this may be a sign of progress that has been made on this issue. But there is a reaction of course and there is a reaction from the Israeli state through their ambassadors both in London and Dublin to our previous decisions on this issue and lately in response to the success of the Trade Union Friends of Palestine, we have an organisation in Northern Ireland which is now being established; Friends of Israel. That is as a direct result of what we are doing. What I would say, and we will be pressing this, we will be pressing it probably more so internationally, but if there is a case for boycott or there is an argument against it, one thing that I would say is that the boycott campaign and the divestment campaign is small scale when you consider the strangulation by the Israeli state of every aspect of the lives of the Palestinian people. Thank you.

**Jack O'Connor, SIPTU and Congress Vice President**

Thank you Brian. Any further speakers on these motions. No further speakers so I am going to call the vote on Motion 69 in relation to Human Rights which was formally moved, all those in favour, all those against, abstentions. I declare the motion carried.

Motion 70 in the name of Derry Council of Trade Unions in relation to Palestine, all those in favour, all those against, abstentions, carried unanimously incidentally, delegates.

Motion 71 in relation to Columbia, all those in favour, against, abstentions. Carried unanimously again.

Motion 72 on the same subject in the name of Cork Council of Trade Unions, all those in favour, all those against, abstentions. I declare the motion carried unanimously again.

And now we have eight motions to deal with outstanding from previous days and I hand back to our President, Patricia McKeown to complete the agenda.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Jack. Sorry, this is where panic will set in. We are moving back, right back a couple of days ago to the points of the agenda where we were dealing with Motion 24 standing in the name of CPSU and INO and it is by way of a composite so I am pleased to invite CPSU to move Motion 24.

### **Noel Traynor, Irish Nurses Organisation**

Noel Traynor, Irish Nurses Organisation moving the motion and I will be brief enough on the basis that a lot of the of what I intended to say has been spouted all week and you know the story. The principle behind this motion is that of ensuring that there is an organisation Congress and the various unions remain in many ways oppositional and if we are going to build union strength, build solidarity, we have to show an alternative voice. We don't want to be labelled as the generation of trade unionists who have ended up acquiescing in the diminishment of terms and conditions of pay in this country. So, the issues in respect of the IBEC agenda which is being put forward by the chattering classes and those pop economists and freeloaders saying that you are lucky to have a job, well that is not acceptable. Having a job is a noble anticipation of what people want to do, so, what we are saying is that we have got to do it alternatively. We can't take, one of the speakers the other day talked about taking on that corporate speak and we do that at times, and we talk about providing services to members. Well as much as we do about providing services to members, there is an inherent responsibility of being a member of a trade union. You have responsibility to do that and you have a responsibility to your colleagues and to maintain the agenda. So, I will keep it brief but please support the motion.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much. INO to second.

### **Eoin Ronayne, CPSU**

Colleagues, Eoin Ronayne, Civil and Public Services Union. I had a long well thought out speech to deliver earlier in the week, I will spare you that out of deference that people want to get from Tralee back home after a very long but worthwhile week. This motion is at the heart of really of where we need to be if we are to take forward all of that we have talked about during the week. There is one element to it though that I think we shouldn't loose sight of and I think we in the CPSU, because of our campaign of industrial action currently, realise a significant growth in membership over that period. A one day stoppage which led to the changes in moderation in the pension levy brought in 15,000 members and delivered 98 per cent across Government departments. We shouldn't loose sight

of the fact that a well targeted industrial campaign is needed when employers break agreements. We have every legitimate reason to do so and it is one further tool along with the three mentioned in the motion that would help this movement grow and deliver on the agenda that we have set ourselves this week. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much Eoin. Speakers to motion?

**Noel Dumphy, MANDATE**

Noel Dumphy, MANDATE union. Just speaking on Motion 24, just a point I want to make, it is regards chapter 6 of Motion 24. There is one line in it about the right to join a union. That right to join a union is already enhanced in our constitution of Ireland, the Treaty of Rome and two or three high cases so I think that's half the battle. The problem which hasn't come up too much, it has come up to a certain extent in the conference but it is mostly at conference members' conferences, the right to representation. Now, down the years the right to representation seems to be treated as a property, a commodity that you can actually buy, sell and bargain with. Now, if we go back to the constitution of Ireland which supposedly guarantees all our rights, if there what you would like to call it a commodity, which is held by the Government. They seem to be the people saying that are saying that we can't have or you can have it or whatever. It is held in trust for the people of the country itself so a point I would like to make is that when Congress go forward to sit down with the social partners on structure, I think our attitude will have to change. That there is no point in having a structure there with IBEC saying yes you are partners and the Government saying yes we are with you if you don't give us full recognition. Now, as regards recognition I would at what was said earlier on outside of Ireland. We are a little island on the west part of the Atlantic. We should look outside. The United Nations guarantee you the right of representation, I think it was 1964. The Treaty of Rome guarantees you the right of representation. I think it should be made an international campaign, not a national campaign because I can't understand the reluctance, sorry I can see the way they look at it. It is just that they give you lip service. We will deal with you but we won't allow you to be represented. Please support the motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you. There are no further speakers. I would like to put Motion 24 to the vote. All those in favour please show, against, abstentions. That is carried.

We move to Motion 25 on the Establishment of a Forum on Social, Political, Community and Cultural Groups in the name of the Dublin Trades Council. Formally moved, formally seconded. Speakers? Agreed, wonderful, well done.

All those in favour of Motion 25 please show, those against, abstentions. That is carried.

We did conclude agreement on all the relevant sections of the report those motions were attached to. I would just like to go back to the previous debate and put to you Section 6 of the Biennial Report for your approval. Section 6 agreed on International. Thank you very much agreed.

Now, we move to the final section of the agenda where we have outstanding motions from yesterday and we start with Motion 61, standing in the name of Galway Council of Trade Unions on Lifelong Learning. Galway, thank you.

### **Tony Deffley, Castlebar Council of Trade Unions**

Tony Deffley, moving this motion. I am actually from Castlebar Council but Galway are not here and they asked me to move it on their behalf. This is a self explanatory motion. It is calling on Congress to take a leading role in relation to lifelong learning. And, if I could make so bold, President, I have to make one practical suggestion that will take a little time but not any money. And that is vocational educational committees have statutory responsibility among other things for the provision of education in this country. Those committees are being formed at the moment following the local elections and consist of directly elected people through the local authorities, two staff reps, two parents directly elected and then four co-opted people from interest groups within society. Sometimes those positions will go to nominees of the ICTU, sometimes. Sometimes those positions will be handed out to somebody who was perhaps unsuccessful in the election and that they want to give a little bit of access to thank them for their efforts with party over the years. Now I think that we would be well advised to contact the Department of Education, to contact the Government and say we will be putting forward nominees from the Trades Councils for these positions. These are series positions. We have a serious position and a serious commitment to lifelong learning. And because of that we don't want to see those positions flittered away on the pals and allies of politicians. We want to see at least one of those seats going to representatives of trades councils as has been the case in some areas around the country and has not been the case in other areas. Thank you President.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much. I have stopped the next speaker at least three times this week because I have cut the debate every time she tried to get up, so well done Fidelma, you got it.

### **Fidelma Carolan, UNISON**

Thanks a lot. Fidelma Carolan, UNISON supporting the motion. Lifelong learning changes lives. Ask Nancy in East Belfast, who when her kids were small would bring home their homework to look at, she would look at it and say, 'ah, that looks grand', and she would hand it back. She said she hadn't a clue. She looked at it and she didn't know whether it was right or wrong. She just handed it back and said that's grand. Nancy has just finished an English course through the union and employer and she sees her kids now as young adults bring letters and documents to her to have a look at. Ask Roisin, who had been a nursing auxiliary for fifteen years and loved it but left school very young, had very little and had done some training in work. She is now in the third year of a work based nursing programme because she got that second chance. And that experience that she is bringing to that role, she is going to make a fantastic nurse, a wonderful, wonderful nurse, such compassion and principals that she is going to bring to that role. Ask Roisin in Newry who always felt that because she had left school at fifteen, with as she said nothing, she didn't feel that she could even talk to colleagues about the work. She didn't think her opinions were valuable. She didn't think that she had anything to contribute because they obviously knew more than her because they were better educated. Having just qualified with an Open University qualification, she now that she goes in and she has opinions and it is not just the content of the course has given her a wider vocabulary, it is that she now feels that her opinions are valuable. It has given the confidence to feel that. I will leave you colleagues with a comment that was overheard in a house in North Belfast between a twelve year old and a ten year old, which went; 'sshh, Mammy is doing her homework'. Thank you.

### **Patricia McKeown, UNISON and President of Congress**

Thank you Fidelma. Are you speaking on this motion, ok, thank you. No further speakers on Motion 61. Now I put that to the vote. Those in favour please show, those against, abstentions. That is carried.

Motion 62, again by way of a composite, both ASTI and INTO on Education Cutbacks. Mover please.

### **Joe Moran, ASTI**

Thank you President and colleagues. Joe Moran, ASTI. We are moving this with the INTO and we are going to be very, very brief. Just two or three little points. We heard a lot this morning in this morning's speech about the credibility of

Ireland – our education is one of our most credible services and stands any international comparison. President Obama recently said that the future belongs to the nation, it is best to educate its citizens. And, David Begg points to the thresholds of decency, the concept of equality of opportunity in education is absolutely vital and our opposition to the cutbacks in education is really about that because a lot of parents cannot afford to provide a comprehensive decent education for their children and the state cannot simply pass back to burden to them. It is in all our interests to make sure that each child is looked after. Thank you very much.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much Joe. INTO to second.

**Maíre Ní Chuinnegáin, INTO**

Maíre Ní Chuinnegáin, INTO. President, delegates, I just wish to second Motion 62 against education cutbacks and I will only say two things. The first thing is that every child has a requirement, needs and talents and those can't be met in classes of twenty-eight, thirty or thirty-five. And, secondly, I just want somebody to explain to me how cutbacks in education promote a knowledge economy. If the Government really believes in the Smart Economy and the Knowledge Economy, I challenge them to invest in education not to destroy education. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you.

**Mary Ohle, ASTI**

Mary Ohle, ASTI delegate. I am a teacher in a special school, a school for deaf children. The education cutbacks that schools faces in September will have a devastating affect on an already underfunded system. The increase in class size and the reduction in resources will affect the most vulnerable students in our schools and will have a huge impact on the ability of teachers to meet the diversity of needs in even more crowded classrooms. In my school, classes are small and teachers are trained as deaf educators but we cost the Department of Education too much money so for them integration or inclusion is the cheaper option. But in my opinion, a deaf student in main stream does not have the same resources as a deaf student in a special school. This is not equality of opportunity. As mentioned yesterday by Fred Brown from the NASUWT on Motion 57, special schools are not offered as an alternative choice for special needs students. Sadly if all these special needs students are integrated or included by location only, that is they are physically present in mainstream schools but are denied the proper resources to give them a quality of access to



the curriculum and to develop their full potential. This situation will deteriorate further from next September. A dual enrolment exists in many countries such as Canada where special needs students are enrolled in both the mainstream and the special school providing a supportive system for both students and teachers. I believe that dual enrolment should be part of special education provision and would be a cost effective way of using existing resources to benefit special needs students. I urge you to support the motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Putting Motion 62 to the vote now. Those in favour please show, those against, abstentions. That is carried.

Moving to Motion 63 in the name of the Ulster Teachers' Union, Support Services for Education and Workers. Formally proposed and seconded. Thank you. Any speakers? Ok, thank you. Putting Motion No 63 to the vote, those in favour please show, against, abstentions. That is carried.

Motion 64, TUI on Access to Education.

**Annette Dolan, TUI**

Delegates, Annette Dolan, Teachers' Union of Ireland. Delegates, yesterday you heard about the National Skills Strategy, the plan with regard to increasing the number of places at further and third level education and we heard on Tuesday from Eamon Gilmore that the cost to the state of each unemployed person is €20,000. So there is a necessity to increase the number of education and training places because it makes economic sense. However, there are a number of restrictions, barriers and roadblocks preventing access to further education and third level education. There are willing students outside further education colleges and third level education colleges who have been made unemployed, who want to enrol in courses in September. The Department of Education put caps on the number of students that can enrol, there are places in the college, it is not about the fact that the schools or colleges are overcrowded but because of that artificial cap, the schools and colleges cannot take in the students. So we are asking the Government and we are asking ICTU to ask the Government to simply increase the number of places. There are members trying of ours in all of our unions trying to acquire skills to make them more employable and in *Towards 2016*, there is a commitment in relation to the removal of fees for part-time course so we ask that ICTU put pressure on the Government to carry out that commitment. Ironically, it seems to be going in the other direction but I think it is important in the climate that we are in. Restrictions are curtailing access to education at a time that such access is crucial. Currently if you become unemployed it is not possible to access further education and training without spending a period of time in the wilderness. For instance, if somebody is made unemployed today in Tralee and they want to do a course in a further education

college this autumn, they cannot do so because they have to be unemployed for three months before they can access the back to education allowance and the same is true of third level except it is worse. You have to be six months unemployed before you can access a training place. So if you are made unemployed in Galway last April, you cannot enrol in GMIT or in NUIG next September. You have to wait for another twelve months. And just briefly I want to highlight the detrimental effect that the moratorium on appointments is having on access on education and training. I ask you delegates to support the motion.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Is it formally seconded? Thank you. Speakers. Can we move to the vote on Motion 64, all those in favour please show, those against, abstentions. That's carried.

Now in the name of IMPACT we move to Motion 65, Equality of Education Opportunities.

**Peter Nolan, IMPACT**

Peter Nolan, IMPACT. Firstly President can I thank you for giving the opportunity to these delegates to move these motions. They are very important to the branches who contributed to the compilation of them and it is important that we are in a position to come back to them and report, so extremely grateful.

This motion is about social inequality in education. Our union set out a seminar earlier in the year to discuss this, I am going to respect the privilege you have given us, and I am not going to go to the detail. Some self evident facts that social class determines educational outcome, that educational outcome determines life changes, that the intervention supports to the educational system that allow the quality of life to people to fulfil themselves. And not just for that moral imperative but for the reality that spending in education as Annette has said is an investment and cuts in education will inevitably lead to increasing social disadvantage and it is for that reason we bring this motion to your attention. We want also to through Congress and through the education unions bring a reminder from our colleagues in the health sector that when you destroy the foundations of the health service, it takes an inordinate length of time to recover and we know in the health sector that it has not recovered from the position of the cuts in the 80s and why we must at this point ensure that the cuts do not impose on those who are most vulnerable. The reason I am most happy to respond in a truncated way to this and I want to give a very special thanks to David Begg for a bewildering address in response to the Taoiseach. And his singling out in particular of children with special educational needs will do far more to influence policy than my ten page speech that I had previously prepared. Thank you.

**Patricia McKeown, UNISON and President of Congress**

Thank you. Is there a seconder? Formally seconded. Speakers? Ok, thank you for that. We are now putting Motion 65 to the vote, those in favour please show, those against, abstentions. That is carried.

We now come to the final motion on the agenda, Motion 66 in the name of IFUT, Rationalisation of University Courses.

**Mike Jennings, IFUT**

Thank you very much Chairperson. As I know it's late, the motion is self evident, and I waive my right to give you what I am sure would have been a brilliant speech. Please support the motion.

**Jack McGinley, SIPTU**

Jack McGinley of SIPTU seconding the motion and I only have one point to make. Comrades, over 20 per cent of the affiliates of the Irish Congress of Trade Unions are involved in the third level education sector from teaching to general services to the crafts. I want to call here today for equality of treatment, comparity of esteem for the Irish Congress of Trade Unions in relation to representation in the sector of higher education. Recently the Irish Universities Association was consulted, had their legal people in and were entitled to make changes to draft legislation before it went to the Oireachtas. We got no sight of it. We weren't consulted, we were insulted, and I call on the incoming Executive Council to do something about this for once and for all and not to have our people treated in the shameful fashion that this Government treated us in relation to pensions. Go raibh mile maith agat.

**Patricia McKeown, UNISON and President of Congress**

Thank you very much. Speakers? Thank you. I now put Motion 66 to the vote. All those in favour please show, those against, abstentions. That is carried.

Is Clare Treacy in the room? I would like to call on Clare Treacy to give us a brief address on behalf of one of my favourite democratic structures, Irish Congress of Trade Unions' Women's Committee.

**Clare Treacy, Congress Women's Committee**

Thank you very much President. I have slashed the speech similar to the funding to all the women's organisations have been slashed. And, genuinely I

will only take one minute because I really am going to point out a number of important issues. On behalf of Tarin Traynor who is the joint chair of the Women's Committee, we met with 150 women trade unionists and a few enlightened men in Belfast to discuss how we, as the women's trade union movement, might respond to the crisis that we have. Now we decided that because the input from the speakers and the delegates was so important we put the report of the seminar on the ICTU website but really no one has really looked at it, so we would ask that people would look at it and I was going to take you through all the key points but the points aren't any different to what we would have expected. We know now that women are earning less, the gender pay which was stubbornly stopped at 15 per cent for ten years is now growing. We know that women suffer because they are in hidden employment, they suffer from unemployment without it even being noted and the women's poor pension coverage is an issue that was raised with much concern, with an unacceptable number of women without pensions and those that have pensions, they are a lot smaller than men's pensions. And this is going to mean that women will experience a high risk of poverty in old age. But there is only one real important point and it is a new point that I wish to make to you. In the UK there is an organisation called 'The Alliance Against Pregnancy Discrimination in the Workplace', and they have found an alarming increase in the number of pregnant women and new mothers who were being made redundant. The economic downturn has seen a significant increase of pregnant women being signalled out for redundancy and of women returning from maternity leave to find that their jobs are gone. They conclude, not surprisingly, that some employers are using the recession to break the law on discrimination. In 2005 the Equal Opportunities Commission in the UK estimated that 30,000 women lost their jobs every year as a result of pregnancy discrimination. That was in the boom time and we know that is increasing in a recession time. We know that 10 per cent of all cases with the Equality Authority in the South relate to pregnancy discrimination and this is also increasing. This makes the budget cuts to the Equality Authority more sinister. They will have a direct affect on pregnant women who are being discriminated against in the workplace. Colleagues, we simply cannot allow this trend to continue.

The next point I was going to make was about childcare. We raise childcare every single year at every single conference, yet, Ireland is the very lowest of twenty-one European countries with regards our public spending. This is also a disgrace and an issue that has to be dealt with.

I was going to talk about how the recession is caused by men but in fairness Martin McGuinness said the recession was caused by men so we depending on the men to fix it as well so I will just skip right through that.

I will on behalf of Karen and myself finish up by saying that it is absolutely important that we ensure that this recession does not become the creator of further gender inequality in Ireland and we would like to sincerely on behalf of the

offices of the Women's Committee close by thanking David Begg, Sally Anne Kinahan and Peter Bunting for all their assistance towards the committee and particularly David Joyce and Pauline Buchanan who work tirelessly with us to keep the equality agenda alive.

And finally, I couldn't come here and speak about women's issues without paying a very special tribute to the President, Patricia McKeown, who is an absolute champion for equality and who is one of those very rare and special people who willing to make themselves temporarily unpopular if necessary in pursuit of people's human rights. We in the Women's Committee have the utmost respect Patricia and we sincerely thank you for your inspiration and enthusiasm. We congratulate Jack O'Connor, Patricia and Eugene and look forward to working with them over the next couple of years. Thanks very much.

### **Patricia McKeown, UNISON and President of Congress**

Thank you very much Clare. One of the things I had hoped to do during my Presidency was to secure a very special acknowledgement of the work of the ICTU Women's Committee. It won't happen while I am President, I am hoping Jack will indulge me, but I have secured an invitation from the President of Ireland, Mary McAleese, who will honour the ICTU Women's Committee in November of this year in Áras an Uachtaráin.

Now to more mundane matters. Tony Deffaly, Pdraig McKenna, Eunice McCarthy, if they are not in the A&E Department of the local hospital, we do have their medical results up here, so if they are still around, otherwise Seamus has just moved remission.

Ok, thank you. We are nearly at the Closing Ceremony but before we go there and I hope he is in the room, we have had a number of tributes paid in the course of this week to really stars in the trade union movement who are with us at their last conference or who have just left us on their last Executive Council and I want to echo every thing that has been said by those who have paid tribute to them but I do at this stage want to single out someone in particular, someone I have worked with very closely for a long number of years, someone who is the current chair of the Northern Ireland Committee of Congress and I know from my own experience that that can be an onerous task and is the current General Secretary of NIPSA, John Corey. John knows that Unison and NIPSA are sister unions who very often engage in sibling squabbles, usually not about issues of import, much more about style and approach but the truth of the matter is that we have far more which unites than which we ever had to argue about. And we know that in the future just like all of our sister affiliates in the Republic of Ireland we are going to be facing enormous challenges. That union has proudly had a leader who has been courageous, extremely courageous in the last number of years and working with him in his capacity as Chair of the Northern Ireland Committee of Congress and I like to think that we may have done just a little to move the

agenda not just in the North but the agenda North and South forward. It is John's last Biennial Conference. We will have the pleasure of seeing him chair the Northern Ireland Biennial Conference in 2010 up in Derry but on behalf of me, UNISON and all the delegates here John, I want to say thank you for everything you have done.

Now, I call on the General Secretary to commence the Closing Ceremony.

## Closing Ceremonies

### David Begg, General Secretary of Congress

President, I just wanted to say a few words of thanks to a number of people. First of all if I may to all my colleagues who are here from Headquarters and the Secretariat of Congress for all the work that they have done during the week and indeed in the run up to the organisation of the Conference. A huge amount of effort goes in, this thing doesn't happen by accident as I know you all know in terms of running your own conferences. In particular I'm sure they will forgive me if I single out Eileen Sweeney who is the person with responsibility for organising Conference, who does a magnificent job and truth be told as everybody really knows, she is General Secretary of Congress, I am just a front man really. So, my thanks very much to them all.

Can I thank particularly the Chairman of Standing Orders and his committee for the work they have done during the week. I think the conference has gone exceptionally well in organisational terms and these things have a good bit to do with chemistry and I think the very reasoned way that Michael explains the decisions of Standing Orders, it doesn't invite confrontation or anything else. People accept that he is acting in a very transparent, open and honest way and it is a rare skill, I just want to thank him for that and he has organised many conferences for us now and I am very, very grateful to him for that.

I want to thank the staff of the hotel. They had fulsome tributes paid to them last night by Joe O'Flynn but I would like to echo that. They are members of SIPTU and they do us proud every time we come here. You I always find this hotel, I come in here maybe once a year on average I suppose over the years, and no matter when you appear in the reception you always get a very friendly welcome from them and it is just an unique kind of a place and I hope to God that it stays in existence and remains with the character that has at the moment, that kind of unique hospitality and it shows you what can be done with unionised workers and people who are really committed to their profession.

Can I express my thanks to the Officers and the General Purposes Committee of Congress who have had a hard job really over the last couple of years. It has been a very difficult time and they have put in an enormous amount of time and effort and I want to thank them for the work they have done and indeed the Executive Council. And, I want to again echo what Patricia said about the retired members of the Executive and people who are leaving us now who have given sterling service to the trade union movement. These are absolutely unique people with whom, of course apart from the professionalism and their commitment to the movement, people who have become very close personal friends. There is no value you can put on that, it is absolutely unique and I thank

them and I thank all the other members of the Executive Council, many of whom are coming back again this year.

I want to say a special word of thanks to Patricia as President with whom I have worked very closely with. Patricia had an unenviable task really, I don't know that anybody on their watch has ever had such series of events happening together to confront, but she has done it very ably and well and has been very deeply and actively involved in all the affairs of Congress over the last two years. It couldn't really be said, I think of Patricia and myself, that you could just put a thin sheet of paper because we both believe but at the same time, we have got on very well and I want to say that I regard her as a very deeply committed and principled trade unionist with whom it has been a very great privilege to work and thank you very much Patricia.

I congratulate Eugene and Patricia King who are elected as Vice Presidents and we will be working very closely with them and look forward to that and of course I particularly look forward to working very closely with Jack who is has become a very close personal friend over the last few years. I think I first came across Jack at a conference of his own union in this hall when he was Vice President of SIPTU at the time and I was sitting at the back of the hall watching the proceedings of conference for a while and I quickly realised that he enjoyed a very unique relationship with his members because they trusted him, simple as that. They trust him absolutely. The possibly don't always agree with him but they trust him entirely and absolutely to do the right thing for the trade union movement. We are very lucky in Congress in having somebody of that calibre to lead us in these difficult times.

And, lastly, colleagues I want to thank all of you who have been here this week for the quality of your contributions, for the civility of your debate and for your general conduct which is reflected I think, great credit, on the Irish labour movement and it has been a very important and very important and very good week. We will build on this. No matter how difficult the years ahead, it is a very good platform upon which we can manage to deal with whatever confronts in the future, so thank you very much again.

### **Jack O'Connor, SIPTU and Congress Vice President**

Thank you Dave and now delegates I want to call on Peter McLoone to move the vote of thanks to our President, Patricia McKeown.

### **Peter McLoone, IMPACT**

Thanks very much. It is a great pleasure to be asked to move a vote of thanks to Patricia, our outgoing President and on behalf of the Conference to express our appreciation for the quality of leadership you provided to the General Purposes



Committee, to the Executive Council and to the entire trade union movement during what, as David said, has surely been the most turbulent and challenging period than any ICTU President has ever experienced. Your commitment to the All Island economy during this period will, I think, be a lasting legacy and I was very pleased that that work was acknowledged in the Taoiseach's contribution to the conference this morning.

Your excellent address on Tuesday set the right tone for the conference and the theme that you choose 'Ceasing the Moment' presented with great clarity the approach that must continue to inform our response to meeting the many challenges and threats that trade unions face every day. Your address was also strong in your support for workers at home who are currently under attack and striking in its compassion for people abroad who are oppressed, reflecting I think one of the qualities that we most admire about you and your very strong conviction that the Congress and its affiliates consistently act as part of an international trade union movement constantly reaching out to support trade union members around the globe and putting the theme of this conference 'Building Solidarity' into practice.

I had the privilege of being with you in Israel and the Occupied Territories, a delegation that you led with great dignity, and I know how tirelessly you have worked to promote the cause of the Palestinian people and the efforts you have made to force Governments to face up to their responsibilities to find a just and fair solution to that problem.

It has delegates been a successful conference and I think delegates will agree that as President you handled conference with kindness and understanding and gave us all the opportunity to give expression to the thoughts that we were sent here to deliver. And the best tribute I can pay to you Patricia is to say that as long as we have people of your calibre, passion and commitment in our ranks, the trade union movement will prevail. Thank you very much and I move the vote of thanks.

**Jack O'Connor, SIPTU and Vice President of Congress**

Thank you Peter. And now delegates I want to call on Noirin Greene to second the vote of thanks.

**Noirin Greene, UNITE**

Thank you. I am actually going to be brief because I learnt my lesson this morning after the drummers when the red light went on. Delegates, and distinguished guests, it is a great honour for me to be asked by the Executive to second this vote of thanks to the outgoing President, Patricia McKeown, especially as it affords the opportunity, a very rare one indeed, for one Belfast woman to commend another.

My colleague, Peter McLoone has already thanked Patricia on our behalf for her outstanding role as President, both here in Ireland and as our Congress ambassador on the international stage. On your behalf conference, I want to also thank Patricia for her persistence in encouraging women to become active at all levels of the trade union movement. As many of you would know, Patricia and I go back a very, very long time both as colleagues, comrades and trade union friends. But, did we ever think Patricia, who back in the eighties, when we were the only two women on the Executive of Congress, that today we have elected ten women to that esteemed body.

And, on a very light note delegates, I overheard a conversation the other night as you do when you are going around various places after hours or should I say after conference, and the conversation was between two male delegates and one of them with great authority described Patricia as a 'gutsy wee Belfast woman' and I particularly like that. I think that was very accurate because as a comrade and friend I have been in many situations with Patricia where I was astounded by her bravery and as a matter of fact I thought she was a bit too gutsy especially when we were in Palestine delegates but I think that is another story.

Again I thank you Patricia on all our behalf for your vision and courage for pursuing an egalitarian society for all on behalf of this great movement of ours. I thank you and I move to second.

### **Jack O'Connor, SIPTU and Vice President of Congress**

Thank you Noirin. And now I want to invite our President, Patricia McKeown to respond.

### **Patricia McKeown, UNISON and President of Congress**

Thank you. Delegates, thank you very much David, Peter and Noirin for your kind words. I always think that at times like this it is very hard to recognise yourself through the eyes of other people especially when they say such generous things but thank you.

I was reflecting on what had happened since you elected me President two years ago at a time when we had just secured the restoration of our devolved Government in the North. We had a buoyant and indeed the second fastest growing economy in the Republic in Europe. We had a social partnership. Today we have got near economic collapse in both jurisdictions, partnership teetering on the edge and I thought that if nothing else my presidency has been effective. I know in this role I stand on the shoulders of giants and the presidency of Congress is an office I view with very deep respect. It is an honour for me to be have been second woman President. I learnt much from the first, my sister Inez

McCormack. I sincerely hope that it will not be a long time before there is a third woman President and whatever I have to do to make sure that happens, I will.

But, I have only been able to get through the last period of time which when I counted it up has actually been eight years consecutively as the Vice Chair then Chair of the Northern Ireland Committee and then Vice President and President of Congress, and luck would have it, it was eight years encapsulated into seven, there was an overlapping term there, and I was only able to get through that for a number of reasons and with the support of a number of people. And, the first and most important support came from the man I love, Harry Hamilton, who is sitting at the back there, who puts up with one hell of a lot and I never quite understand why. So, thank you Harry. And the second has been an extraordinary woman, I am her fault that is my mother, Sarah McKeown back there who not missed an anti-war demo, who has not missed a pro-Palestinian demo, who hasn't missed an ICTU demonstration in the last decade and I thank you for that mother. And I am very proud to have my brothers, Terry and John and my wee sister, Caroline with me. It is wonderful that the family has had, I think, the first opportunity for us all to be together at such an occasion in this great movement of ours. It has been a wonderful pleasure for me throughout this week. I have also got, if any of us every had got married in my family, she would have been my sister-in-law Catriona, but none of us ever bothered, and it is lovely to have Catriona with us as well.

I wouldn't have been able to do what I did were it not for the great understanding and tolerance of the members of Unison, the activists in Unison, the staff of Unison, this extraordinary delegation which did me proud in the course of this week and most specifically Pamela Dooley, who has acted as my deputy, my dogsbody, my backstop the whole way over the last not just two years but four years, thank you Pamela, Thomas Mahaffey our Policy and Research Officer who without him I do not know where I would be half the time, thank you very much Thomas. But, most of all with our activists, and I know it is invidious that you pick people out but Mary Ferris is sitting over there and Mary has just retired as National Executive Council member of Unison, a really big organisation and to be on that Executive Council is a big deal and I just think it is such an achievement for a woman who spent the most of her working life as a night shift, part-time domestic in the Royal Victoria Hospital, well done Mary, you are one of my heroes. And, the only other one I would pick out would be Ann Donnelly, who is our joint convenor. Unison shares everything on a gender basis that is a lesson many could do well to learn. Ann just left for Derry, again, a Special Needs Classroom Assistant who leads her union in the North of Ireland and for all of those women, it has been a great sacrifice and a struggle and I have been very proud to be part of their lives. And, as I said to them last night, I have the privileged to have been paid to do something I love and believe in and I never forget every day of the week that I have that privilege and I am very honoured.

In my Presidency I have had tremendous support from the team in Congress, both north and South. The person I have worked closest with and I want to pay a special tribute to him is Peter Bunting. Peter and I fight the place out but he never forgets that his mammy was one of my shop stewards when I was branch secretary and I never forget that he is her wee boy and he believes as passionately as I do, so thank you Peter and your team. I want you to say thank you to the whole team in Belfast.

David, I am so proud of what our General Secretary did today, I think it is astounding. And with the tough times we have ahead and with the leadership David has shown we can and we will get there. I want David for you to also pass on my very deep thanks and best wishes to the whole of the Congress team in Dublin. I suppose again it is invidious to pick any one out but I will pick two, two women. You have already mentioned one of them, Eileen Sweeney, Eileen is an absolute tower of strength and thank you Eileen for everything you have done for me in the two years. And, although she has retired the woman I think who kept Congress ticking over, I am sure it is much the poorer for her, Liz Atkinson, who not only made the tea but ran the show.

And I want to say a very special thank you to Jack and Patricia as the Vice Presidents. I had all sorts of great ambitions as to how I could do it all. I do think it is particularly difficult for a Northern President. I had days when the Minister for Finance in the North wanted the meeting with Congress on the Budget and the Minister for Finance in the South wanted a meeting with Congress on the Budget on exactly same day and it was like that many, many times over the last two years. And, of course, when crisis talks started then both sets of Governments wanted to have crisis talks with the Congress. So, I did discover that the Belfast to Dublin bus runs twenty-four hours a day and all through the night. And that was a great discovery because it did mean that sometimes I actually get home albeit on the 2am bus. But if I have one plea about how business is done in the future, it would be for a family friendly approach to talks in Government Buildings. But I have to say that good things have been said about me but really Jack and Patricia bore the brunt and strain of an awful lot of those intensive talks, particularly over the last few months.

I had the honour to go and represent the trade union movement in places like the ETUC and the ICFTU and that was a great privilege for me to do that because I do honestly believe in the international perspective of our trade union movement and I think that we are highly respected because of the way in which we have served oppressed people around this planet throughout our whole history. Last night I was so deeply pleased in Jack's address at the SIPTU event to understand from him that he is as dedicated to this work as I have been and that he is pledging to take it forward and I think that will be to the benefit of everyone in this movement.

I have a couple of final things to say. I have probably left really important people out and I am so sorry if I have done. The first is something that has been said in other rooms but should have been said in the main Congress, ASTI and SIPTU, happy birthday. You have to be so proud of the fact that you get to be 100 years old, considering the struggles that those unions have been through over the last 100 years and to come to a 100 birthday and know you are bigger and you are stronger than you ever were. That is a wonderful sense of achievement so well done both of you.

And, the final, bear with me. When I was eleven years old my father told me that I could be anything I wanted to be. He mentioned engineer, he mentioned lawyer, personally I thought astronaut. And I thought that he was a typical Irish daddy of his generation and boy did I get a shock when I found out that he wasn't. That what he aspired for me was not what many men in Ireland aspired for their daughters. But I did enter the world of work and I remember the day I came to him and my mother to tell them that I was going to have to resign, I did it on the roof of the BBC. I was going to have to do it because the rights organisation I worked for, the old Equal Opportunities Commission in Northern Ireland, was failing in its duty to women, and I had to talk it over with him because I was going to be on the dole and I needed the support of my family and my father explained to me that in his view it was a toothless tiger anyway as I was doing exactly the right thing and I would have his backing. And that meant so much to me. My second major conversation in this respect I had with him was the day I came home to say to him that I was going to be a full-time union official. And no matter about the thoughts of engineers or lawyers or anything else, my father was walking on air with pride. I think he would be tremendously proud today. One of his good friends and colleagues, JJ Murphy has spoken to me a couple of times this week. My dad absolutely believed in the trade union movement. Many is the time he went on strike. There weren't too many TV engineers in his day so many is the day he got his job back but I want to dedicate everything that I have done to Charles McKeown, my dad. Thank you.

Thank you all of you. It now gives me the very great pleasure to call on our incoming President, who has such a mighty challenge ahead of him, will you all give me a wonderful thunderous round of applause for Jack O'Connor

### **Jack O'Connor, SIPTU and Incoming President of Congress**

Thank you Patricia. I have one small duty to perform before I do anything else. I want to make a little presentation to you from me in acknowledgement of your presidency. I didn't know what was the most appropriate thing but I came up with this An Post Stamp which was issued on 1<sup>st</sup> May with Jim Larkin displaying raised arms in acknowledgement of my union's centenary, and I thought it might be an appropriate way to express my appreciation of your presidency and the legacy that I am inheriting from you.

Now, I had intended to deliver a 20 minute address but given that the time allowed under Standing Orders has expired by 6 minutes, I am going to ask you to bare with me if you will for one or two minutes.

I want to take the opportunity to express my own appreciation and that of my union for the honour that the affiliates have conferred on me in electing me to the office of President against the background of the most serious crisis that has befallen our economy on this island since the 1930s. I owe you all a debt of gratitude for that! But I do know that the excuse given was it coincided with our centenary, but, on the matter of centenaries, I want to echo Patricia's sentiments in saluting the ASTI who are also celebrating their centenary this year. And I wondered after all the good things that were said about Patricia what I could possibly say other than to point out that when we were leaving Bundoran the worst thing that we could foresee was the weather. But the weather actually improved immediately following Patricia's election and I note that, and I looked out this morning, that it started to rain again after a very fine week. I just offer this plea in my own defence and whatever else is said me I don't think I could be accused of opportunism for assuming this office at this point in time. There are one or two things though what Peter said about Patricia's presidency about the way in which she fought and fought and fought to impose trade union influences on the unfolding All Island stories, which is entirely consistent with the character of our movement. And, I want as well to acknowledge the role she played in highlighting issues in the context of international solidarity, particularly in relation to Palestine. Probably in a world of a myriad of injustices, the greatest injustice that is being inflicted and has been inflicted since the Second World War. And, I want to reassure you delegates that insofar as I can and insofar as I am able to do it, I am going to try to ensure that that legacy is well served during my presidency of this Congress.

But we make our own history in our own domestic situation and the economic crisis that is unfolding in this island in the context of the most serious crisis global capitalism has experienced since the 1930s is truly horrendous, particularly in the South. And one of the great ironies I think when you study it carefully of the way things are unfolding is that we are confronting it under a centre right Government which is employing precisely the same principled outlook that caused the problem in the first place which brought about the prioritisation of speculation over sustainable capitalism, the consequences of that crisis, and to deal with it in a way that imposes the lion's share of the burden on working people and those least able to carry it. And without re-echoing some of the sentiments expressed so eloquently by David earlier, I just want to reiterate the point that we recognise that overcoming that challenge entails a sustained national response. But what we recognise and the Government and the employers don't, but they will learn, is that that can only be constructed on the basis of a platform that reflects the interests of working people and the great majority of men and women and their families in this society of ours. And that was why we outlined in this Congress the response we outlined in the form of the Social Solidarity Pact, in the form of

the 10 Point Plan but also in the ballot that many people forget for a mandate to engage in a campaign of sustained industrial action in the absence of achieving that. I am acutely aware, most acutely aware delegates of the degree of disillusionment among our members and working people as to our response to the way in which they have been attacked to date. Indeed, it actually struck me when David was paying that kind complement to me earlier when he referred to that conference he was at after I became Vice President of our union, where he discerned that so many people trusted me so much, but that conference took place nine years ago and I am not at all sure that were that conference to take place today in the light of the events of the last few months that people are at all as confident in any of us. And, that is a reality we have to be acutely aware of. But I want to say this, I want to say that we must understand, all of who have been spending all of our lives on the front tires of the conflict zone between capital and labour, that this is a marathon, it is not a sprint delegates. And the issues confronting working people, particularly in the South but in the North as well will not be overcome by a few walks around town nor for that matter by the riots which seem to have captured the imagination of the Minister for Finance. But they may well face if they don't soon learn the necessity of a social solidarity pact, they may well face a sustained relentless campaign of industrial action that will go on day in day out, week in week out and it may extend to year in year out. And I think that ultimately if they push it too far we will find ourselves with no alternative but to show them that we still have the capacity to do that if the necessity arises not that we relish it because we will take immense punishment but we will inflict it was well if the necessity arises. And I am determined, absolutely determined delegates, to ensure that no group of workers are isolated in the current context and that is why we rush to support our colleagues in the TEEU when talks broke down in the LRC last Saturday, and to declare our unequivocal support for them. But I want to say as well delegates that I am equally determined, absolutely determined, to try to forge an agreement that reflects the interests of working people that protects them as best they can be protected and that respects their entitlements to dignity at work. And in that regard there is as we all know there is a considerable distance to travel. And despite the Taoiseach's remarks earlier the reality is that his Government has failed to honour solid commitments in two agreements over the last three years in relation to nine separate pieces of employment protection legislation. And I have to say that without wishing to sound too acerbic, that the exercise of persuading the heads of Government in all of Europe to sign on to a solemn declaration prioritising workers' rights ranks as a monumental act of hypocrisy in the context of that reneging on those nine pieces of legislation. And I am conscious that I am assuming the office of President here of this Congress with its immense tradition of working people's solidarity and struggle at a time when, as Patricia King pointed out yesterday, ten of our members are today picketing the offices of the Minister for the Environment in the Custom House because they have been dismissed by reason of the fact that another contractor won the contract that their employer had and that the current contractor, quote, 'doesn't do unions', unquote. And I am acutely aware as well that imminently that this Congress will

be considering an application for an All Out Picket in Dublin Docks against a company called Marine Terminals, which has set about trying to systematically smash the union and impose mass dismissal and I am aware as well of the presence here in this hall within the last few days of members of my own union employed by Mr Bin Man, a waste disposal company in the South East who have been on strike for seven weeks in order to assert the right to participate in collective bargaining, a right that is enshrined in the Charter of Fundamental Rights which will become a constituent element of the Lisbon Treaty which the Taoiseach urged us to ratify, if it is ratified, but which his Government refuses to commit to domestic legislation if in fact it is ratified, notwithstanding the fact that a few miles up the roads in the other jurisdiction, workers at least enjoy that particular right. I was stuck by two events which I think in the fullness of time will be seen as the most important events which took place this week, neither of them were the subject of emotive debate, but they were these. I heard the leader of the Labour Party address this conference and commit to ensure that in the event of that treaty being ratified, his party in Government would insist on the right to collective bargaining being enshrined in domestic legislation here and as well as that we passed Motion No. 19 envisaging a Commission on our Trade Union organisation, because as we all know were we prepared to admit it delegates, that we are not well equipped to pool our resources, our structures, our organisation or our cohesion to discharge the obligations we are faced with discharging on behalf of working people on this island during this current crisis. And the day in which it was a good idea to address these issues is gone. It is now imperative that the question of building a powerful trade union and labour movement is addressed and addressed immediately. And, unless we address those questions, painful though they may be, all our emotive debates, all the fine oratory, all the passion emanating from this conference amounts to little more than aspiration. Our obligation is turn those aspirations that we resolve to promote into reality through developing a cohesive organisational strategy and building a powerful trade union and labour movement. Anything else is nothing short of renegeing on the proud legacy, on the proud heritage of those men and women so long ago, those courageous men and women who made such sacrifices to build our unions, to keep them in existence and to build this Congress. And I want to ensure with ever morsel of my being, I want to ensure comrades and friends that we are not the generation that ultimately renegeed on that legacy. And I want to assure you that these issues will receive my full attention over the next two years and I look forward to working with the incoming Executive and I acknowledge the departure of some who had so much of their experience still to contribute. But, those of us who have been elected now have been placed on the watch and as Esther Lynch, who is on the platform here, often say this is our watch it is down to us. And I intend to work actively, energetically and determinedly with the incoming Executive, with the other officers, Joe O'Flynn, Patricia King and Eugene McGlone and our General Secretary, David Begg who is by far and away the best person, the best person in the country to lead us through this crisis, and I want to assure you as well that I will be doing everything I can to ensure that the interests of every affiliate and



every member of each affiliate are upheld by this Congress. That's my reassurance to you that is as much as I can committee. That's what I intend to do and in that regard I close the conference, I wish you safe home and I wish you good luck with your work on behalf of the working men and women of this island. Thank you very much.

**END OF CONFERENCE**

## **Irish Congress of Trade Unions**

### **Biennial Delegate Conference – Tralee 2009**

#### **Standing Orders Committee Report Number One**

##### **Times of Sessions**

1. Conference sessions will commence at 09.30 hours each day from Tuesday 7<sup>th</sup> July to Friday 10<sup>th</sup> July. Conference will adjourn for lunch at 13.00 hours each day Tuesday to Friday and will resume at 14.30 hours each day except Wednesday 8<sup>th</sup> July and Friday 10<sup>th</sup> July.

##### **The Election of Officers and Ordinary Members of the Congress Executive Council and the Congress Standing Orders Committee.**

2. The Standing Orders Committee notes that Congress has received nominations for the Officer positions as follows: One nomination has been received for the position of President and Jack O Connor is therefore deemed elected. One nomination has been received for the position of Treasurer and Joe O Flynn is therefore deemed elected.
3. Three persons have been nominated for the two Vice-President positions. It is noted that the Congress Constitution requires that at least one Vice-President be a woman. Since only one woman has been nominated as a Vice-President, Patricia King is deemed elected. An election, using the single transferable vote system, will be held between the two other candidates for the remaining Vice-President position.
4. The Standing Orders Committee notes that both of the candidates nominated for the position of Vice-President are also candidates for election as an ordinary member of the Congress Executive Council. The person elected Vice-President cannot be a continuing candidate in the election for the ordinary members of the Congress Executive Council. Therefore, any ballot paper which shows a preference marked for the person elected as Vice-President will be ignored and the next preference shown on the ballot paper will be the operative preference for purposes of the election of ordinary members of the Congress Executive Council. Thus, for example, in the case of a ballot paper which shows a No.1 Preference for the person elected as Vice-President, a candidate on that ballot paper who is shown as receiving a No. 2 preference will be deemed to

have received a No.1 preference and similarly for lower preferences. It will be necessary therefore for the Scrutineers to count the ballot for Vice-President first and in light of that result proceed to the election of the 30 ordinary members of the Congress Executive Council.

5. The election of the ordinary members of the Executive Council will be conducted using the single transferable vote system. The Congress Constitution requires that this election must result in the election of at least eight women. In the event that the outcome of the election of the 30 ordinary members of the Executive Council results in less than eight women being elected then the following procedure should apply: The last man to be “elected” amongst the 30 should be replaced by the last woman to be “eliminated”. In the event that this does not result in eight women being elected then the second last man to be “elected” should be replaced by the second last woman to be “eliminated” and so on until the minimum requirement of eight women members is met.
6. The Standing Orders Committee notes that Congress has received one nomination for the position on the Congress Executive Council reserved for a person to represent Trades Councils, therefore Eric Fleming is deemed elected.

On the 26<sup>th</sup> May 2009 Congress received by email a notification from the Cork Council of Trade Unions that it wished to nominate Colm Cronin to contest the seat on the Congress Executive Council reserved for Local Councils of Trade Unions. As the deadline for nominations had passed and no reason was offered as to why the Cork Council of Trade Unions could not meet the deadline, Standing Orders rules that Colm Cronin is ineligible to contest the election.

7. The Standing Orders Committee notes that Congress has received seven nominations for election to the Congress Standing Orders Committee. The unsuccessful candidates will be substitutes.

### **Ballot Papers**

8. The arrangements for the exchange of credential stubs and the issuing of voting cards and ballot papers will be as follows:
  - Credential stubs will be exchanged for voting cards during the conference proceedings on the Tuesday afternoon and Wednesday morning. Each delegate must personally exchange his or her credential stub for a voting card.

- Ballot papers for the election of a Congress Vice President, the Congress Executive Council Members and the Congress Standing Orders Committee will be issued from 9.30 hours to 12.30 hours on Thursday 9<sup>th</sup> July 2009.
- Each union will be asked to nominate a principal delegate who, in exchange for the voting cards, will collect the ballot papers from a Polling Station away from the main conference hall.
- On completion, ballot papers should be returned to the sealed ballot boxes in the Polling Station by the individual delegates or by the principal delegate in accordance with union practice, before 13.00 hours on Thursday 9<sup>th</sup> July 2009.

### **Motions and Amendments**

9. The Standing Orders Committee has examined the motions on the preliminary agenda and the amendments submitted by affiliated organisations.
10. At the request of the Executive Council the Standing Orders Committee has where possible and with the agreement of the affiliated organisations concerned attempted to composite motions where the motions submitted were of a broadly similar theme or had similar objectives. The final agenda contains 5 composite motions and these motions will be taken as per the timetable set out in the final agenda for conference. Standing Orders recommends that each of the sponsoring organisations in whose name the composite motion stands be afforded same speaking rights as the proposer of a normal motion before conference.
11. The Standing Orders Committee has considered the motions and amendments which have been submitted by affiliated organisations. Standing Orders finds that:

Motion No. 23 entitled "*Observer Seat on Executive Council for Youth Committee*" submitted in the name of the Limerick Council of Trade Unions **is ruled out of order** as the facility exists in the Congress Constitution that allows any affiliated organisation to propose a motion to amend the Congress Constitution and it is proper that if an affiliated organisation wishes to propose a motion seeking to change the Congress Constitution they should avail of this facility, by proposing a motion specifying the change they wish

to see made and the precise amendments required to achieve this change.

12. The Standing Orders Committee also wishes to draw the following to the attention of delegates and affiliated organisations:
  - a) Motion No. 36 entitled "*Economic Recession and the Need for Fundamental Human Rights*" submitted in the name of UNISON - it should be noted that the motion demands that Congress achieve particular objectives and that the achievement of these will require the active participation of Governments North and South which may or may not be forthcoming.
  - b) Motion No. 67 entitled "*European Court of Justice Anti-Trade Union Judgements and the Lisbon Treaty*" submitted in the name of Rail, Maritime and Transport Union - the Standing Orders Committee would point out that because of the ratification by the British Parliament of the Lisbon Treaty, the issue of the position of Congress on ratification in the Republic of Ireland should not, strictly speaking, be a matter for consideration by a Congress BDC. However, because there is no facility within the Constitution to provide for a Special Delegate Conference to consider this matter, the Standing Orders Committee cannot rule this motion out of order. The Standing Orders Committee, in allowing the motion to stand is doing so on the basis that in coming to any final decision on the position of Congress in respect of a second referendum on the Lisbon Treaty in the Republic of Ireland, the Executive Council will take account of the debate and the decision of Conference on this motion.
13. The Standing Orders Committee rules that all other motions and amendments on the Final Agenda are in order.
14. The Standing Orders Committee requests that affiliated organisations would ensure that only one speaker from their organisation speaks on any motion save a motion standing in the name of their own organisation.

### **Suspension of Standing Orders**

15. In the interest of orderly and effective conduct of business, the Standing Orders Committee draws the attention of affiliated organisations to the provisions of paragraph 12 of Standing Orders.

“A motion to suspend Standing Orders must be submitted in writing to the Chairperson by the proposer and seconder who are delegates to conference. It must specify the Standing Orders to be suspended and the period of suspension. It must state reasons of urgency and importance, and if the suspension is sought for the purpose of giving consideration to a matter not on the Agenda, the reason for not submitting such matter by way of Motion in accordance with Standing Orders.

A Motion to suspend Standing Orders may not be adopted except (a) with the permission of the Chairperson and (b) with the consent of two thirds of the delegates voting on the Motion.

The Chairperson, before giving his/her ruling, may at his/her discretion consult with the Standing Orders Committee.

### **Conference Sessions**

16. Time periods have been allocated for specific topics in the appropriate section of the Executive Council Report. Related motions will be taken during these time periods. If there is time left over after the completion of the specified business, Conference will proceed to deal with other business.

The Sections of the Executive Council Report and the motions on the Final Agenda will be taken at the time given in the Timetable of Business.

Motions have been grouped and votes on the Motions will be taken as indicated in the Timetable of Business.

### **Fraternal Addresses and Guest Speakers**

17. The following people have been invited to address conference:

Mr. Eamon Gilmore TD, Leader of the Labour Party, will address conference on Tuesday 7<sup>th</sup> July 2009 during the morning session of conference.

Mr. Tarsicio Mora–Godoy, President of CUT Colombia will address conference on Tuesday 7<sup>th</sup> July 2009 during the morning session of conference.

Mr. Sheila Bearcroft, President of the TUC will address Conference on Wednesday 8<sup>th</sup> July, 2009.

Mr. Grahame Smith, General Secretary of the STUC will address Conference on Wednesday 8<sup>th</sup> July, 2009.

Mr Mike Mansfield, General Secretary of the Wales TUC will address Conference on Thursday 9<sup>th</sup> July, 2009.

Mr. John Monks, General Secretary of the European Trade Union Confederation. John will address conference on Friday 10<sup>th</sup> July 2009.

18. The Executive Council have invited speakers from the Congress Centres Network, from the Congress Retired Workers Committee, from the Congress Women's Committee, from the Congress Youth Committee and The Congress Disability Committee to address conference.

The times at which the guest speakers will address conference will be given in Standing Orders Committee Report No. 2.

**Irish Congress of Trade Unions**  
**Biennial Delegate Conference – Tralee 2009**  
**Standing Orders Committee Report Number Two**

**Guests and Fraternal Addresses**

1. In addition to the fraternal addresses listed in paragraph 16 of Standing Orders Committee Report No. 1, Mr Terry O'Brien, Chairperson of Tralee Town Council will address conference on Tuesday 3<sup>rd</sup> July during the morning session and Mr Con Casey, Secretary of Tralee Trades Council.
2. Mr Luis Alberto Vanegas, Director of the Human Rights Department of CUT Columbia will replace Mr Tarsicio Mora-Godoy, President of CUT Colombia and will speak at 12.45am on Tuesday 7 July.

**Address by Deputy First Minister, Martin McGuinness**

3. Mr Martin McGuinness, Deputy First Minister has accepted the invitation of Congress to address conference. The Deputy First Minister has indicated that he is available to address conference at 10.30am on Wednesday 8 July.

**Address by An Taoiseach, Brian Cowen, TD**

4. An Taoiseach Brian Cowen, TD has accepted the invitation of Congress to address conference. An Taoiseach has indicated that he is available to address conference at 11.00am on Friday 10 July.

**Appointment of Delegates**

5. Standing Orders Committee has examined the list of delegates appointed by affiliated organisations and confirms that they are in order.
6. The names of delegates appointed by affiliated organisations may be inspected at the Congress Office in the Conference Centre. A list of late and substitute delegates may also be inspected.



## **Display Stands**

7. The following organisations/projects have been granted permission to have display stands in the Conference Centre. Affordable Homes Partnership, AVC Hire, Congress, Construction Safety Reps Project, Construction Workers' Health Trust, CWU Humanitarian Aid, Disability Champions, Equality Authority, European Commission, Fairtrade Ireland, Global Solidarity Project, Hotel Solutions, HSF Health Plan, Human Rights Consortium, Irish Aid, Irish Labour History Society, MISS, National Employment Rights Authority, Newpark Hotel, TASC, The Pensions Board, Thomsons McClure Solicitors, TM Rowland Jewellery, Trocaire, Unity Bank, USN.

## **Irish Congress of Trade Unions**

### **Biennial Delegate Conference – Tralee 2009**

#### **Standing Orders Committee Report Number Three**

##### **Emergency Motions**

Since Standing Orders Report No. 1 was issued, the Executive Council has proposed an Emergency Motion as follows:

##### **Ryan Report**

Conference records its deepest abhorrence at the severity and nature of the abuse suffered by children of Ireland placed in institutions as confirmed by the publication of the Ryan Report on 20<sup>th</sup> May 2009. Conference condemns the failures of both the religious congregations responsible for those institutions and the state to safeguard children from all forms of abuse.

Conference declares that Ireland's trade union movement stands unequivocally on the side of all those who suffered abuse and harm. Conference calls on the Executive Council to give all possible support to the organisations campaigning on behalf of the victims of abuse to secure the justice they are seeking from the religious congregations responsible and from the state.

Conference endorses the recommendations of the Ryan Report:

- (i) To alleviate or otherwise address the effects of the abuse on those who suffered.
- (ii) To prevent where possible and reduce the incidence of abuse of children in institutions and to protect children from such abuse.

In that context Conference calls for adequate resourcing to be made available to ensure the full implementation of the above recommendations. In particular Conference notes recommendation 21 in the Ryan Report that "Children First: The National Guidelines for the Protection and Welfare of Children" should be uniformly and consistently implemented throughout the State in dealing with allegations of abuse". Conference demands that personnel working with children in a variety of settings receive regular and appropriate training in these guidelines.

***Executive Council***