

Irish Congress of Trade Unions' **Biennial Conference 2003**

Tralee
1st – 4th July, 2003

Record of the Proceedings

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Tuesday 1st July, 2003

**Opening of Conference
9.30 – 11.00**

Senator Joe O'Toole, Congress President

My name is Joe O'Toole, I'm the President for the year, the year nearly finished, so I'm chairing for the week. I don't expect any points of order or any technical stuff like that, I expect to go through the business in good order.

Just to say this, this is a sad note on which to start, but over the last couple of days the President of one of our constituent unions, the President of the Irish Nurses' Organisation, Claire Spillane, died on the 29th of June. The delegation won't be here today as today is the day of the burial.

And also, in the taking of the Annual Report, you will see that we've lost a number of colleagues during the course of the year. And just as a gesture to them, and to her, to mark her funeral today and the passing of other colleagues during the course of year, if you wouldn't mind standing for a moment's silence.

Thank you very much, Delegates.

Now, to open Conference in the traditional manner, we ask the Chair of the Tralee Urban District Council, John Wall, to address Conference, John, Mayor.

**John Wall, Chairperson Tralee Urban District Council and Mayor of Tralee,
*Address of Welcome***

Uachtaráin, Cathaoirleach, a gleachta agus a cairde, ba mhaith liom céad míle fáilte chur romhaibh go trá lí. Tá athas ar muintir an bhaile gur romhnaigh Trá lí don comhail seo agus tá romha ceart déanta agaibh mar is láthair ceoil, rincigh, agus sport an gach saghas an baile seo agus tá súil agam go mbeidh cúpla lá iontach agaibh go léir.

Mr. President, Chairman and Deputy, friends, it is a great pleasure to welcome you all here this morning. This is my last official function as Mayor of Tralee.

I was elected the first Mayor of Tralee, since 1590, last year. My first job was to welcome the ISTC Community Union International Conference here to Tralee, that is the Iron, Steel and Trades' Confederation. They were an English union and they wanted to know why I was the first Mayor since 1590. I told them that at that time Cromwell had a Parliament in England and we returned two MPs to that Parliament, and in 1602 they met in Lincoln's Inn in London and decided to restore the monarchy, and they were so happy here in Tralee that they burned down the castle! He revoked

the Charter, but like they always say, the truth should never get in the way of a good story!

It's great to welcome you all here. The last time Congress was here in Tralee was in 1989 and I happened to be Chairman of the Council at that time, so I must have said something wrong as it's 14 years since you were here! But Peter Cassells was the incoming General Secretary at that time and he went on to do some great things. David Begg is coming in this year as General Secretary and I'd like to welcome him, and I hope that it's not going to take 14 years for him to come back and that you'll all be back shortly again. Seriously though, it's a great honour to have such a prestigious conference come to our town, and I hope you get a chance to sample some of our hospitality and visit our attractions.

I do know you have a lot of serious matters to debate, like inter-union membership transfers, and that will focus your minds over the week. Congress, what I want to say is that yourselves and your predecessors have brought us a long way over the last 90 years. Trade unions represent the individual, the community and the nation at large and all I want to say to you is welcome to Tralee and keep up the good work.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Mayor, thank you for your address.

I am now going to call on the real boss of Tralee, Oliver Mawe, the Chairperson of the Tralee Trades Council. Oliver, thank you.

Oliver Mawe, Chairperson Tralee Trades Council

A Uachtaráin agus a cairde go léir, ar dtús, ar son comhairle ceard-cumainn Trá Lí, ba mhaith liom fíor fáilte a chur roimh chách go dtí an crunniú speisialta seo i dTrá Lí.

Mr. President, Comrades, on behalf of the Trades Council it is my pleasure to welcome you all here for the Biennial Conference of Congress, and in particular if I may, I would like to extend a special welcome to the delegation from my own union, IMPACT.

I know that there's important business before you here at Conference, but I'm sure you'll also find the opportunity to enjoy your stay in Tralee, and I'm sure Mr. President, you yourself will enjoy your return to the Kingdom and hopefully get a chance as we say to head back West go dtí bhur áit féin i Daingean ní Chúis.

The Tralee Council of Trade Unions commends the Officers and Executives of Congress for the tremendous leadership you have provided to the trade union movement over the past years. We have been extremely fortunate to have people of the calibre of Ruairi Roberts and Peter Cassells at the helm. Already David Begg has shown that he has the same sense of vision and purpose, and the same ability and determination to lead this movement forward.

The trade union movement is continuing its work to ensure its relevance in modern Ireland. For those of us who are committed that goes without saying, but for many others, and especially the younger workers, the appreciation of all the achievements of the trade union movement has been lost. They have not yet witnessed the naked ruthlessness of unchallenged capitalism.

The theme of this Conference is 'People are Better Off in Unions,' and I would go further and say that people are better off in unions that are part of Congress because as we know, the greatest strength of trade unionism is in its unity. And that unity of purpose and leadership that is required can only be achieved within this Congress, and we encourage all others who need to re-learn this, and those who have parted, to now return to Congress.

It is important that trade unionism can be seen to act collectively and rationally at all times, and in particular when it is engaged in Industrial action. There is a battle out there to win the hearts and minds of workers, and this battle can only be won under the collective leadership of Congress which can alone demonstrate the strength and unity of this movement, and its determination to be effective and relevant in a modern Ireland and a modern world.

We wish you success with your work and we hope you enjoy your stay here. And as Johnny Wall said earlier, we hope you're back to us very soon.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you very much Oliver, thank you indeed for your welcome, both of you.

I'd like to start off the official business, and I'd like to call on the Chair of the Standing Orders Committee, Dan Millar, to tell us our business for the week and how we're going to do it. Dan.

Dan Millar, Chairperson Congress Standing Orders Committee, *Adoption of Standing Orders Committee Reports No.s 1 & 2*

Thanks Chair, good morning Delegates.

Standing Order No. 1 would have been issued in your conference pack so you would have already had that. Standing Order No. 2 should have been circulated this morning.

Can I draw your attention to Standing Order No. 1 on the basis of the ballots that will be taking place during the week, and in Standing Order No. 2 the procedures that will be followed during those elections. Other than that, I would commend Standing Orders 1 and 2 to the Conference.

Senator Joe O'Toole, Congress President, *Election of Tellers & Election of Scrutineers*

Is that agreed? Thank you very much indeed.

We move on now to the election of tellers. The nominations of tellers are ATGWU Peter Kenny, from MANDATE Joan Gaffney, from PSEU Rhona McSweeney, SIPTU Paddy Behan and UCATT Tommy Carroll.

Are they agreed? Yes.

And the election of Scrutineers, of which there are nine, and the proposed Scrutineers and the nominations received are as follows: from AMICUS, Frank Barry; ATG Tony Ryder; CPSU Eoin Ronayne; IBOA Robin Bell; MANDATE Peter Rooke; PSEU Billy Hannigan; SIPTU Josephine Walsh; TUI Peter McMenamin; and UNISON Denis Keating.

Are those agreed? Agreed. Thank you very much.

The next thing here is to call on the Vice President to introduce the President, whoever that is!

Brendan Mackin, Congress Vice President

Conference, Delegates and Guests, it's my pleasure, on your behalf, to ask the President Joe O'Toole to make his address to conference. Joe.

Senator Joe O'Toole, Congress President, *President's Address*

Thank you very much Delegates. I always like that piece of applause at the beginning because that unearned piece can often be the best bit during the course of the speech!

I've a lot of connections with this hotel and this town. It was in this hotel that I was first announced as a member of the Executive of the INTO. It was also in this hotel that I was announced as incoming General Secretary of the INTO. It was in this hotel that I, you know, finally addressed my final conference of the INTO, and here I come to conclude my business as President of ICTU. So I have a lot of dealings with it over the course of my career and I hope that you also enjoy it during the course of this week.

It's important to say that while I intend to meander my way through over the next number of minutes, which you are required to sit and listen to, that it's not a sort of policy statement, it's not a keynote address. It is simply to raise issues in the main, issues which are not dealt with that closely in the course of the week, and it's not to anticipate any decisions that are taken in the course of the week.

But it has been a tumultuous couple of years with the ups and downs in the economy, with the general election, new Government, new currency and all that's happened during that period of time. But I want to begin by, and it's an appropriate way to begin Conference, by referring back really to the National Agreement, the negotiation

of the National Agreement and how that process takes place and the aggravations and the differences and the arguments and the engagements with the issues. And we have said always that we never want a monolith of an organisation but a healthy organisation is one with argument, argumentation and difference and that has been healthy and the real issue, and we need to see more of I suppose this week, is that this difference should always be there and that after a decision is taken that we come to a decision and that we stick together. I would like to make it absolutely clear that this is a crucial part of the process and does not reflect a split or anything else – it is simply the way we do our business and it is not to give any sucker to those people who are sort of career nihilists who oppose every decision and find the negative in everything we decide. It is the way in which we do our business and the way in which we move on.

The last week, I suppose, has been a triumph for Ireland in terms of the Special Olympics but the probability is that we will now reassign those with special needs to the darkest corner of national priority which we tend to do time and time again and we want to call on the government to do the big thing right now, to recognise our responsibility as a community and to introduce a rights based Disability Bill this year as a lasting memorial and testament to our commitment to the rights of those people with disability, those people with special needs and those people who gave us so much pleasure in the course of the last week.

The way in which people with special needs have been treated by our society is a clear scandal and it is happening all the time. It is happening in terms of the rights, it is happening in terms of schools – we see schools of special needs not being allowed to access the resources they need for their pupils and their bases – that is if the roof stays on in the first place. And the constant queue of people with special needs petitioning the courts for their rights is a procession of shame and can no longer be acceptable in a civilised, mature, and developed society. It is quite spacious to argue that giving people rights will invite them to take court cases to insist on those rights. That is not true. That is a riddle that makes no sense whatever. It is a reality that without statutory rights people have no option but to go to the courts to gain their entitlement and birthright as citizens. Enshrining their rights in legislation would in fact reduce the need to go to court. It would also ensure that the authorities would respect and observe those rights rather than oppose them in the courts. But most importantly, it would ensure that government could no longer justify its current approach of fighting and appealing every court judgement in favour of people with disabilities. Fighting, objecting, reducing and at all levels trying to make life difficult for carers, their families and the people with special needs. Today we demand a Bill of Rights for those people with special needs and to underline the double think in this area.

The double think of government with regard to rights of people on the fringes - we only have to look at the recent Intoxicating Liquor Act. The Bill is anti the little people. And the government which doesn't want people going to court to assert their rights are now proposing in the Intoxicating Liquor Bill, that travellers, disabled, gays, women or any group who feel that they have been discriminated against in a public house, can no longer seek justice in the informal setting of a tribunal – no in future they are going to have to go to court, if you don't mind, to establish their rights

and be required to appoint legal teams to match the wealth interests of those whom they oppose. That is what is happening this week in Ireland and I think that is the kind of thing that we must object to at all times. Moving from the tribunal setting to the courts with a full battery of legal eagles is a huge diminution in the potential for ordinary people to access and participate in the process. Tribunals in the first place were established in the process and we are now giving it back to the legal profession. I argued with the Minister for Justice, McDowall, during the course of last week that he is looking after his own union pretty well in this one by handing back more work and more involvement to the legal profession to make life more difficult for people who are on the fringes of society trying to assert their rights and we object to that and object to it most strenuously.

The consumer interest and the producer interest is part of our economy which are in perfect symmetry and one of the things that bothers me regularly is that we don't keep that in our minds – that we are both producers and consumers. The movement represents both of them because for everything we produce in the workplace or wherever we also consume when we do the shopping or buy a service in the course of the week. And our objectives are clear and reasonable. We ask for, we demand and we will fight for a fair sharing of the nation's wealth and by definition therefore we must take an interest in the creation of that wealth. And we understand that for wealth to be created we must be competitive and productive. We learnt that a long time ago. We don't need to be lectured on that one time and time again by every economic commentator or economist in the state. And it is on that point of productivity that I want to clear the air and set the record right for commentators and the business community alike. The record of productivity growth of Irish workers over the past ten years and beyond is unsurpassed in the EU. Nobody comes near us in that area. And with all the rows about the cost of labour, the cost of productivity, the demands of the workforce, the involvement of the unions, the fact of the matter is that the people whom we represent, the people whom all of us here today represent all around Ireland, are the most productive workers in all of Europe and they have proven that fact time and time again, and therefore we have no apologies to make to anybody for demanding our share of the wealth that is created by our members and we will continue to do that. Irish workers are the productivity leaders of Europe and that is a fact and that is the reason we will justifiably claim our share of the wealth. Wealth created then should be fairly distributed through taxes, wages, reinvestment and indeed profit – we accept that. And taxes should be at a level to support the disadvantaged and voluntary, public services, social welfare and pensions and indeed the running of government and the apparatus of state. And we recognise these things and we want to see the balance go through in that way. We produce whatever way through our labour, through our intellects, through our creativity, through our artistic nature or whatever way, we keep on producing and then we continue to consume. And I am not going into a lecture in economics here expect to make one significant point. Sixty per cent of the GNP of this country is consumed in the Irish economy so despite the fact that we are a hugely exporting country, we do have a huge role to pay in keeping the economy straight both as producers and consumers and that is why we need to be on the watch as consumers. And that is why consumer confidence is crucial. Consumers will not purchase if they are uncertain about their security and here is where we close the circle. We the workers – the producers – must have confidence in the economy and therefore the first question we must ask is how secure

are we? What is our security of tenure? Do I have a job? And then is my job secure and if my job is secure then I can spend money. We think of colleagues in places like Navan and Kilbeggan over the last couple of days and other places and that is why we must be forever watchful of what is happening there. And also, and I might divert to say, that part of what we see in this area is the dismantling of rural Ireland in many ways and a drive towards urban living in a way that is putting greater pressure on urban centres. And it is not just the closing down of factories which we always read about but there is a whole list of towns in rural Ireland and places like Tuam, Kilrush, Ballinrobe and indeed Kilbeggan who don't even have a hotel anymore. And that is where it begins to wear down. We need to watch that just as closely as we watched the erosion of other parts of the infrastructure.

We have discussed regularly globalisation. Globalisation is something which should have a licence attached to it in terms of that anybody discussing it should be required to define it in the first place because it is one of those issues where the wealthy nations have given it their own definition. We were never opposed to globalisation as we understood it but what we understood it to mean was the Treaty of Rome writ large, the Treaty of Rome writ large where there would be free movement of labour and services and capital and goods through the world. But of course that is not what is happening and we are appalled at what we see. The richer nations trying to exploit poor nations by dumping cheap goods on them and by not allowing those less well off nations to work in the better off nations, not allowing them to export to them and keeping them totally under control. And that is why the current proposals on globalisation will be resisted by us as far and as hard as we can do that. It is not in the interests of workers anywhere, and what is not in the interest of workers in the rest of the world will not be in our interest either.

We have seen over the last couple of weeks a huge development on the discussion on health. And we have seen three or four reports carefully hidden by government or carefully released by government in various ways. And I am not going to stand here as an expert in that area, there are plenty of people who will be expert in that area who will have their views during the week. I think there are a number of things we should look at and we should be deeply suspicious of the current approach to the VHI. We should look very, very closely at what is going on there and we should look beyond the obvious. It is not just about an increase proposed in the premium. It is a lot deeper and this goes much deeper and goes to the heart of the matter because it has all the looks of a pincer movement on the ordinary citizen. On one side of it, increase the premium in order to fatten up the operation so that it becomes attractive and can be sold off to private interests, so we pay the premium to make it attractive for the private interest to buy it out. And then when the private interest buy it out they then take their profit on it and they put up the premium to meet the profits. So we are putting up the premium in order to make it more attractive for people to buy it so they can put up the premium again. We are caught in a pincer movement on this issue and we will resist it. We are not resisting it on the basis of any isms or philosophies but on the basis on which our people are simply being steamrolled once again by this proposal if it goes through and it is definitely the agenda we are looking at in terms of the VHI at the moment. We will resist it. And just to sort to give you the public house logic to deal with this issue – it is very simple. Ninety percent of the premia collected by the VHI or paid back out in claims – ten percent is for the

administrative cost. There is no profit and ten percent is very low in European terms. If it is bought by private interests there will now be a third element. It will not simply be paying out on claims and administration there will also be added to that administration and that is why it cannot be cheaper to privatise and sell off the VHI. It cannot be, for the ordinary laws of nature we are about to be screwed once again on the basis of deregulation and liberalisation and we should and must resist it all the way. We don't have all the answers in the health debate and I certainly don't have them. Yes we agree that there are too many health boards and we don't believe that administrative changes will solve the problem, we don't believe that there is need to have a fully equipped fully serviced hospitals at every street corner around the country but we believe that reorganising hospitals alone will not solve the problem. Whether or not County Councillors are or are not on health boards will not improve the service in itself. So I can't define the health service as it should be in its perfect form. We can apply the elephant test – we will know it when we see it. We will know it because it will not have patients on trolleys for days and weeks, we will know it because we won't have waiting lists miles long and we will know it because it won't have closed wards.

We believe that the health services requires further investment as indeed does the educational service and the other services which we make available to our population and our people. Our young people deserve the opportunity to be educated in safe buildings with access to full professional support. They shouldn't have to worry this early about whether or not the roof will blow off today. We do accept and recognise that it will take more funding to improve services. And here maybe is where we need to bite the bullet. As we have been through the last ten years and very reluctantly many of you in this hall has raised the question about the constant consistent lowering of taxes and as to whether or not that is in our interest in the longer term. I think we need to be very open and public about that. We recognise and have done for a long time that to put it simply, we can't have taxes levels of taxes and Scandinavian levels of services – it just doesn't work. And that is the reality of it. And while we don't object to paying our share, we never have, we have never objected to that. But it is the our share bit of it we have argued over time and time again. We do accept and we recognise that it will take more funding to improve services and we know where to start looking for that extra taxation on this occasion. Because less than a year ago we went to the government in our pre-budget submission, making the case to government and we pleaded with government not to reduce corporation tax this year. Everyone could see the way that the government's income was reducing and the government was still committed to reducing corporation tax. Unnecessarily we said. At the very least if they weren't going to would they agree to defer the reduction for a year or a couple of years. No, they shook their heads. Then we said can you at least ensure, this is all on the record by the way, can you at least ensure that financial services companies and banks don't receive the benefit of the corporation tax reduction. Could you at least do that as they don't certainly need it. Whatever the case for reducing corporation tax to attract foreign direct investment and the establishment of new industry, we certainly don't need to give it to our financial services. The government wouldn't listen. So what happened? So the most profitable banks in the Eurozone got another gift from the Irish taxpayer – that is effectively what happened with the reduction. Their profits, the most profitable banks, and this is not my word, the Euro data will show this, the most profitable banks in Europe we lift their profits

by another couple of percentage points by taking it from the tax payer. And that was a big mistake. But of course we have got our answer very recently when the European Central Bank reduced interest rates we waited for the main banks to pass on the full reduction and we waited and waited. And all we and the government and the people could hear from all the cheering and celebrating coming from the vaults of our major banks was the unmistakable loud cry of "Suckers", because that's what they made of us on that one and they did it time and time and time again. We are being caught for suckers on that one with the most profitable banks in Europe effectively taking another hike in profits at our expense. And it is another example of where we as consumers have to take a keen interest in what is happening out there. And I believe that if we don't do it, if we don't take a grip on these issues that they will go on unrestrained. We are the only group who can do this.

The other great caring group in the upper echelons of Irish society are our land developers who are always with us. This small group of people, probably less than two dozen, a lot less than two dozen, have by way of ownership or options have a grip on all potential development land for the foreseeable future. What people don't realise is there is no record of the lean that these people have on land on this country. Most of the deals are not registered anywhere. Most of the deals are done with farmers who own tracks of land doing a deal with a developer on the basis that if we can get planning permission you will sell it to me. There is no exchange of deeds, there is a signed up agreement. This is going on all the time and it is going on even at a recent meeting with members of government they conceded that this was now moving well outside the Dublin area right up towards Drogheda and Dundalk and further out in the Midlands as well. That this lean and options on land was developing out there. Now effectively this will be released in dribs and drabs to builders who will then add exorbitant profits and ensuring that young people are squeezed to the last in an attempt to purchase housing. What is happening here effectively is that land developers are holding the next generation to ransom. It is happening in front of our eyes and will continue unless we make some major changes. We will fully support any moves by government to amend the constitution in a manner in which gives the state the right to make development land available at a reasonable price. And that is going to be a real test of us if the government do bring it forward as an amendment to the constitution. Because you will hear run right through again all the rows about private ownership and private lands that we heard during the first divorce referendum and indeed the second one. And all that will be writ large and people will be worried and we will still inherit this whole daft situation where we can't make a move in this country because of a line in our constitution which gives people not just simply the right to own their land but also apparently to own everything underneath that land down to the centre of the earth in case anybody makes tunnels through it, in case anybody buys it or whatever. And we are effectively creating a stick with which we are beating ourselves time and time again and that has to be changed.

This will also reduce the appalling cost of land acquisition for the transport infrastructure whether it be roads, railways or tunnels. We believe that to ensure continued growth in the economy investment in that infrastructure is crucial. And we have been positive and committed to this. We have made our contribution. We have supported the National Development Plan and made our suggestions and proposals to

it and have monitored it all the way through. It hasn't always been reciprocated. Recently we had, for no apparent reason, the trade union representative dropped from the National Roads Association, the NRA, by the Minister for Transport, to be replaced by a party hack in some form or other. And this is the kind of issue we need to watch. This is the kind of area we need to be involved in, we need to be in there. And the other transport issue was in the papers again yesterday. We see that Michael "wannabe Taoiseach" O'Leary is challenging the real Taoiseach once again with full page ads in all the newspapers telling us how he might run the country and how the government should run the country. If I won the lotto myself I think I would take a few pages in the national newspapers just to write an open letter to Michael and tell him where the world is at. And of course the man is impossible to work out because you would wonder, Michael, how is it that you can bully Ministers, threaten the Taoiseach, play monopoly with small airports, ignore workers' rights, surcharge the disabled, a walk up the isle indeed is now being planned, but you haven't got the bottle to sit down and recognise a few trade union officials. He is a great man for the noise and the "zoom, zoom and bang, bang" and threatening everybody and shouting at everybody all around him. As I said about him, to coin a phrase in recent days, "all throttle and no bottle", that's our Michael. And his lack of commitment, the way that he has played monopoly with small airport communities around the country and indeed around Europe is utterly unacceptable to those of us who want our entrepreneurs to take a broader and visionary view of where our society should go to and what we should need for people and how we need to respect people and give them dignity and deal with them. And he is not putting it up to the Taoiseach because he has reached that stage now, that is his final target. And if the Taoiseach gives into him then we might as well make Michael O'Leary Taoiseach. Well I'll tell Michael that if he wants to be Taoiseach, then he has to stand for election. And the Ryan Air philosophy, and I say this advisedly, and considered, which demeans the disabled, exploits workers and selflessly ignores communities is the ugly side of capitalism. And if the Taoiseach buy into it, it will be a clear message of intent from this government, one which would be anti-partnership and unacceptable. It is time to put O'Leary in his place.

In the course of this week we will do a lot of business. We will discuss a lot of issues and we will move them on. I would just like to say that in terms of changing the community we can do it internally, we can do it externally and we can do it by being part of. I would ask us to recognise and thank all those trade unionists around Ireland who gave voluntarily, generously and committedly to the Special Olympics and other things during the course of the last year. And I would say to you, this, that in the course of the next year there will be opportunities to get involved with the community again and that we should wear our trade union hats in working with the community. And also in the course of local elections coming through in the next year, it would be important for trade unionists to take a high profile role in this. If we stand back and don't get involved, then that vacuum will be grabbed by people who care very little.

And finally I would say to us as trade unionist that we would need to look very, very carefully at infrastructural development in this country. We have nearly reached the stage now where if somebody sticks a spade in the ground that there is a queue of people lining up to object. We need to have a rational approach to compromise. There are some people who if their philosophy on conservation was taken to its

extreme it would be a crime to mow the lawn. And the reality is that we need to be environmentally aware. We don't want people who go for a walk in the Wicklow mountains and come back wearing a pair of green wellies and are environmentalists for the rest of our lives. We want people who get themselves dirty in the environment who have a real care for it, who have a real feel for it, who work for it and who will be part of what is necessary. And part of what is necessary means the rezoning of certain areas. Part of what is necessary is to ensure that people in rural Ireland can live where they were born, can build where they were born in a reasonable way, in a way which doesn't damage the environment but in a way in which makes a contribution and an investment in the community.

The trade union movement is about community. The trade union movement is about improving society. Our job here is to start that off and to keep it going on a yearly basis or a biennial basis.

I thank you for your commitment and I look forward to hearing from you during the course of the week. Go raibh mile maith agat.

Brendan Mackin, Congress Vice President

To give him thanks is in many respects an inadequate expression by which to measure the status, commitment and dedication of someone like Joe O'Toole who has given a lifetime to this movement, to the trade union movement in general, a lifetime to education, a lifetime to look for equality and eradicate poverty in Ireland. However, I'm sure that Rosheen Callender will, within the parameters of the bill, reflect the respect and gratitude this movement has for Joe O'Toole.

Can I ask Rosheen Callender, on your behalf, to put a vote of thanks for the President?

Rosheen Callender, Congress Executive & SIPTU, *Vote of Thanks for Joe O'Toole*

It gives me very great pleasure to move this vote of thanks to Joe O'Toole, in this, your very beautiful native county.

I think it is quite hard for a lot of us to believe that someone as useful as you Joe, is coming to the end of such a long and illustrious career in the trade union movement. Our movement is going to be losing a very strong negotiator and a very steely and determined campaigner.

Your total regard for the need to be consistent or sound correct at all times has, I think, been a great breath of fresh air in this movement. You never really cared whose yacht you jumped off to brief the cameras, as long as what you were saying was something that really needed to be said. To me your great qualities are really your passion, your commitment, your total fearlessness, your wonderful sense of humour, your way with words, your fine sharp intellect and your very quick witted ripostes and responses, especially when daft questions and motions are put to you by the media or anyone else.

Of course, these are also the qualities that have sometimes got you into trouble. Your passion about teaching and the teaching profession hasn't always suited everyone else in the movement. Your talent for the sound bite that made you so popular with the media at times was quickly used against you at other times by that same media. And your insistence on always doing your own thing, and speaking your mind honestly and openly on issues of the day have sometimes landed you in hot water, as earlier this year at the Congress Women's Conference when you talked about free education and Northern Ireland and *Sustaining Progress* and several other very pressing concerns but didn't actually address the issue of the conference which was actually gender equality!

I think the thing about Joe is that he is one of those absolutely infuriating men that you can both love and hate at the same time. Even when you are really, really furiously disagreeing with him, or really annoyed about something he's saying or doing, you still love him really because he's so utterly charming and disarming.

Another thing about you Joe I think that has to be mentioned is your style of chairing meetings. This is something I've studied very closely at Congress Executive meetings, and elsewhere, because you don't suffer fools gladly. You won't tolerate windbags, you're ruthless almost to the point of rudeness at times in disallowing verbosity or repetition, and most of us around that Executive table have at some stage been cut off mid-sentence by a sharp 'Ok, next business.' I reckon, when I think about it, the theory that follows if you've 30 busy people around a table and one person is holding forth at length about pensions or equality or whatever their pet issue happens to be, the Chair can make himself very unpopular with that one person by cutting them short, but he'd probably be very popular with the other 29. But it's a risk worth taking and it's a risk you very often took.

But seriously, Joe was a fantastic Chair of the Congress Executive. He got us through the business and out on time, more or less. I think meetings will probably be longer in future. He might have offended a few people in the process but they forgave him and they survived pretty well.

Most important, I think, he got us through that nightmare of three months in Government Buildings awhile ago, negotiating *Sustaining Progress*. At other times he worked, for example, with Dan Murphy and myself on a very, very long process, the Commission on Public Service Pensions. That one took several years, and I remember sitting through very long, endless, evening meetings with Dan on one side puffing away on his cigar and Joe on the other side, clacking away on his laptop, and I wondered at times would we all be out on pension ourselves before that 650 page report was finished!

Joe's talents have really been wide-ranging. He recently chaired a very efficient and effective body on accounting standards which reported last year. And he's done Congress and his own union proud over many years with his willingness to put time and effort and energy into numerous committees and working parties and commissions and task forces. All way over and above the call of duty, but indicative of his enduring commitment not only to teachers and to trade unionists generally, but also to the labour movement and labour politics in the wider sense.

So for all that energy and commitment and pushiness and shamelessness about advancing the cause of labour, we thank you Joe, and long may you have and use those wonderful qualities that made you such an exceptional president of Congress and such an interesting person to work with. There was never a dull moment and I'm very proud to be proposing a big vote of thanks to you for all that work.

Thank you Joe!

Senator Joe O'Toole, Congress President

Thank you Rosheen for those kind words. I didn't recognise that person at all, I must say! Thank you very much, and thank you for your generosity.

At this stage it falls on me to call on the General Secretary to introduce our fraternal guests and to introduce our next speaker.

David Begg, Congress General Secretary, *Welcome to Fraternal Guests & Introduction of Biennial Report*

Thanks very much President and Colleagues. We've a list of guests which I'll go through and welcome, and perhaps at the end you could give them the collective Congress welcome.

First person to mention is John Monks, the new General Secretary of the ETUC, an old friend of ours, formerly General Secretary of the TUC; Jerry Zellhoefer of the AFLCIO and his wife Penny; Bill Spears of the Scottish TUC; Sandy Boyle of the Scottish TUC; Bill Attley and Emily; Sheila Conroy of the People's College; John Carroll, Phil Flynn and Jim McCusker who are former Presidents of Congress. We've the Chairman, Deputy Chairman and worker members of the Labour Court, members of the Labour Relations Commission, members of the National Centre for Partnership and Performance and members of the Equality Authority. We've representation from a wide range of government departments and also representatives of the media, so you might like to welcome them all.

Just by way of introduction to the Annual Report Colleagues, I just want to make a number of points about that. The first thing I want to make a point about is that any of you who have thumbed through to page three will see a big photograph of myself for which I claim absolutely no responsibility! I think it was the truth that Frank Vaughan couldn't get an ad for that page and he needed to fill it with something. If I had responsibility, it would have been a much younger version - naturally enough.

Anyway, as mentioned in the preface to the Annual Report, we are going through a somewhat uncertain world, and for that reason one of the chapters in the Annual Report tries to set out a context against which the work of Congress has to be done. We don't exist completely in isolation, everything we do, and our success and failures in large measure, is conditioned by the way the world is around us.

As far as possible, also, we have attempted to integrate the work we do in both jurisdictions. It's not always easy to do that - things are not always relevant one to the other, but we have tried to do that, Northern Ireland and the Republic together.

And it's worth mentioning also, I think, that the Report transcends two national agreements here in the Republic, the *PPF* and *Sustaining Progress*.

I also want to mention a slight omission, and that's in regard to Chapter 7 and Multiculturalism and Interculturalism, which really falls to be considered under the heading of Equality. The debate on equality will be taking place on Wednesday morning, and we taped that in there and actually we have some very interesting material to present. Inez McCormack and Maria Clarke from IFUT will be making a presentation on that, and I think you will find it extremely interesting when we get around to it.

I'd also then like to mention that we have made the theme of the Conference this whole idea of *People in Trade Unions* and the need to recruit and to organise, and we have some very interesting guests who will talk to us this afternoon about that, and I think and hope you will find that interesting. The presentations should be interesting as well.

Our keynote speaker this morning is a very special person, somebody who is a trade unionist all his life, matter of fact, he was one of the leading practitioners of the trade union movement for many years. He's widely regarded as the finest Parliamentarian in Dáil Eireann at the moment, he's the only party leader by popular franchise of the members of his party, and most particularly from our point of view, he's a very old and valued friend of the trade union movement. I was a little bit worried actually, Pat, there earlier on when I saw you moving out after Joe's remarks about Michael O'Leary, and I thought you might be leaving in protest, but I'm happy to say that you came back!

Pat Rabbitte TD, Leader of the Labour Party, Keynote

Address: Efficient, Speedier and More Economic Method of Inquiry Needed

Delegates, friends and fellow trade unionists I want to begin by thanking you for your invitation to address your Biennial Conference. It is one which I particularly value.

Since becoming leader of the Labour Party I have made it a priority to renew the links which exist between the Party and the trade union movement. I am proud to say that Labour is the only Irish party with organic links to the broader Labour movement. Given my own background as a trade unionist, I believe strongly that greater co-operation between the industrial and political wings of our movement can only be beneficial.

Much has changed in Ireland since I last spoke to Congress, and I don't just mean the departure of many of the personalities who were once the mainstay of the movement. Indeed, much has changed since the last biennial conference of Congress, both in Ireland and internationally. At the time of your last conference in Bundoran, the

events of September 11th 2001 had not taken place, nor the invasions of Afghanistan or Iraq. At home, two years ago, the Irish economy was showing signs of slowing down after seven years of boom. That slowdown has proven more lengthy than we might then have expected or wanted. The economy remains in a fragile condition, and the flow of job losses is a major concern for all of us.

I want to take this opportunity to congratulate Congress on the stand you took earlier this year regarding the war in Iraq. I believe that your stance on Iraq was correct, and I believe it was important. Irish people, especially young Irish people, have an increasingly global consciousness, it is sophisticated and mature. They do not support tyrants, but they insist that multilateral approaches are in the long-term interests of the world. And they are aware and concerned about such vital issues as justice and fairness in the relationship between the developing world and the so-called first world.

If the Labour movement is to demonstrate our on-going relevance, we cannot ignore international issues of this kind. We cannot leave it to others to speak out. It was inspiring, marching in the mass demonstration against the war in Dublin last February, to see the dozens of Labour and trade union banners. Our movement was mobilised and in a leadership role.

Since your last conference you have also concluded a new social partnership agreement, *Sustaining Progress*. Congress has been debating the merits and demerits of partnership for many years. I stand before you as someone who was myself a contributor to those debates on previous occasions, and as a supporter of partnership.

I have no wish, from my present position, to interfere in that debate now. I respect the fact that Congress has an obligation to its members to do business with employers and with the Government of the day.

As your General Secretary David Begg says in the preface to the Report of the Executive Council, 'Congress is not a political party'. You have to deal with the world as you find it.

The present Taoiseach summed up his economic thinking recently in the Dáil. On Tuesday 17th June last, he said 'when we had more money, we spent more money. Now that we have less, we are spending less. It is the right policy and it is the one we will continue.'

Frankly, the Taoiseach's economics is no formula for good government, no way to run a country and it is not how we live our lives, except in a very limited context. We plan and manage, save and borrow. To the best of our ability we do, in our lives, engage in managing our affairs, and that also ought to be the way in which politicians elected to government ought to conduct the affairs of the nation.

The Taoiseach's thinking – such as it is – is precisely the thinking that has led to the casual casting aside of commitments, the gutting of services in virtually every sphere – in health, in education, in public transport and infrastructure provision. It is a form of economics and governance that leaves us all in the dark in respect of what

government is about, and what it actually means when it publishes a commitment or goal. This is not economics and it is not responsible or caring politics.

May I say frankly, however, that I believe social partnership has, on balance, been good for trade unionists and workers generally. Whether it has been good for Labour is an open question. There is a need to explore how the social partnership model might be developed – for example, how can the Oireachtas, as distinct from the Government, be involved? and how can we improve the co-operation between the wings of the Labour movement?

I think that I am entitled to say that were Labour in Government the deal just concluded would have looked very different. For instance, the disaffection of sections of the Community Pillar is a major cause for concern, as is the undermining of the Community Employment and related Schemes. I very much welcome the commitment to improve the supply of affordable housing by an additional 10,000 units, but to date in the Dáil the Government has been unable to explain precisely how these additional 10,000 units will be achieved.

It should go without saying that housing is a social good, and that since it represents one of the fundamental requirements of human beings it should not be treated in the same way as non-essential traded commodities for speculation or investment. Market forces alone cannot be allowed to dictate the provision and price of housing. I believe that strong intervention by the State is essential in the interests, as the Constitution puts it, of 'social justice' and 'the exigencies of the common good'. In particular, actions of the State on behalf of the community via re-zoning, planning permission or provision of infrastructure should not result in significant untaxed gains to landowners.

The Oireachtas all-party committee on the Constitution is examining the private property provisions and have invited submissions on issues such as the right to private property; private property and the common good; compulsory purchase; the zoning of land; the price of development land; infrastructural development; and house prices.

We are not happy that this issue has been sidelined to that committee since this takes it off the ordinary political agenda. It also seems to prejudge the question as to whether there is a constitutional impediment to change in the first place. In any event, the Constitution has acquired a reputation for paying undue deference to property and the rights of property owners. I believe this reputation is largely undeserved and has in fact been relied upon as an excuse for doing nothing by those who are by and large satisfied with the status quo in terms of legislative intervention for the regulation of property and the enjoyment of property rights.

It is clear that the State is constitutionally entitled to regulate property rights, but it may not do so in a manner that disproportionately interferes with those rights. A disproportionate interference would be classed as an 'unjust attack' and so unconstitutional. But an interference is proportionate and permissible if it has due regard to the principles of social justice and the exigencies of the common good.

We believe that a constitutional challenge to legislation along the lines proposed by the Kenny Report would fail. The delimitation of property rights involved is not unjust because the landowners in question have done nothing to give their land its enhanced value, and the community which has brought about the increased value should get the benefit of it. Both social justice and the common good dictate that land owners should not accrue huge gains purely as a result of land re-zoning or planning permission.

But every opinion on this question is of necessity speculative. Ultimately, the only way of finding out whether the proposals will survive constitutional scrutiny is to incorporate them into legislation and await the outcome of constitutional challenge. If the legislation falls, then we will at least have a clearer view as to why it fell and of the nature and extent of the amendments to the Constitution required in order adequately to restore it. The present Government is only long-fingering the issue, and as a result many workers on reasonable incomes cannot aspire to owning their own homes.

In the 1970s, commentators who looked at how social contracts worked in different countries believed that they could only be successful with left-wing Governments. The Irish example of the late 1980s onwards seemed to prove them wrong. Perhaps it is a testimony to the ideological agility of Fianna Fáil under Charles Haughey that they were able to deal successfully with the social partners. But in recent years Fianna Fáil has become increasingly right wing and more PD than the PDs themselves, and that has put partnership under pressure.

For 18 months before the last general election Fianna Fáil and the PDs sought to buy votes with taxpayers' money. They went on a massive spending splurge, matched in scale only by their false electoral promises. Now they are imposing the cost of that extravagance on the most vulnerable in our society, and on people who work for a living. The list of increases in indirect taxes and charges is a lengthy one. The price being paid by those with disabilities, by carers, by school children and by patients is high indeed.

Many of the Fianna Fáil Ministers in cabinet are more PD than the PDs themselves. They have no commitment to public services and no commitment to social justice. As their record in Government shows, the only things they really give the famous two hells about is cutting taxes for the better off and closing down any avenue, such as the Freedom of Information Act, through which they might be held to account.

This increasingly right-wing ideological stance has put the social partnership process under strain. I have to say that I see little of the real spirit of social partnership in the most recent agreement. Nor do I see much to inspire in the NESC Report which was supposed to provide a background for it. The reality is that *Sustaining Progress* was negotiated by a Government of a firmly right-wing hue, bound to its own tired, desiccated and mean-minded view of the world, and determined that the agreement would bear the indelible imprint of that view.

Politics is about choices. Notwithstanding the growing influence of the EU and of social partnership for example, decisions made in the domestic environment still

determine how resources are allocated in our society. The combination of the PDs and a more ideologically conservative Fianna Fáil used the years of the boom to distribute wealth upwards. A report by Combat Poverty shows that in six budgets Mr McCreevy has allocated six times more resources to the top 30 per cent in our society than to the bottom 30 per cent.

But David Begg is right. Congress is not a political party. And social partnership or any other bargain with this right-wing Government, and an IBEC which backed the winning team, can only hope to influence so much. If we want to see radical change we must first win through in the political arena.

Despite the organic link with the trade union movement, I am the first to acknowledge that Labour has not always attracted large scale support from those who work for a living. The reasons are principally – but not exclusively – rooted in history and don't have to be rehearsed for this audience.

The configuration of our political party system derives from the origins of the State. That configuration throughout the 20th century, and despite occasional challenge, has remained remarkably resilient. Even up to the most recent general election, dissent from the conventional party political system expressed itself in the main in favour of individual or independent candidates. Deprived of the leverage that comes with the balance of power, these candidates are now impotent to deliver for their constituents, or to influence the direction of public affairs.

Whereas there will always be a small sliver of the electorate who will deliberately vote for the most extreme option on offer in order to register a protest, I am bound to concede that I am more concerned that significant swathes of the voting population felt it more appropriate to cast their franchise for independent candidates rather than for parties with deep roots in their communities. I am also concerned for our society as a whole that 38 per cent of the eligible electorate stay at home on election day.

Undoubtedly, this huge abstentionism reflects a growing disillusion with and disconnection from politics. It is one of the major challenges confronting Labour to demonstrate that there is still a purpose to politics.

Some of this turning away from politics is due to 'low standards in high places' first identified in the late '60s. The efforts made to tackle these issues have been somewhat less than successful. For instance, the unanticipated duration and huge cost of Tribunals of Inquiry, together with a politically motivated campaign to persuade people that all politicians and all political parties are the same, have contrived to cast a shadow over the conduct of all politics. As a result, the hoped-for cathartic effect of the Tribunals has not happened. Any analysis of the last general election makes it difficult to discern a direct relationship between a party implicated in a major way in the Tribunals and the electoral fortunes of that party. Last week's controversy concerning the manner of the departure of Mr Justice Flood is likely to further fuel the propaganda campaign.

Therefore, because of this climate and the duration of the Tribunals, and after the entertainment value abates, focus inevitably shifts to the cost to the taxpayer. It is, of

course, simply unthinkable that the taxpayer might be made liable to pay the costs of wealthy parties deemed to have obstructed and delayed the Flood Tribunal. Yet we still don't know how this situation was allowed – or caused – to come about, or how that taxpayer has come to be exposed to that risk. If Chairman Flood was ready last St Patrick's Day, as the Taoiseach claims, to decide the costs issue – what happened since? And if Mr Justice Flood wanted to remain an ordinary member of the Tribunal, what provoked his walk off the set after so many years of hard and dedicated work?

Having said all that, one can't stand up in front of the largest representative organisation of taxpayers in the country and argue that in a context where the Home Help service is being cut, and the Back to Education Allowance restricted, the huge cost of several on-going Tribunals can be ignored. Is it possible to get costs under control while ensuring that allegations of serious wrongdoing are fully investigated? Last week's developments confirm that the Government has been preparing to confront that question. Not surprisingly, many suspect that the Government will seek to reconfigure the Flood Tribunal to its own political advantage.

We do need a cheaper, more economical, more efficient and speedier method of inquiring into matters that, in the public interest, cannot be swept under the carpet. Tax evasion, for example, is not a victimless crime, and even the possibility that taxpayers may be liable for the costs of tax evaders in the present case is truly an appalling vista. The DIRT Inquiry on which I served finished its public hearings in six weeks and has recouped almost €500 million for the Exchequer. It is regrettable that whereas the Government is scheduled to publish this week legislation that may or may not effectively address the fallout from last week's developments, there is no sign of the Government moving to refurbish the law so that, as happened in the case of the DIRT inquiry, investigation by Parliamentary Committee is restored as an economical and effective alternative in certain circumstances, as the Supreme Court judgements in *Abbeylara* envisage.

Getting the balance right between the cost and the effectiveness of the investigative process is all the more important because we no longer live in an economic boom. During the years of high economic growth I was repeatedly told that all political parties were the same, that there was no difference between them. In a time of plenty, with a Government prepared to buy votes with public money, it was an argument that was hard to counter. But, if the past year has taught us anything, it is that politics does matter. It matters very much indeed.

It matters to some Special Olympians who are going home after the Games to find the services they rely on being closed. It matters when a Government can decide to scrap plans for a national centre for visually impaired children. It matters to the thousands of health service workers, workers I used to organise myself, who are promised the earth and are left coping with yet more cutbacks. It matters when it is a struggle to physically get into work. It matters when you are asked to pay more for everything and you wonder how the good times could have come and gone with so little to show for it.

In fact, the more cynical and conservative this Government is shown to be, the more important it is that trade unionists and their families who think Labour should support Labour and its vision of radical change. The historical reality is not a future inevitability. We can and must change it if there is to be any hope of making this country a better place to live in for those who work for a living.

What is it I am seeking to change? As a society, the end of the boom forces us all to take stock. Irish GNP has almost doubled in real terms in the past decade. We are now firmly among the richest countries in the world. But we are left with a series of deficits, economically, socially and environmentally. As a society, we are among the most unequal of the industrialised economies. We are confronted by a range of environmental problems, including such basic matters as the quality of our water or how we dispose of household waste.

And, despite the boom years, our potential for non-inflationary growth in the future is seriously constrained by a lack of productive capacity in the form of poor infrastructure. In roads, public transport, energy, telecommunications, health, education and a range of other areas we lack the productive capacity we need to provide for the existing and future needs of our economy and our people.

For me, the challenge now is to use our new found prosperity to build a new Ireland. In my speech to the Labour Party conference in May I tried to set out a vision of the sort of Ireland I want to live in. I called it, The Fair Society.

The Fair Society is founded on social justice, sustainable development and personal freedom. The Fair Society is built on a firm foundation of prosperity where enterprise and innovation are fostered, but it also demands an end to poverty and racial intolerance. It has no place for the large pockets of disadvantage which co-exist alongside plenty. It does not stand idly by in the face of the drugs menace, nor allow a climate of fear on our streets and in the large housing estates. Working people have always been the biggest victims of crime.

Government in the Fair Society is open, honest and accountable. Public services are at the heart of the Fair Society - high quality, efficient, equitable and accountable public services. Labour will continue to push for the traditional trade union agenda of demanding better conditions for Irish workers, better health and safety provision, better illness and redundancy provision and trade union recognition.

But the trade union agenda, and our agenda, is broader than just those workplace issues. It is also about how people get to work, about the quality of the schools they drop their kids to on the way, about the quality and accessibility of health care. It is about public services which offer opportunities and comfort to all, be they the child of enquiring mind but of disadvantaged background, or the elderly couple seeking a modicum of dignity in retirement. Workers themselves are major stakeholders in public services, not just when they provide them, but because they are the main consumers of those services.

When I make the point that Labour's policies on public sector reform must be driven by the interests of consumers, in consultation with producers (in other words public

service workers), I am sometimes accused of shifting to the right. Nothing could be further from the truth.

For decades Labour has been dedicated to the cause of people who work for a living. What can be the contradiction between that political orientation, and saying that we want people who work for a living to enjoy high quality public services? We all know that will mean reform. We cannot shy away from that.

And if we are to convince the public to invest in public services they must be seen to deliver value for money. But for Labour that means reform in consultation with workers, driven by a commitment to public services - not the ideologically driven high-handedness of this Government.

Unlike the Minister for Transport, I am not pre-occupied by ownership structures. I see little point in privatisation for its own sake. If a service can best be delivered by a private enterprise, in the interests of the whole community, then so be it. But there is little to be gained and much to be lost by selling off the family silver for purely ideological reasons. If we are to judge these issues on a case by case basis, that means being prepared to retain state companies in public ownership when, as is often the case, that is what is best for the citizen-consumer.

The Fair Society has an esteem for the public sphere – public open spaces, public broadcasting, public art and science, public transport. The Fair Society will only be built by a social democratic political party. But we will not build it alone. We will need the help of trade unionists in winning our way into Government and then delivering on our programme.

Our aim, as our slogan says, is to put the people in power. That is a goal to which the trade union movement has always been committed. I hope to have your assistance in making it a reality.

Economic Debate

(Motions 1 – 5)

Principal EC Report reference: Chapter 3, *Creating a Prosperous and Competitive Economy*

11.00 – 13.00

Des Geraghty, Congress Executive, *Motion 1 (The Economy)*

We must lead the process of change, of modernisation and delivery of public services. We're a progressive, not a reactionary, movement, and we have demonstrated a capacity second to none in the world in leading on change, in the management of change in the economy, in the public and the private sectors. And we must not step back from that role. We must continue to recognise that there is a need for adaptation, change, up-skilling, training, innovation, adaptation of the economy, and we are willing partners with intelligent and progressive employers or entrepreneurs in that process.

But we will not stand by when landlords rip us off, where the banks increase their profits, where the landlords increase the rents, where the professional classes in this country take more and more out of the pockets of the poor. Where the health services are burdened by millionaire consultants, by people who want money from the public and the private sector, from a legal profession who keep creating more and more opportunities for themselves to dwell off the poor.

Nor will we accept a vision of society that is driven by neo-liberal markets, by the illusionary free market which exists nowhere in the world. In fact, the big global problem is the risk of not free markets. They are dominated markets by multinational corporations, unfortunately now backed up by a military establishment from the UK and the United States willing to go to war to suppress the poor and the underprivileged, and to assert the rights not of the free market, but of the controlled global market of the multinational corporations. We refuse to be a party to that.

Is there any evidence of a coherent political response to the economic crisis growing in this economy? Is there any evidence of a coherent commitment to tackling the problems at shop floor level, at factory level?

What we are seeing in fact is an attack upon the semi-state sector which is the healthiest and strongest and the most growth orientated sector of the indigenous economy. And we have learnt because of the crisis in the technological sector that if you fail to develop your indigenous economy, and you rely totally on global mobile capital, and you depend totally on a multinational sector built on ephemeral tastes in the technological era, you fail fundamentally to sustain the long-term jobs, the health of an economy and the future viability of a society which needs goods and services produced locally, consumed locally and enjoyed by our own community.

So why the big attack on the ESB in the international market? Why the attack on internationals when the FÁS Asylum Seekers' Unit closed down? Why the attack on Aer Rianta which is capable of running airports all over the world?

They want to tear it apart because we have a Minister Bugsy who has a notion that he can be the spokesman of the gangster element in the background who are doling out the money. It's the Michael O'Learys who are referred to in this world, and all of their cohorts who see the chance of a quick profit out of privatisation.

We will have to be the defenders not of monolithic old institutions which are die-hard and refuse to change, but the defenders of modern, dynamic, progressive organisations which are committed to change, to better public service, better quality of work and a better quality of living for the people who work in them. And therefore, we are advocating in this Motion, and the Executive is asking for your support in arguing, that the direction forward is to strengthen the market that is based on social and environmental responsibility, and to challenge and reject the idea that more free markets and unregulated markets would solve our problems.

It is a question of investing not only in infrastructure, but in social structure; investing in people, in recognising that it's people that will change the problems of the economy and that it's people that must determine the way we go, and not this blind economic forces concept that is driven by a schoolboy logic about markets and competition.

The solution for the transport problem is more competition. Does anyone believe that more buses on the road in Dublin will improve public transport? The Minister has missed the act. And he has failed to recognise that what's missing in the cities and towns of this country is an integrated public transport system, and he's failed to stop looking at the stupid model in the United Kingdom which broke up the public service in transport and created chaos. In missing that, integrated public transport, he is pursuing an ideological position that is untenable and won't stand up to public scrutiny.

But I want to say this in winding up on this vote, if he thinks that we are going to lie down and take it he's made a mistake if the Minister thinks that this is a movement that will roll over. This is a movement that will organise transport workers in the public or private sector, is brining taxi workers into the movement, is organising people in airports, in airlines, and it is organising the transport workers to deliver a good public service and not to be bullied, harassed or abused by a man who's failed to identify properly what the problem is, and it's a political problem.

There would not be a transport problem had there been an investment in the social infrastructure, in the infrastructure of our towns and cities, if they had not been privy to these speculators and to the gangsters that have increased the price of land to such an extent they can't build a road in this country. Why does it cost more in Ireland than in Germany to build a metre of motorway? Well, the answer is simple. They couldn't tolerate one trade union representative on the National Roads Authority, not one. But you have speculators, you have farmers, you've businessmen, you've people who make money ripping off society, but there couldn't be one spokesperson for the

thousands of workers who work in building roads in this country, and they're the people who deliver the solution, not the problem, but they are the enemy.

Colleagues and friends, in proposing this Motion I want to say that we have a positive and constructive vision. We are committed to working in social partnership if that's the model, but we're also capable of building a new model as we did before. Remember it was the trade union movement that was the architects of the social partnership that brought the recovery, and we did it on the teeth of the corporate cynics, of the economists in the boardrooms, of the stockbroker economists who never gave us any kind of credibility and couldn't explain the recovery in the Irish economy when it happened. They now can't explain the failure in the economy, but we have enough intelligence and enough nous and enough understanding of the problem to say this: if social partnership is to fail, it won't be because of us, but if it does fail, we are also capable of building a new model. And that will be a politically driven model by the Labour movement, and I endorse the demand and the request from Pat Rabbitte that we fight politically, industrially, economically, socially and within our communities and environments for a new vision, a vision that we are capable of creating on the basis of the social market, and to reject the neo-liberal policies which are dragging this country down and which have no solution to our problems.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Des. Thank you Des, I think that Bugsy Brennan has sort of an alliterative run to it, it might just stick you know.

Could I have other speakers to the Motion please? John would you mind seconding please?

John Carr, Congress Executive & INTO General Secretary

I'm seconding the Motion.

For most of the 1990s huge levels of economic growth compensated for Government's incompetence, but this incompetence has left us with a legacy of selfishness and ruthless competitiveness as indicated here this morning. The gospel of greed has flourished and individualism, self-interest, and profit has dominated. We have ended up in the last decade with an economic climate once described by James Connolly as a glorified pig trough, where the biggest swine gets the most swill.

Ireland now boasts a significant wealthy swineherd while one in six children live today in poverty, the third highest poverty rate in the EU. But poverty is not inevitable. I totally reject the notion that the poor will always be with us. Poverty is a structural problem, it is created by society, it's about justice, it's about fairness, it's about redistribution of wealth, it's about moving this economy to a social market model rather than the model that we have today. Countries with the lowest child poverty rates such as Norway and Sweden allocate the highest proportion of their

GNP to social expenditure. Why can't we do likewise? Why can't we change our model?

We have one of the most unequal disparities of income in Europe, and massive inequalities in education participation. Education is supposed to break the cycle of poverty and disadvantage, but as witnessed in the recent third level debacle the education system reinforces and reproduces inequality, rather than merely reflecting it. Why else was that €42 million given to third level, why was it given to those who reach the third level? What about those that my members represent in sprawling suburbs in our cities who never, ever reach third level? Why wasn't that €42 million given to eliminate illiteracy and innumeracy and school completion? No, it was given to the third level sector. And in my view therefore, we've got to have a new look at the way that this Government is managing the economy, and it means proper management is required now more than ever. And it is my view that we have to move towards the ideal of a fair society.

The truth is that the Irish economy has been managed to suit an election cycle rather than an economic cycle. The boom and bust of the last two years shows clearly how this Government believes that it can use and abuse the economy and the entire electorate in pursuit of political gain. A year ago, resources were available for special needs children. A year ago, there was no end to the potential of the National Roads Programme. A year ago, school buildings were to be refurbished or rebuilt. Now our traffic plan is a gridlock, our special needs pupils are still fighting in courts, our school buildings remain a danger to pupils and their teachers. And the new demands from the Department of Finance are now subjecting us to a mantra of balance the books as the most economic commandment.

The EU is blamed as forcing Government to don the hair shirt in spite of the amount of money in the economy. This is a blatant lie. France will not balance the books for another four years at least. Exceptions are made for floods in Germany, and the Italian debt is twice that in Ireland. The EU Stability and Growth pack requires balanced budgets by 2006, and there's also the possibility that when we come to 2006 that this will be extended. Why therefore, are we preoccupied in this country by trying to balance the books at this particular time?

It is our view that we've got to move from this present economic imperative pursued by Charlie McGreevy and introduce a more social economic policy. We must move towards the redistribution of wealth so that we eliminate forever, as a trade union movement, the scourge of poverty in this country.

Go raibh maith agaibh a cairde.

Senator Joe O'Toole, Congress President

Any other speakers so on this Motion please? This is the last speaker then?

Thank you.

David Bell, CWU

Thank you President, Conference. David Bell, Communications Workers Union, to support Motions 1 and 2 of re-affirming its commitment to promote the notion of the social market economy.

Conference, I rise to recount to you the challenges my union is facing in confronting multinationalism in the global economy. My union organises in the call centre industry, once one of the fastest growing sectors in the UK economy. Today, however, we are facing a challenge of trying to keep those jobs in the UK, and we would seek the support of Congress in defending those jobs, whilst taking this opportunity to alert delegates to the potentially dire consequences for the Irish economy if such jobs in these islands are allowed to drift unfettered to developing economies.

Conference, I must state at the outset that we've no issues with workers in those countries, and we will be supporting propositions on the agenda around Global Solidarity later on in the week. Nevertheless, major employers across a range of industries in the economy are outsourcing call centre work, in particular to India.

Our issue is primarily with BT who intend to contract out work to two companies in India: HCL Technologies and Progenol. BT expects this initiative to generate more than 30 per cent cost savings. This estimate is probably grossly understated when one considers that a worker in India will receive 80 pence per hour while BT will still be raking in 50p per call.

The union has argued that BT is a UK company that derives its profits from UK customers, and is therefore obliged to support the UK economy by employing UK workers. And we've reminded the company that its employees and agency staff, in a partnership approach, have co-operated with major downsizing initiatives to offset the billions squandered by the board to pursue its recent ill-thought out overseas acquisitions strategy.

Conference, it should be noted that if BT's cost arguments are applied across the company the result would be the loss of tens of thousands of BT jobs. Most of this work is concentrated in areas designated for economic regeneration, and a high density of that work is located in Northern Ireland. But to add insult to injury BT has recently sold its Belfast contact centre to ACL Technologies, one of its Indian partners. This call centre was established by BT on the back of grant aid as part of the peace dividend on the signing of the Good Friday agreement. It was initially set up with 400 agency workers earning £6.50 per hour for a 37 hour week. ACL Technologies are offering contracts of £5 per hour for a 40 hour week in order to create what they term a level playing field for their workforce in India. This clearly demonstrates that the captains of industry in developing countries are as practised as Americans in dismissing out of hand our aspirations to a European threshold of decency of £7 per hour for a 35 hour week.

Representations to the Northern Ireland Assembly Ministers who withdraw grant assistance in the industry were low-pegged, and all features as part of the job package met with the response from Reg Empey that it would be nice to be in a position to

pick and choose, and hence they have no choice but to continue to offer financial assistance to maintain jobs. In all of this the union has simply become a reluctant partner in perpetuating poverty trap wages. Indeed Conference, if this sets the tone for Government and a trend for what will remain of the industry in Ireland, the propositions on our agenda to now end low pay, and for a 35 hour week, will be deemed as likely as Ian Paisley becoming Taoiseach.

In conclusion, Conference, in a street fight between the social market economy and the unrestricted market model, for workers, there can only be one outcome, but I suspect we'll be left to ponder will capital agree, and perhaps we should reconsider the case for socialism.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

Are there any other speakers to this Motion then?

Ok, could I have just the proposer for the Taxation Motion please line up then, to come after this speaker?

Thank you.

Frank Bunting, INTO

I want to take up your invitation actually to exercise the challenge function, because you describe that as an aspect of a healthy organisation.

While I like Des' contribution very much indeed, it was passionate and inspirational, I want to address the actual Motion which is on page nine of the Clár here. It's one of the largest motions in the Clár, and I would suggest to you that it is quite disappointing and shallow and lacking inspiration, both to workers in employment and also those workers in West Donegal and in Navan who have lost their jobs this week, and I would think they would find little in it for them.

Take into account the West Donegal factory. The last private sector company has now moved out of the estate, leaving a residue of state backed organisations, to the disappointment of the workers there, and also the Navan Carpet Company, established in 1938, making a prestige product, and now gone.

In the Motion the repetitions of the National Economic and Social Council vision of Ireland is both specious and mothered in apple pie, and contains so many 'woulds' that it's almost 'would' on top. The Motion in some ways is also dishonest. It asks the question for us to decide as a nation whether we are an outpost of the United States in Europe, or a regional economy of Europe, and I think for many of us that is a dishonest question which is best answered in Congress' own submission to the

National Forum on Europe, where on page six it states, as Congress sees it, there's a danger of getting into a false dichotomy about identity.

We should try to take the best we can from both sets of cultural linkages, so we must get down to the basics. Most of these issues are already addressed best in the Congress Strategic Plan and Work Programme, so they should be here in the Motion and they're not, and I think that there's an example of complacency on the part of the Executive Council.

It ignores a lot of questions, for example, is partnership working for the workers, or is it working against the workers? But the main criticism I want to make of the Motion is the deeply partitionist mindset which exists with in it, and within the Executive Council. Although Northern Ireland workers represent one third of the Congress, there is not one single reference to Northern Ireland workers, or the economy, in it, and just for the benefit I want to repeat to you what the challenges in Northern Ireland are. In Northern Ireland the level and growth in both employment and public expenditure are two key drivers and are quite positive and provide some offset to the recent weaknesses in the economy. The areas of the Northern Ireland economy that have borne the brunt of the downturn recently are Foreign Direct Investment, exports, noticeably in engineering and tourism, and the economy is going to remain flat for the next 12 months at least. The British economy grew only by 1.6 per cent last year which is the lowest figure since 1992, and that augurs very badly for us in Northern Ireland because Britain is our number one trading partner, with the Republic of Ireland coming second.

I support the Motion a Uachtaráin, but I have to say it to you when you examine it, it is disappointing, and I think really all I would ask is that we can do better than this Motion to give inspiration to the workers. And I would echo David Bell's comment that maybe we should be looking at socialism more assiduously.

I would call on delegates to support the Motion.

Senator Joe O'Toole, Congress President

Ok, thank you.

Do you want to write a reply there Des?

Thank you.

Des Geraghty, Congress Executive

Colleagues, I don't disagree with the thrust of what Frank Bunting said, but will you bear in mind there is a full page of an economic resolution there and you could write pages. I did refer you also to the section of the Report because this is only the Motion, there is a Special Report.

However, the Executive has also taken two important decisions. There will be two workshops in the autumn. One will discuss the content of our national policy as we

move forward, and although that's focused on national agreements in the Republic there is no reason we cannot incorporate Northern Ireland as part of that focus for future analysis and discussion in the way forward. And there will be also be a meeting not only to discuss that as policy, then to talk about the process by which we are determined to implement that policy so that the movement will not just be passing pious resolutions. We'll be looking analytically at what has to be done in the economy, deciding on policy and then deciding on the process that we will follow to deliver on that policy, so I hope you will endorse the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Des.

Could I put the Motion now please? Motion 1 on the Economy. All those in favour? Please show. All those against? Carried unanimously.

Ok, Motion 2 on Taxation, proposal from IMPACT please.

Peter McLoone, Congress Executive & IMPACT General Secretary, *Motion 2 (Taxation)*

President, Delegates. Peter McLoone from IMPACT proposing Motion 2.

This Motion is listed under taxation on your agenda, but it's really about improving the quality and range of public services and the infrastructure on which private industry and civil society depends.

Only a few years ago Irish people were over taxed in the hard years of the 1970s, the 80s, even into the '90s personal tax rates were punitive and among the highest in Europe, and indeed across the world. Until very recently we had the unacceptable situation where workers on the average industrial wage were paying tax at the highest rate.

Over the last decade tax reform has been a central trade union demand, and we have successfully improved our members' living standards through tax reform combined with substantial pay increases. We now live in a low tax regime. It's one of the success stories of social partnership and the trade union movement rightly takes credit for that.

Motion 2 recognises that there is scope for further tax reform to redistribute wealth to those on low and middle incomes. Tax rates have come down for everyone, but there is no question that this Government's approach has favoured business and the well off far more than it has benefited private and public sector workers on low and middle incomes.

Now that the Exchequer is under pressure, and the tax cuts have stopped, we have been left with a serious imbalance in our tax regime. But more to the point, our infrastructure and public services are under severe pressure.

We have the lowest corporate tax in the EU, and among European workers earning over €35,000 per year only the Dutch and British pay less in personal income tax. But this comes at a price. The thousands of Irish people waiting for a hospital bed, a speech and language therapist or a psychologist are paying the price. Children who literally have the school ceiling coming down on them are paying the price. The vulnerable young people whose preventative anti-drugs services are coming under the axe are paying the price. Those depending on disability services because hundreds who are employed under CE schemes who've been withdrawn are paying the price. The Donegal workers whose company last week went into receivership, partly because the infrastructure is as attractive in Lithuania, are paying the price.

This Motion recognises the reality that the overall tax take can't be reduced anymore without putting more pressure on our inadequate public services. We must continue to protect workers' living standards, but we must also maintain a public sector that is both vibrant and efficient. And we in the public sector recognise that and embrace the challenge.

Delegates, the public sector lies at the heart of the response to the many policies we will adopt this week on healthcare, education, transport, pensions and social provision. Public sector provision is the human dimension of these policies that allows us to try and make this society more caring, more compassionate, reasonable and fair in providing for individual citizens. Delegates, we are entitled to want and to demand public services and infrastructure that match the best European standards. We are also entitled to demand that any further tax reform must take more from businesses and individuals who can afford to pay so that we can provide quality services for those who can't.

Delegates, I call on you to support the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Have we a seconder? Is it formally seconded?

Any speakers to the Motion?

Thank you.

Mary Larkin, MANDATE

Morning Delegates, Mary Larkin, MANDATE trade union.

I have the unenviable position of being caught in a poverty trap by tax. I'm a widow and I'm taxed on my widow's pension which has put me, and many like me, in a

position of having to reduce my working week due to the impact it has on my pension because of punitive tax systems.

I have spent 20 years working for the same employer in the retail sector, and after 20 years service I am on the whopping rate of €10.90 an hour. But as the saying goes, every little helps. I was a full-time worker, but I now work a three day week, 24 hours.

To illustrate how the tax system affects me I have in my possession two of my own wage slips. In one week I did seven hours overtime over my 24 hours, and after all deductions €274.59 for 31 hours. My second payslip is for 32 hours, for which I received €273.01 - €1.58 less for working more hours.

I won't go into the implications it has on my pension, etc., nor will I comment on Motion 60 which calls on Conference to support the *Equality Report* and Older People in the Workplace. If the tax system is not dramatically changed in this country, I, and many people like me, will be working past retirement age not by choice, but by necessity.

Delegates, I urge you to support Motion 2.

Senator Joe O'Toole, Congress President

Thank you Mary.

Any other speakers? In that case, then, oh sorry, there is another speaker. There are no further speakers after this then are there? Will I put the Motion after this?

Dan Murphy, Congress Executive & PSEU General Secretary

Sorry Joe, just a couple of things that occurred to me about taxation Chair, on which I think it's important to make a couple of comments.

It is clear that taxes, as a proportion of national production in Ireland, have fallen, and fallen considerably. The Motion makes it clear that the overall tax take cannot be reduced further without an adverse impact on the public finances and the public services. It may in fact be that the overall tax take has fallen too much.

Now, you yourself President mentioned earlier that you can't have Texas taxes and Scandinavian public services. And I suppose it's something of a cliché, but like many clichés, for all that, it's true. Now we have neither Texas taxes nor Scandinavian public services, but in what passes for debate in Ireland you could be forgiven for thinking that people think that you can have Scandinavian public services without Scandinavian taxes.

Time after time we hear people on radio, on television, see articles in the newspapers calling for what's described as more resources for this public service and that public service. Frequently these calls are supported by comparisons with a comparable service in other EU member states, particularly Northern states.

It's rare however, in the extreme, for the question to be asked - and which taxes would you increase to finance these improvements? It's even rarer, of course, that the question is answered. If there is an answer it's generally in the form that an institution called 'the Government', which is presumably spelt in block capitals, should put in more resources. This of course is a meaningless answer since this wonderful institution called 'the Government' unfortunately has no more access to a money tree than it has to a lollipop tree - and maybe I'm giving away my age when I refer to a lollipop tree here, it's a song that some of the younger people mightn't have heard of.

Senator Joe O'Toole, Congress President

You want to sing it for us then?

Dan Murphy, Congress Executive & PSEU General Secretary

No Joe, certainly not at this hour of the morning!

Government gets resources from taxation, not elsewhere. True, Government can borrow money but without getting involved in an argument about the appropriateness or otherwise of this, borrowed money has to be serviced and ultimately repaid from taxation.

The point I'm making is a simple one. If we are to have a debate about public services then it has to be one which factors in the tax side of the equation. Any other approach to such a debate is both meaningless and misleading.

We have comparisons with other countries. It's rather complicated because of the way in which our GDP arises as against our GNP. But you could, when you look through the figures, be looking at a difference of 4.5 per cent – 6.5 per cent of GNP between our total taxes and typical Northern EU taxes. Now this mightn't sound very much, but since the budget estimate for GNP for this year was €10 billion we are talking about differences in the tax stake of €5-7 billion. These are very substantial figures indeed.

Now the point is simple. If we are to demand public services equivalent to those of other EU countries we cannot escape the fact that their taxes are higher, and substantially so. Demanding their levels of services requires their levels of taxation and that is inescapable.

I don't suggest that this is simple, I accept fully that we have a dilemma, but I think that whatever sound bites we may throw around from time to time in public, at least in our own Councils we should accept the necessity for an honest debate, an honest discussion which recognises the realities between ourselves.

Senator Joe O'Toole, Congress President

Thank you Dan.

I'll now put the Motion, and could I just have the proposer of the next Motion as well? All those in favour of the Motion? Please show. All those against? Carried unanimously.

Proposer from BATU for Motion 3, Corporate Enforcement.

Paddy O'Shaughnessy, Congress Executive & BATU General Secretary, *Motion 3 (Corporate Enforcement)*

Paddy O'Shaughnessy, BATU, speaking on Motion number 3.

Delegates, President, the Office of the Director of Corporate Enforcement was set up in November 2001 with a mandate to crack down on rogue companies and cowboy directors. We all know the kind, most of us suffer from them. The ones who short-change their workers, who probably diddle their suppliers and their creditors. They've got all the tax incentives, and up until now they've been pretty well getting away with it.

The people we're talking about, they're the people who've left a trail of destruction across Irish industry. And it's working people invariably who pay the price with their jobs, their pensions, their conditions of employment; and the taxpayer that invariably picks up the tab. In far too many cases the rogue traders in question pop up again, history repeats itself.

The Director of Corporate Enforcement clearly has a tough job on his hands, and in the first 18 months of business has done a good job. For example, in the 12 years before the Office was established there were some 400 applications to the Courts to restrict rogue directors, the same number as has been made in the first 18 months of the operation of the Director of Corporate Enforcement.

But we should be alarmed when we see in the Director's Report, which was published in March of this year, that there was serious misconduct in 20 per cent of the 170 cases reported. Worse still, it is clear that because the obligation on liquidators to provide reports to the Director only applies to liquidators appointed after 1st June 2002, cowboy directors where the liquidation process began prior to that date could escape sanctions for their illegal acts.

However, we should welcome the Director's proposal to extend the obligations on liquidators to submit Reports back to his office from January 2000. I believe Congress must ensure that the Director's proposal is accepted and that his Office be granted the resources by Government necessary to the task, and I think this is one of the issues we should be pushing in meetings with Government.

As representatives of working people in this country we have a strong vested interest in ensuring that company law works in the interest of society, not in the interest of rogue directors who line their pockets at society's expense. For far too long we have had that culture in Ireland, the culture that has admired the tricks and chicanery of the cute hoor, the overnight millionaire who never pays his bills or the wages due to his workforce, or of course in many cases, anything resembling his taxes.

For far too long we've had a political, legal and business culture in this country that not only tolerated the business mavericks, but in some cases held them up as examples to be emulated, held them up as role models for our society, as a prime example of how business should be done. That political, legal and business culture has conspired over the years to protect the rogue director by scarcely recognising, until very recently, that the activities we are speaking of are crimes, and not crimes like taking something small out of a supermarket and getting caught.

The appointment of the Director of Corporate Enforcement marks a very significant change in the way these matters will be looked at in the future, and we can be sure that the figures that the Director has turned up to date are very much the tip of the iceberg. For that reason, it is vitally important that his office receives the financial and administrative back-up worthy to the task. In the long run, and maybe even in the short run, it may be a lot cheaper and a lot more efficient than tribunals of enquiry.

As it is, the Office of the Director of Corporate Enforcement is valiantly seeking to carry out this job on very slim resources, on an annual budget of €3.68 million and with a staff of 30. Put the €3.68 million in the context of the figures that were thrown around last weekend in relation to the tribunal costs. This is not going to be enough to clean up white collar crime in this country, but I would argue this: at this stage, the Irish trade union movement should lend its full support to the activities of the Office of Corporate Enforcement.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Paddy.

Could I have a seconder please? Formally seconded. Any speakers?

Ok, in that case I'll put the Motion in case Paddy wants to write a reply to himself. All those in favour? All those against? Carried. Thank you very much.

The next Motion from the Communications Workers' Union, Motion 4 on Regulation.

Con Scanlon, Congress Executive & CWU General Secretary, *Motion 4 (Regulation)*

Mr. President, Delegates. Con Scanlon, Communications Workers' Union, formally moving Motion No. 4 on Regulation.

In doing so colleagues, we recognise that this is already high on the Conference agenda, and what we are simply seeking to do here is to reinforce that position. I recognise also that the experience of other unions may differ from ours. Unions in the ESB, for instance, may not have the same concerns that we have.

On the face of it at least, one Regulator has adopted an approach to change and sustainable competition. The other has embarked on a course that will inevitably destroy a company; it will destroy Eircom, and one might rightly say is that an exaggeration? I regret to say that it's not, and I'm not going to go into the details of the Motion here President, because I don't think it's necessary. I think the Motion is self-explanatory. But what I would like to do is to give Conference a feel for what workers in Eircom and An Post feel because of the approach that's been taken to regulation in this country, and the failure of the Government to do anything about it.

No company can survive a situation where it is forced to provide products and services below cost. And in Telecom's case, I believe we have another Railtrack in the making. For instance, the Regulator maintains that Eircom is 60 per cent inefficient. There's no scientific basis for this. She doesn't have to justify her views, she merely takes some selective comparisons that take no account of the different demographics or economies of scale that exist in this country. It's the apples and oranges scenario that ignores the fact that we have a population in this country comparable with one of the big cities in the UK, something like Manchester.

To satisfy the Regulator's appeals we must shed 60 per cent of costs. That's despite the fact that on the face of it we are pretty efficient, because for many of our services we're one of the cheapest in Europe. It ignores the fact that over the last eight years staffing in Eircom has reduced from 18,000 to 9,000 - it's been halved. Since 1998 alone we've shed 4,500 jobs. And if you want proof of this, if you look at the figures on the ESOP, the Eircom Employees' Share Ownership Scheme, which has 14,500 people, yet there are only 9,000 people working in Eircom, the rest are ex-Eircom. So it's not possible for us to do much about improving productivity or efficiency in Eircom without destroying viable jobs and outsourcing most of the work that is currently done by staff in Eircom.

And you can contrast that with the Regulator's Office and with the accounts in 2001, there were no accounts by the way for 2002, but no rules apply to the Regulator. She had 35 staff in 1999, she has 120 today, and she spends as much again on consultants. It's a case of do as I do and not as I say, and incidentally, to add insult to injury, Telecom or Eircom as it is now, pays for most of those costs.

This is not about regulating an industry. This is about regulating against the industry, regulating against the so-called incumbents like Eircom. It's about transferring values from Eircom to companies like Worldcom, who as was mentioned earlier on, are a disgraced outfit who couldn't account for \$11 billion in their accounts, and because of their shenanigans lost \$200 billion in value. And they are here competing mar dhea against us. They can buy our services at below cost and they can re-sell them cheaper than Eircom can sell them, and so can Esat BT, and I can't see how that can be sustainable in the future.

In the case of mobile, mobile accounts for 60 per cent of revenue in voice traffic. Eircom has 40 per cent, yet there is no regulation in mobile. Now I'm not suggesting a heavy hand in mobile, but I am suggesting that there is something rotten and unfair about the approach to date.

It is a flawed approach, President, that assumes Eircom will always be a cash cow and that you can always tap on our door and take whatever you like whenever you feel like it. And what it is doing most of all is harming us, harming this country and this economy.

We already have the East/West divide. We are going to have the digital divide very shortly if we continue to transfer value to people who invest in nothing in telecommunications in this country, from the only company that possibly has any chance of providing this country with the telecommunications service that it needs to develop.

The General Secretary and the Leader of the Labour Party mentioned earlier that we're going nowhere in this country if we don't have infrastructure, and I can tell you here and now that we'll have a third world telecommunications service unless something changes.

And I finish on this President, even the Americans recognise that something is wrong here. The Chairman of the FCC, the regulating body in the States, Michael Powell, who happens to be Colin Powell's son, has said clearly already that it is not a long-term sustainable strategy to have a situation where you allow people to re-sell services and invest nothing. And that's what we're doing in this country and it's doomed to failure. Congress and the CWU must do something about it.

Thank you colleagues.

Senator Joe O'Toole, Congress President

Before I call for a speaker and a seconder, could I just point this out, there is one other Motion left in this section, which I presume will take another ten to 15 minutes.

Now, what I intend to do at that stage is continue the public business. So the business which is on your programme for Wednesday morning, Social Policy, in other words Motions number 9, 10, 11 and 12. We'll continue onto those after Motion No. 5, so that's just to give notice to people from the Executive Council, CPSU in particular, who are proposing Motions on the Future of Europe, Social Cohesion and Pensions to get your bios working, we'll be coming to you shortly.

Ok, could I have a seconder for the CWU Motion please? Formally seconded. Any other speaker on that Motion?

I'll now put the Motion please. All those in favour? Carried. Sorry, should say all those against? But it's overwhelmingly anyway.

Thank you very much.

Next Motion on Competitiveness, FUGE. And again, to re-iterate, the next Motion we're going to be taking is Motion 9 on the Future of Europe, followed by Social Cohesion and Pensions.

Thank you very much.

Jim Fay, FUGE, Motion 5 (Competitiveness)

President, honorary Guests, fellow Delegates. Jim Fay, Federated Union of Government Employees to move Motion 5.

Conference, Motion 5 calls on the Minister for Enterprise, Trade and Employment to introduce with immediate effect regulatory policies that will provide the necessary controls in the Irish economy that are required to help competitiveness, and to reduce inflation. In particular, we call for the screening of new and existing regulations that can help in establishing a framework whereby regulatory arrangements can be optimised for particular markets.

We believe this can be achieved, and it is in line with chapter 3 of *Sustaining Progress*. Delegates, section 3(4) of the new social partnership agreement, *Sustaining Progress*, deals with the issues surrounding competitiveness and inflation. It states that renewing competitiveness, both within the domestic economy and on the international stage, is central to the overall macro-economic policy of sustaining non-inflationary economic growth and high levels of employment. We believe this statement is fine, but our concern is how it is going to be put into practice, and indeed when.

Section 3(4)(1) of the same agreement states that this increase in inflation, one of the key pressures on competitiveness during the years 2000 – 2002, was increasingly attributable to a number of examples. In no particular order, the first one we are looking at is the banks and other money lending agencies, and how they continue to show profit margins on money made from lending rates that are unfair, excessively high and a burden on businesses and people who have no alternative except to borrow at these high rates. You should also note Delegates, that these larger banks and money lending agencies, they continue to close branches, reduce staff and profit further from the sale or letting of branch properties. These indeed are the same agencies who were advising customers in the 1980s with large amounts of cash to invest in offshore accounts in order to avoid paying tax. I put it to you Delegates that they owe the ordinary people of this country an apology for their actions, and indeed they should be made foot the bill for the DIRT enquiry.

The second example proposed to take this morning is building construction and the property industry, and I propose to do it in a who, a where, and a why fashion. Let's take the who. Let's take who owns the landmasses in and around our cities and towns that are being drip fed into the market in order to keep prices at a peak? Why is the cost of a house or an apartment being controlled by the agents of excessive profit? And where are all the absent landlords hiding who charge excessive rents to the ordinary working people of this country? And indeed, are these absent landlords paying their full taxes? Comrades, it is common knowledge that massive profits continue to be made by the owners and developers of this industry - much of it on the backs of the people we represent, the ordinary PAYE/PRSI workers. So I ask, where is the regulation policy that is to help to control this practice?

A third example - take a retail business like the sports and recreation business who make huge profits from the sale of branded sportswear. Now the mark-up on many of these items can be 500 per cent. It also must be said that many of these items are made in third world countries by workers who are forced to work in extremely bad conditions for little pay. The profiteers are the agents and the retailers. Now, there are many more examples of people and businesses making excessive profits from goods and services that sell to the public. So once again I ask, where is the regulatory policy that will prevent this excessive profiteering?

We'll just deal with domestic costs briefly. The rise in domestic costs in our opinion, and I'm sure in the opinion of the trade union movement, cannot be blamed on excessive wage increases, as the terms of such pay rises in the *Programme for Prosperity and Fairness* and the *Partnership 2000* were extremely modest indeed. I put it to you, Delegates, that domestic costs rose sharply due to excessive price increases in goods and services, and increases imposed on us by the Minister for Finance in his recent budgets. Just to refresh your memory, maybe we'll look at some of the increases that have happened very briefly. We take gas and electricity, credit card charges, university registration fees, TV licences, domestic waste charges, private health cover, transport and most consumer items.

Now the thrust of this Motion is to force the Government, through the Minister for Enterprise, Trade and Employment, to introduce regulatory policies that will curb excessive profit making by those who are damaging our competitiveness. Competitiveness in our opinion will only be restored if we succeed in curbing profit margins and stemming the rise in domestic costs. So perhaps government could start by looking at its own policies, some of which added to the inflation spiral and dented our competitiveness.

I trust that these suggestions will be given your serious consideration. Delegates, I commend the Motion to you I move.

Senator Joe O'Toole, Congress President

Thank you very much.

Could I have a seconder for the Motion please? Formally seconded. Any other speakers to it?

Ok, well, we will therefore go onto the next business, and that's the business on your documentation.

Sorry - I'm sorry. All those in favour? Thank you for keeping me straight on this issue - I'm just mad to get going you know! All those against? Carried unanimously.

Thank you very much for keeping an eye on me there - we're just checking you're all awake you know!

Just before we go onto the next business, I want to make an announcement. Just to draw your attention to the display stands in the foyer, and that there is important and

useful information in them/on them for you. You can also have your cholesterol and other levels tested at the Construction Workers' Health Trust stand. I would suggest that some of you might do that early in the week rather than later in the week.

Social Policy (Motions 9 – 11)

Principal EC Report reference: Chapter 6, *Developing Social Provisions as Good as the Best in Europe*
(brought forward from 2.7.05, 9.30 – 11.30)

Senator Joe O'Toole, Congress President

Ok, could I now ask and apologise to the Assistant General Secretary, Joan Carmichael, to set the scene for the Social Policy? Thinking she had the night long to prepare herself for this as this has been dumped in her lap, but I know as ever, bí ullamh i gconáí. So we're moving onto Social Policy and ask Joan Carmichael to set the scene. Joan, thanks very much.

Joan Carmichael, Congress Assistant General Secretary

Thank you President, Delegates and Comrades. First of all to say the Social Policy chapters are very wide, and there isn't time to address them in detail, but I just want to pick a few.

I think the most important aspect is that everything we do is rooted in social policy. That's what trade unions are about, and if the social policies of the country are not correct then we have huge problems as trade unions. I was pleased to see that there were 18 Motions on social and equality issues, so there's obviously an interest and desire out there in the trade unions, and the membership, to address these issues, and at this time.

As it was highlighted this morning by David and Pat Rabbitte, the world economy is as such, and what's happening. It's essential that we don't let the progress that we've made so far be rolled back. Now we have argued consistently at Congress at national level, and at European level, and through the Convention on the Future of Europe that the protection of the European Social model and its development is really the bulwark against the kind of strident economic capitalism that is emerging from the United States and in this country through many of the companies that have moved here.

But what I want to pose is what is the cost of non-social policies? That is the bookkeeping exercise that's never done. The cost of social policies are worked out, and there are costs for not having social policies, not only for our citizens, for ourselves, for workers, but for the economy. Because an economy in a modern world that does not have the best educational system that produces the workers who can have a role and develop the economy, just doesn't work. An economy that has so many people excluded that we've to spend money on prisons and walls around houses and housing estates and additional guards, none of that works. There's a cost to all of that, and that has been acknowledged formally at European level, at the Commission's level, and it was acknowledged at a conference held towards the end of last year identifying what those costs are. So there is a cost towards not having social policies.

Now in the Irish context we are really in danger of moving backwards because the issue, as Dan Murphy said, is how it's financed, and that is being run away from. We're not debating how we're going to finance all of these developments that we so want, and it isn't always by taxation, particularly on workers, that this can be done, but we need to be very careful that we don't divide ourselves by saying things like you can't have investment in third level unless you invest in primary and secondary level - that you take it from third level to put it in secondary and primary levels. That's not the solution. I see no reasons why children, whether they're 14 or 18, shouldn't be able to access college, secondary and primary schools. We shouldn't divide ourselves on that issue - it's how it's financed.

Now the key issues I just want to refer to briefly are health, house prices, childcare and caring in general, and poverty. Now on the health front, there have been some developments since the Report was published - the two Reports published by Government which will address the structure of the health services. Whether or not people agree with the provisions of those two Reports the issue is still going to come down to how the health services will be financed. And how, with the growing numbers in our economy, the growing number of citizens, the growing number of people in Ireland, how are we going to finance the health service? It's not comparing like with like to look at what happened 10 years ago. We've a huge growth in the population so there will be a greater demand and a greater cost in relation to health.

In relation to housing, I won't go into detail, as there was reference to it this morning, but what I do want to identify and clearly state is that the initiative in *Sustaining Progress* for affordable housing was in addition to social housing initiatives against homelessness, not to replace them. It was reported in some areas that that's what it was about. That's not what it was about. It's additional to all that was planned and all that should happen, and the outcome we hope would be that people who are currently on waiting lists who can now, and will hopefully in the future, avail of the affordable housing, that will release houses in the social housing area. So it's not to displace that, it's in addition to that.

In relation to the elimination of child poverty, there's a section in the NESC Report, there's a section in our Report, and it's actually key, and the link between child poverty and educational disadvantage, which works its way right up to third level and the absence of these children from third level, is key. If we don't address this we won't have an economy. There's about 20 per cent of children who would be excluded, they won't have the opportunities, and they will not be there to take part in the economy and to take the jobs that we hope will be there. So we have to address child poverty - it's more than just a question of resources, it's a question of identifying gaps in the community and supporting them in the schools, the pupil teacher ratio, all of these things are vital in relation to cutting across and ending that cycle of poverty.

Now the caring infrastructure, and David mentioned this. We are really in a crisis because believe it or not, Ireland has not accepted that women are not at home anymore minding the children or minding their elderly parents. They expect women to be out working and at home at the same time doing what our mothers and grandmothers did. It's just not possible and it's not on, and it's one of the reasons why the cost of childcare has not been addressed, because there's a double think. There's

hypocrisy about it - there's an expectation that women should be left on their own to determine how they will have the children looked after and the State shouldn't intervene. It's very like the mother and child debate of so many years ago. So there's double think, and as long as childcare costs are as expensive as they are, and as long as the Government doesn't address them, we will be dealing with the fallout of married women and lone parents with children. They will just not be able to remain in the workforce, and it will add to our dependency ratio. That will lead into the pensions issue as well, and it's not being addressed despite five or six years of an attempt to get Government to address this issue. They've run away from it.

Now the long-term care issue. Two Reports were launched last week, they identified a need for financing, and it talks about private insurance. I'm just picking two examples - private insurance and the asset, the person's house. The State would have a claim on the person's house, to take it posthumously in the event of a demand for long-term care. So that identifies the issue of how we are going to finance this, and I would suggest Delegates that you look at that very carefully. Another suggestion is that the PRSI rates be increased. And if that happens who pays? If it is a question of houses, the State having a call on people's own personal house, while private property is protected in the Constitution, interferes with such things as access to employment and access to services for people with disabilities. It's amazing that the Constitution doesn't appear to interfere in this context, and while it may sound plausible, what it doesn't do is address a solidaristic approach to how we fund social services, and this is where I think we need to look at it.

If we have people paying for third level, paying for health insurance, why not pay for secondary level? Why not pay for everything? The health service, all of that, in addition to your taxes.

Delegates, I would ask you to go home and do the sums and you will see that you are actually paying as much as the Nordic countries out of your income if you're paying VHI fees, if you're paying for your medical care, and that has been proven and that is the situation in the US. They may not pay high taxes, but they pay individually, because they've to pay for education and pay for health. They're paying more out of their disposable income than in fact than the Nordic countries are, but the difference is in the Nordic countries everyone has access, and that is what we have to aim for. I would put it to you Delegates, that that's the main function of our social policy.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you very much Joan.

We're now onto Motion No. 9, the Executive Council Motion on the Future of Europe. Could I have a proposer for that please?

By the way, just for the information of the Delegates, I intend taking 9, 10, 11, not going beyond 11 this morning. The INO were not present at Conference today for

attending the funeral of their President so it would be unfair to go on to that Motion, so I will conclude after item 11 this morning.

Blair Horan, Congress Executive & CPSU General Secretary, *Motion 9 (The Future of Europe)*

Thank you President. Morning Delegates. Blair Horan, General Secretary CPSU, proposing the Motion on the Future of Europe on behalf of the Executive Council.

Delegates, the Nice Treaty debates in 2001 and 2002 revealed that this connection with Europe, despite 30 years of membership, is difficult to identify. It's difficult to say precisely why, but perhaps it's related to the somewhat sceptical attitude of our own movement towards membership in the 1970s when we saw it as a rich man's club, the jobs that were lost in the '70s and '80s as we adjusted to the Free Market, the fact that we were really a recipient of EU aid, the CAP Programme, roads, education, regional cohesion etc. The fact also that we can't but have been influenced by the failure of our nearest neighbour since the mid 80s to relate to Europe.

All of these factors probably affected our disconnection. Now, however, that we are moving towards being a net contributor to Europe, and with the expansion of the European Union next year to 25 countries, increasing by a third in terms of area size, by 28 per cent in terms of population, but only by 5 per cent in terms of its GDP. We now have to actively engage in Europe to make social Europe a reality.

Delegates, the European model of the social market economy, with its commitment to social justice, to fairness, equality, and alongside economic efficiency, is profoundly different to the American version of the Capitalist enterprise. The conception of the social contract lies at the heart of the European model, and is in sharp contrast to the American model with its emphasis on short-termism and shareholder value. The conservatism of the neo-liberals would have us believe that Europe's social market economy is inferior to the American model, and is inferior to the American laissez-faire model of capitalism. Nothing, Delegates, could be further from the truth.

Correctly measured, EU productivity is on a par with the US, despite claims for the miracle of the US new economy. The European model of high investment in a long-term strategy has built an aerospace industry, virtually from scratch, to match and soon surpass the American aerospace industry. Yes, Europe has a higher level of unemployment, partly due to the lack of demand from consumers, but judged against the economic constraints on Europe the performance is remarkable indeed. Since the 1970s the pre-eminence of the dollar has constrained European economic policy. The liberalisation of capital markets in the '70s made it impossible for European countries to run an effective economic policy on their own as we, Uachtaráin, discovered in 1983. The advent of the Euro, Delegates, will change all that to Europe's advantage.

Delegates, we have seen the benefits of Europe in terms of the Social Charter in Europe, the developments in terms of equal pay, equality of opportunity, all of the developments in health and safety and the Organisation of Working Time Act. We have seen all those developments over recent years in terms of the social benefit from Europe. The Convention on Europe, the Draft Constitutional Treaty, is likely to

shape the future of Europe for decades to come. Regrettably though, the neo-liberals have had some influence in terms of arguing that the social Europe is constraining European economic efficiency.

It is imperative therefore, that the Treaty re-affirms the commitment to social Europe. It is imperative that the new Treaty provides a firm legal basis for services of general interest so that the European public sector and public enterprise can properly develop and properly serve the citizens, and they will not be constrained by EU competition policy. It is also imperative that the Charter of Fundamental Rights is part of the Treaty which we now expect it will be, and it will be pivotal. Not just in EU institutions, but also we would be able to use it at home to argue particularly for collective bargaining in terms of union recognition. It is unclear yet whether that will be straightforward, but there is no doubt in my mind that ultimately, once that Charter will be adopted as part of the Treaty, we will be able to make use of it to good effect in terms of the challenges we face at home.

Delegates, in conclusion, social Europe is undoubtedly the best way to cope with the globalisation of the world economy. In fact, it is the only way. There is no alternative. The choice is between either the European social market economy or the American version of capitalism. There is no third way Delegates. That is a stark choice we face. For that reason Delegates, it is imperative that Nice 2, and the decisive vote by the Irish electorate in favour of the Second Nice Treaty, settled our relationship with Europe and that that debate is now not re-opened. The task now Delegates, is for Ireland and for this movement to play a leadership role in Europe, to articulate a vision and the values of social Europe which will make this continent a safer and fairer place.

Thanks Delegates.

Senator Joe O'Toole, Congress President

Thanks Blair.

Could I have a seconder please?

Seamus Dooley, NUJ

President, Seamus Dooley, National Union of Journalists seconding Motion 9 of the Executive Council.

This Motion is a dangerous motion, and should be seen as such, because it goes beyond rhetoric to rights. It recognises that the gulf that we frequently hear from those who would pretend to be committed from Government must be matched by more than rhetoric. It must be matched by real action, and I strongly support the sentiments of Blair Horan when he said that the keystone, the cornerstone, of this Motion is the incorporation not just in European legislation, but also into domestic legislation.

This is an important Motion which could very easily slip by, but we as social partners must actually treat this Motion seriously, because if *Sustaining Progress* is to mean anything, it is to be presented as a ringing declaration that we want to be real partners in the decision-making process. And that actually means using all of our muscle, and using all of the content of that document, which includes a commitment to consultation, which includes a commitment to a direct role in the decision-making process, and we must absolutely insist, we must absolutely insist that Article 28, which is so important to the trade union movement, is given central place in domestic as well as European legislation. The reason it's so important is that otherwise we can't trust this Government. We cannot trust this PD led coalition Government, and remember that it is a PD led coalition Government.

This is not just about trade union recognition. The social Europe model is about social integration, it is about tackling social inequality, it is about real pro-active involvement in promoting equality. It is about the trade union movement globalising itself and recognising what the owners have done over many, many years, which is that capital knows no boundaries. Capitalism knows no boundaries and the trade union movement must also recognise that we are to globalise, and in this sense, you're asked at European level to protect all of the interests of workers.

I second the motion.

Senator Joe O'Toole, Congress President
Thanks very much Seamus.

Any other speakers on the Europe Motion?

Inez McCormack, Congress Executive & UNISON
Inez McCormack, UNISON.

I welcome the accident that has actually brought the economic and social debates together on the first morning of Conference. Free market globalisation has very successfully divorced the economic from the social. They have very successfully ensured that the debates on the economic rules, which govern the social implications of our lives, are taken behind closed doors, undemocratically, in the World Trade Organisation, the World Bank and other organisations.

There is no doubt that the battles of the anti- globalisation protestors have forced some of that debate out in the open. But make no mistake about it, the economic rules and debates which govern the reality of whether in fact a mental health patient can have some sustenance and dignity, an elderly person can have some rights in community care, or whatever the daily needs of the special needs kids who proved last week what they could do, all of that is determined by rules which are taken behind closed doors, and we battle to pick up the crumbs from the table and to deal with the social implications of it in this Conference and others, and at many negotiating tables.

How to make the connection between the here and the now? Both speakers have previously made the point that the battle is for democratic governance, a belief in democratic governance. And the Charter of Fundamental Rights in Europe brings that out in the open, explicitly in this country and within Europe. And let's be very clear, the Charter for Fundamental Rights came from the understanding that there was a huge democratic deficit in Europe between the economic development and the widening gap between the rich and the poor, and the growing disillusionment with that democratic model. We saw that in the Nice Treaty here, and it's still very deeply there. And it's still very deep in this country, the growing disillusionment about whether the democratic process can actually deliver a fundamentally fair and just change in the day to day lives of the ordinary people who need it.

So, what's going on about the Charter? Well, two years ago, three years ago, in the middle of the last Partnership discussions, the Irish Government proudly proclaimed in Europe that we did not need an enforceable Fundamental Charter because of the existence of social partnership. That was also articulated by IBEC - funny they didn't say it very loud at home!

I argued then, and I argue now, that it is distinctly dangerous for anyone who believes in dialogue and social partnership to argue that at the expense of rights. I think the trade union movement has moved on and put this debate out in the open, very strongly out in the open, that in fact partnership cannot be agreed at the price of rights. But Blair ended with something, an ambiguity I'd like to bring right out in the open. At the same day as the Irish Government gave this General Secretary and this movement a commitment that it would support the implementation of the Fundamental Charter, the Minister responsible proudly came back from Brussels and in the same paper, on the same page, proudly said he had got a victory that the Charter would be implemented, but in a way that wouldn't make any difference! Right?

Now we have this Government, I'm sorry, I'll finish. We have this Government, I shared a platform with Minister MacDowell a number of weeks ago when he argued that this kind of stuff was rampant Marxism, right. Well this kind of stuff is rampant rights for those who need them to have the presence of daily humiliation in their lives changed to a practice of dignity and respect. That's what this movement is about.

I would argue very strongly that we have put the debate out in the open, but that how this is implemented - the devil is in the detail, and I've no belief at all that this current Irish Government is committed other than to ensure that it is enforced in a way that makes no difference. That's worse than no change.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Inez.

I now put the Motion, Motion 9 on the Future of Europe. All those in favour? Please show. All those against? Carried unanimously.

Motion 10, Social Cohesion, in the name of the CPSU. Can I have the proposer please?

The next Motion after that is on Pensions, and that will be our last Motion this morning. Thank you.

Blair Horan, Congress Executive & CPSU General Secretary, *Motion 10 (Social Cohesion)*

Blair Horan, Civil and Public Services Union.

Delegates, for the past 15 years, despite the efforts we've made in terms of concluding social partnership agreements on all of the important gains, and success we've made from that, the stark reality is that income inequality in the Irish economy has grown considerably. And even though we are part of the European social market economy we are in fact closer to the US model in terms of income distribution. In fact, in terms of income distribution, as measured by the Genie index, we're next to Portugal at the bottom of the European Union league, and that doesn't just affect people who are working and people who I represent, it affects people, pensioners and people who derive their incomes through the social market. It will be interesting to see, when we've the accession to the European Union of another 10 countries in May of next year, what place we will be in the league then, but I suspect that some of the countries will have a better income distribution.

We know that the share of income between capital and labour has shifted significantly in the past 15 years, and shifted significantly in favour of capital. We know that in terms of the difference between high earners and low earners it has shifted significantly in favour of high earners, to the disadvantage of the lower paid and those on average incomes. And the fact of the matter is, Delegates, that the more the balance shifts between high and low income earners in favour of high-income earners, the more an unequal distribution in terms of the gender pay gap that we will actually have. It simply isn't possible to close the gender pay gap and to achieve equal pay if high earners who are going to be proportionately higher in terms of the male gender receive the type of increases we've seen over the last 15 years.

We've shown, Delegates, in terms of the use of equal pay legislation, how successful it can be in terms of representing the interests of women workers. As you probably know, just a month ago we reached a settlement that took €34 million off the Department of Finance and Charlie McGreevy, in favour of 6,000 women workers in the civil service. We are now embarking on a challenge to the Benchmarking Reports and the parallel Benchmarking Reports because we believe that the outcome of that is unfair in terms of the distribution of income towards women. Now we do that not as a criticism of anyone else, not as a criticism of the collective bargaining system, but simply because we believe the system does work against women, and that the equality legislation is there for a purpose, and the purpose is to challenge that because we find them unfair.

For the past two agreements Delegates, we've made Trojan efforts, my own union and other unions, to try and achieve flat rate increases and floor increases that would favour the lower paid. The reality, in terms of the imperative of keeping public sector pay in line with private sector pay, is that it is impossible to achieve equal pay in the public sector without also achieving it in the private sector. And the reality case is that IBEC simply won't deliver in terms of flat-rate increases.

I think it is time now that we look beyond that and try and see if there are new strategies we can look at, because the simple fact is that we are one of the most open economies in Europe. An open economy by definition is a competitive economy that keeps pressure on in terms of wages.

We need to study that - it may not be possible to compare ourselves with European economies like Austria. The pattern, if you like, of their economy and the structure of their economy is so different to ours, and it may well be coming to the Motion Peter McLoone proposed in terms of taxation that we have to look more and more to the tax system and the taxation policy in terms of delivering an income result in favour of women and in favour of lower earners, and areas like childcare, areas like housing, areas like parental leave.

It may be in those areas that we now have to look to deliver on a better distribution of income, and certainly, Delegates, we will play our part in terms of the equality legislation in trying to achieve equal pay as best we can for our members.

Thank you.

Senator Joe O'Toole, Congress President

Could I have a seconder for the Motion please? Formally seconded. Any other speakers?

Could I have the proposal for the next Motion? That's ok, fine.

Keith Cradden, NIPSA

Conference, Keith Cradden from NIPSA to support the Motion, and in particular to call for the extension, and for a more pro-active approach from Congress to the development of better social inclusion strategies for the North.

The Motion is referred and indeed, as Chapter 6 of the Executive Council Report outlines, there've been differing rates of success under the National Anti-poverty Strategy. Targets for reducing the consistently poor may have been achieved, but as Blair very graphically pointed out, the income differentials have continued to grow so obviously nobody is going to suggest that an anti - poverty strategy on its own is a cure for all of our ills. But we in the North do look with envy on the processes that it gives you in the South, of looking in an integrated way, a much more inclusive way, at issues of policy development around how you deal with poverty issues. It also forces Government, albeit with differing degrees of success, into much more

integrated forms of working. And most importantly of all, from our point of view, it allows processes of reviewing progress which very much includes the social partners.

In the North, the *Programme for Government* describes new TSN as a major policy for dealing with social inclusion. New TSN was set up in 1991, it has been changed slightly by the Labour Government since then, but essentially it remains an albeit totally inadequate way of dealing with poverty. New TSN was subject to a major review last year on which, unfortunately and through no fault of Congress, there was no trade union representation in that review.

It looked at things like the action plans that were used, the processes and there was an area analysis of impact. The findings of that Report essentially are that new TSN has indeed been woefully inadequate as a way of bringing about social inclusion. It was criticised by all, including any trade unions that were involved in this particular area, but we now find ourselves with an opportunity to address the consultation document that'll flow from that review, and I think it is very important that we get involved in that.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

I'll now put the Motion, Motion 10 Social Cohesion, proposed by the CPSU. All those in favour? Please show. All those against? Carried unanimously.

The final Motion in this session is on Pensions, in the name of the Executive.

Rosheen Callender, Congress Executive & SIPTU, Motion 11 (Pensions)

Roisin Callender, SIPTU, and I withdraw my earlier eulogy of the Chair because by bringing forward tomorrow's Motion to today, he's caught me entirely on the hop, very unprepared for proposing this Motion.

Senator Joe O'Toole, Congress President

Still it keeps us all awake, it's the good thing about it.

Rosheen Callender, Congress Executive & SIPTU

Anyway, so be it.

Trade union policy on pensions has a very long and honourable history, and it's summarised and updated in Motion 11 which basically sets out our guiding principles and objectives and how to achieve them. Essentially, what it comes down to is that we need to continue to improve the basic pension that most workers will in future enjoy. That's the social welfare pension with appropriate adjustments for adult dependants, qualified adults, most of whom are women.

We need to insist that both the Social Insurance Fund and the National Pensions Reserve Fund are up to the task of helping to finance both the maintenance and the improvement of those pensions when the big demographic bulge that we know is going to happen from the mid 2020s begins to seriously increase the cost of our pensions. We also need to ensure that existing occupational schemes are protected, and if possible improved, and that none of those employers are allowed to take opportunistic action which may prove detrimental to our members' long-term interests.

We must not get knocked off course by recent adverse developments, but must use the present heightened awareness of pensions issues and pensions problems to first of all continue to seek the introduction and improvement of occupational schemes as the best possible option for many workers. Secondly, where there is an employment which has a pension scheme, but some workers are excluded, try changing the rules for those schemes so that everybody is included, because that's going to be easier and certainly more beneficial than setting up a PRSA, especially for those workers. And thirdly, if the employer is willing to set up a PRSA and there isn't any chance of either of the first two options, we must make sure that it's done in conjunction with the union and a broker, or other institution, who is going to provide the kind of investment or other on-going advice that workers need and increasingly demand.

Now obviously, PRSAs, the new Personal Retirement Savings Accounts that have just been introduced and are getting a big knocking by the media, they can never be in quite the same league as good occupational pension schemes funded wholly or mainly by employers. But we in the trade union movement can and must try and make them work to the advantage of those of our members for whom they are appropriate. We must work to set up employment based PRSAs with, crucially, a good employer contribution and on-going investment and advice. And clearly, provision of the latter on a collective basis rather than an individual basis would suit the providers better, and perhaps allay some of their current costs concerns about giving individual investment advice and the cost of that. Also, workers will thereby have a better chance of a good employer contribution than if they are simply remitting their own PRSA contributions directly to a bank or other financial institution.

My own union, SIPTU, is currently running quite a complex and challenging campaign on pensions and PRSAs. And we're very determined, despite the present adverse climate for pensions, we will succeed both in the quantity and the quality of pensions in Ireland over the coming years. We're not going to be intimidated by the knockers and detractors who have no interest in providing decent retirement incomes for low paid workers and for older women who are at greatest risk of poverty in old age simply because these sections of the market, if you like, are not a source of sufficient profit.

Pensions are too important an issue to leave to the profiteers and to the prophets of doom. I have to say that introducing PRSAs was never going to be easy. It was clear from the start that the insurance companies would resist the idea of having their

charges capped by law and hence, their profits. But how else were you going to keep down the cost of PRSAs and make them attractive to people on low incomes?

The Government didn't help matters by introducing SSIA's, for political reasons, ahead of PRSAs, and that was obviously going to divert monies that might perhaps have been used for long-term retirement savings into superficially more attractive short-term savings arrangement that, unlike a pension, could be accessed in five years or even less. Add to that the body blows that have been dealt to all funded pension schemes by the global underperformance of equities, the growing realisation that the contributors, especially to defined contribution schemes, were by and large making totally inadequate contributions. Add to that the accountancy changes being introduced in blatant disregard of their consequences for defined benefits schemes, and you have an exceptionally difficult climate for the introduction of any new pension product, let alone one to which the insurance companies have been implacably opposed to from the start, interestingly and typically.

The current media campaign against the PRSAs was spurred by some of the financial institutions, and a few individuals with longstanding hostilities to the Pensions Boards and many of the policies the Board has developed over the years. Actually, that debate hasn't focussed on any realistic policy alternatives, particularly for low paid workers, in relation to pensions, and that's for obvious reasons to anyone who's been engaged long-term in those policy debates. Because if we're serious about protecting the interests of workers who are already in good pension schemes, and improving schemes that are not yet good enough to yield a decent pension, and also achieving pensions coverage for people who would probably not ever get into occupational schemes, PRSAs are one possible solution if we manage to make them work. If we don't, we only have a couple of real alternatives, and if I don't hear anyone outside the trade union movement discussing them.

One of those alternatives is to let the State or a semi-state body or some other non-commercial, non-for profit organisation run the whole PRSA business. Thus relieving the commercial companies from the nuisance of trying to sell low-cost products insufficiently profitable to be of interest to them. Alternatively, you could let the social insurance system, which already caters for the vast majority of the workforce, take on the extra responsibility of providing an additional layer of social protection in the form of PRSAs, or some variant, for everyone. Now getting Government to pay PRSA on top of your PRSI, especially for governments committed to low tax, low PRSI regimes, is not necessarily likely, but it certainly would be effective, if mandatory, in achieving the desired outcome of decent pensions for everyone.

Those two are really the only alternatives to PRSAs, and sadly, the knockers and the prophets of doom and gloom for pensions are either unaware of them or not willing to discuss. Mandatory pensions, whoever runs them, are anathema to them today, just as they were in the 1970s when they shot down Frank Cluskey's Green Paper and the arguments of the trade union movement at that time in favour of pay related pensions via the PRSI system.

So in moving this Motion I would urge delegates very strongly to react against the current onslaught and media campaign, as I said, spurred mainly by the insurance companies who feel they're not going to make enough money out of these low cost pensions for low paid workers, and to strongly resist the temptation of getting on the same side as the knockers.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Rosheen.

Could we have a seconder please?

Breda Murray, UNISON

Breda Murray, UNISON, supporting Motion 11.

Many of us in this hall today would be members of a good occupational scheme, and will be looking forward to retirement secure, in the knowledge that we will have an adequate, if modest, income on which to survive. However, it is far from certain that the public sector workers of the future will be in the same position.

The fact is that pension provision in this country is in a state of crisis. Many employers in the private sector have closed their final salary schemes and replaced them with inferior defined contribution schemes. Thankfully, the same has not happened to the big public sector schemes such as the local government scheme or the NHS pension scheme, but we cannot afford to be complacent. These schemes are also under review, and there is no doubt that employers would like to downgrade them too, if they thought they could get away with it.

Defined contribution schemes are inferior to final salary schemes for two reasons. Firstly, employers typically pay much less money into defined contribution schemes than into final salary schemes. Secondly, in final salary schemes if the money invested does not produce a high enough return to meet the pension promises made the employer must put in extra money to make up the shortfall. The investment risk is therefore shouldered by the employer. In a defined contribution scheme, by contrast, all the investment risk is with the employee. If stock market returns are not as good as expected the employee will simply end up with a smaller pension and their employer will not step in to help them.

The employers attempt to justify closing the final salary schemes by stating that the costs of such schemes have risen, and have become too high to be sustainable. 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 schemes on the grounds that there was enough already. Now that investment returns are falling employers are complaining that they have to make up shortfalls. Come on, you have to take the rough with the smooth. If employers were

content to pay less when times were good, they should be able to stump up the shortfall when investment returns are low.

Pensions are an issue of importance to everyone in this hall. Faced with the difficulty and complexity of pensions, it is tempting sometimes to bury one's head in the sand and hope that everything will turn 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, oppose the closure of final salary schemes, and fight for the right to retire in dignity, able to rely on an adequate and secure pension.

I support Motion 11.

Senator Joe O'Toole, Congress President

Thank you Breda.

Fergus Whelan, Congress Staff

We recently held a conference on the whole issue of pensions and it turned out to be a very interesting day for us all. In fact, there's a report of that conference available in the foyer that I will commend to you.

Just one point that did arise, though, that I think bears repeating here today, and it's this - we tend to have a sort of a naive idea as workers we go to work and that other people, entrepreneurs and captains of industry and so on, provide the capital. In fact, the vast bulk of the capital, or at least huge amounts of capital that is currently moving around the international stock markets and is being invested and re-invested and sometimes de-invested from industry, is actually our money, it's workers' money in pension schemes.

Now we have allowed a situation where the only people that have no say over how that money is used is the people who actually own it. We have actually ceded almost total control over the decisions of how that money is used to investment managers, who are brilliant by the way when the stock markets are good, and they're all terrible when the stock markets are bad. But one of the results of that is we have plenty of shopping centres but not enough swimming pools.

So I think one thing we need to do is to look at that again, and to start to try to wrest control back from the investment managers, and put the control of this capital where it belongs - in the hands of the people that own it.

Senator Joe O'Toole, Congress President

Thank you Fergus.

Seán Mackell, Guinness Staff Union

Mr. President, Seán Mackell, Guinness Staff Union.

Firstly, I think the Executive Committee should be commended for bringing this Motion here today. This is a huge issue for people out there. Pensions are in crisis. Indeed, many occupational funds are under severe pressure, particularly in the private sector and where I work. Many of these funds have fallen by up to 50 per cent in the last few years, and I think it is timely that a Motion such as this is brought to the floor of Conference today. Our employers are attacking our savings at every opportunity.

However, this Motion is deficient, and the Motion has to be criticised. I shall be seeking remission on this Motion and I shall explain to you why. There are two very important aspects of pensions that aren't touched upon in this Motion at all, and I think it would be wrong for this Motion to go forward without reference being made to those.

The first of these is the practice of claw back, which is a practice that is out there at the moment that is legal and lawful. This is a situation whereby an employer can remove from someone's pension an amount equivalent to the old age pension. This comes as an awful shock to many people. When they retire they think they have a pension and then that section of the pension is removed from them. Now, I can recall back to our Conference at Waterfront Hall when our union brought forward a Motion which argued for the abolition of claw back and that was supported, and I'm disappointed to see that it's not included in this Motion. Claw back should be removed and put off the records.

The second aspect is the current trend where employers are now starting to transfer their workers out of their employment and into the employment of some other type of organisation. In those circumstances the transfer of undertakings legislation protects the terms and conditions of employment of the people that go, with one exception, and that's in relation to pensions. And indeed, it's only within the last few weeks the Tanáiste signed into law legislation in relation to that, and pensions were excluded from that. This is a trend that's going to increase, and this is something that we should stand up to and say no, that's not acceptable, that pensions have to be protected the same way other terms and conditions are protected as well.

So on those two circumstances, unless of course the top table can give me an assurance that claw back and the two pay arrangements in relation to pensions will be dealt with, I have to seek remission.

I don't get any acknowledgement so I'm going for remission.

Thank you.

Senator Joe O'Toole, Congress President

Well, I can just assure the Delegate and the Delegates, everyone here, that both those two issues are on the agenda. The fact that the Motion doesn't cover everything does

not mean that these are not being dealt with. I can assure they actually are being dealt with. They will be.

Seán Mackell, Guinness Staff Union

Well, based upon the President's assurances I withdraw remission and go for support for the Motion.

Senator Joe O'Toole, Congress President

Thank you very much

Des Fagan, NUJ

President, Conference. Des Fagan, National Union of Journalists speaking in support of the Motion.

I'd like to make two points which hopefully the movers of the Motion may take on, or they may have already taken on.

The first is ethical investment which isn't mentioned in the Motion. And don't all have a groan now because it's ethical investment and Dessie the tree hugger or the hippie or anything like that! This is a very important issue for our members who are caught in a vicious circle with their employers. Shareholders demand profits, unions demand a share of those profits and unions are shareholders in pension funds. And if they want a good example, the money goes into aggressively managed funds and there's no more aggressive company in Ireland today, in the economy, as Ryan Air, who have massive profits but are saying no to unions. And I wonder. I hope union money is not going into that company to make it stronger, and I think there is a need for choice. Members should be able to have that choice and fund managers should be made aware that that choice should be made available to members of pension funds.

The second point is in relation to, as a previous speaker mentioned, pension holidays. The NUJ members in UTV were told a number of years ago that the pension fund was fully funded, and that therefore they were going to take a pension holiday. They went on an acquisition trail and bought a number of media outlets in the Republic of Ireland. UTV then, this year, went back to the members of the pension fund and said crisis, we can't fund the pension, we're going to have to change the thing radically around. They were only able to do that because they'd had a pension holiday. They used the money from the pension holiday to beef up their own profile in the market. So employers shouldn't be allowed take pension holidays unless there's cast-iron guarantees given to the members of the fund to say that they won't be affected if the fund dips.

I would just like those 2 points to be taken on board.

Thanks.

Senator Joe O'Toole, Congress President

Thanks.

Frank, you weren't next but go on.

Frank Bunting, INTO

I want to make two points in support of this excellent Motion, particularly the two paragraphs which are taking all necessary steps to protect funded occupational pensions during the present difficult economic circumstances.

Teachers in Northern Ireland are currently facing two sets of problems. One is this Report which is being published on Friday by the Public Accounts Committee of the House of Commons. It's based on lies, damned lies and statistics, and the inability of employers to answer simple questions when they were brought before the Public Accounts Committee. The Committee is making recommendations which are going to curtail, and make worse, the teachers' opportunities in Northern Ireland to take premature retirement compensation schemes in line with the retirement. I think that's disgraceful and I think we all in the teacher unions must oppose that.

The second and more fundamental point is the determination on the part of various European Governments, including the British Government, currently to extend the pension age until 65. Recently it's happened in the civil service in Northern Ireland where it has been extended to 65 on a voluntary basis. The Government has given notice to teachers that they intend to extend this scheme to 65 for teachers in Northern Ireland and in Britain, and also to make it compulsory for young teachers joining the teachers' superannuation scheme to work until that particular age.

In France, when the French Government made a similar determination, they were met by a series of national strikes. And I actually believe that's the best way of bringing some of these Governments back to some sense of reality - if Congress gives it a strong message where workers', and other groups', pensions are being undermined in such draconian ways that we will fight them and fight them hard.

I would urge the Congress to support this Motion and to take additional measures to ensure that all these measures can be protected.

Thank you

Senator Joe O'Toole, Congress President

Thank you.

John Bolger, ATGWU

Chairman, John Bolger, Amalgamated Transport Union. I'd like to just say I formally welcome the initiative taken by the Executive of Congress in putting this Motion before Conference today.

I'm involved in the private sector, like a lot of you people out there, and I can honestly state pensions are in crisis all over industry, particularly in the private sector. There's not one major company, one small company, that hasn't now got a difficulty keeping pace with the defined benefits schemes. Pensions are under attack everywhere. I won't give names of companies here, but I'm quite certain you are all well aware some of our major employers North and South of the border now have major problems trying to fund pensions, bearing in mind the legislation that has just come in under 17.

The reality that is facing a lot of people now is that dying on the job is going to become a reality. I heard previous speakers talk about the age of 65. If pensions fail, and if people have no pensions to look forward to when they reach this magical age of 65, we're talking then about pensions penury. It is a major crisis.

Any initiative that is taken by Congress is very welcomed by our union. We will give every support to Congress in pushing forth on the basis of this Motion, that pensions should be campaigned for, pension initiatives should be unanimously supported and any support that Congress needs to battle the attack on pensions should be given by all unions concerned and all affiliated unions.

Chairman, seeing as it's one o'clock, I'll say no more.

Thank you.

Senator Joe O'Toole, Congress President

Thanks John.

Carmel Kerrigan, AMICUS

President, Conference. Carmel Kerrigan, AMICUS, NHS Section speaking to Motion 11 which I welcome, and its importance lies in the fact that those currently in the younger age group are catching up on those in the older group, and the concerns of the older people will be theirs in time, unless they are adequately addressed now.

The need is for policies to help older people live full and healthy lives to continue to participate in society. Promoting human values through political action can influence those who will have power in those interests to make s society fair to all sections.

Sights have been set in terms of targets to increase the numbers who will benefit from a supplementary pension scheme in addition to the State social welfare pension schemes. However, the change in terms of occupational schemes on offer to workers today note the change from defined benefits to what can be earned from defined contribution schemes. This must be viewed with concern, especially in the difficulties in the equity market.

Many older people are well aware of the dangers of not planning adequately for retirement, and there is a greater need for pension coverage of a supplementary nature with appropriate value. The experiences of the older people and those who organise

the workforce place a responsibility on those who can influence to encourage better planning for adequate provision for the future, even to the extent of compulsion in PRSAs if the voluntary effort is not shaping up.

Please support this very valuable Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you.

Joe O'Flynn, SIPTU General Secretary

President, Joe O'Flynn, General Secretary, SIPTU. Delegates, I wish to speak in support of Motion 11 by the National Executive, but in particular that aspect calling on the incoming national Executive to take all necessary measures to protect funded occupational schemes during the present difficult circumstances.

SIPTU, in common with most of our colleague unions, regard pensions or future income as a very significant condition and benefit to workers. Colleagues, we have a duty to take whatever steps are necessary to protect our members' interests in this matter. And while we've had little control over the world economy and the fall in equities generally, due to such events as September 11th, the invasions of Afghanistan and Iraq, the recent SARS outbreak and so forth, we do have, and there must be, accountability in respect of corporate governance, and indeed compliance with the provisions as set out in the necessary codes of practice.

Our trade union colleagues in the United States have identified concerns in this respect, where such matters as malpractice and fraud have resulted in hundreds of millions of dollars being wiped off pension funds, and in some circumstances have left workers with no pension provision whatsoever. Here in Ireland many defined benefits pension schemes are in difficulty, and clearly we in SIPTU have decided that we will now explore what legal means can be pursued with a view to taking a possible class action where significant losses have been incurred as a result of malpractice, fraud or abuse by those within such corporations or indeed, within the management of pension schemes.

Colleagues, it is our view that pension trustees, and in particular worker trustees, must be armed and equipped to ensure that there is not only an ethical investment strategy and policy in place, but that public trading companies have regard to the rights and entitlements of workers and their pension funds. We will of course, Colleagues, work with Congress and indeed the affiliated unions in this regard.

And finally, I just want to support the call for the widespread promotion of defined benefit pension schemes, and particularly amongst the younger workers in our country. All too often, Colleagues, it is too late when workers realise that they are heading for retirement and that they are inadequately resourced in relation to pensions.

I think it's a very worthwhile Motion and I wholeheartedly support it. Go raibh míle maith agaibh.

Senator Joe O'Toole, Congress President

Thank you very much Delegates.

We are now at a time where I'm going to take the last speaker.

Michael McKeown, NIPSA

Thank you. It's Michael McKeown on behalf of NIPSA. Conference, I will keep this brief because a lot of this has been said, and has already been covered in the Motion.

We would see the main problem with pensions is that the party's over for our defined benefits schemes, and when any party is over it sometimes happens that there's a dangerous drunk out in the street. The sort of drunk who one minute puts an arm round your shoulder, tells you that you're brilliant and he's going to look after you and keep you safe, and the next minute, for no accountable reason, in a totally irrational manner, kicks you in the face, thumps you in the gut and robs you. That is what employers are doing when they switch from defined benefits to defined contribution schemes.

We've seen it all before. We know if you're in a defined benefits scheme you know exactly what you're going to get out of it. Defined contribution, you don't. You know what the employer puts in, but you've no idea what's going to come out because you're at the mercy of the stock market on that. We've seen it all before in Northern Ireland. We saw it in the 80s when the Tories tried to voluntarily bring people down that road. People were suckered then, in some cases. They're not going to be suckered a second time, so it's only going to happen if they're forced down that road.

In the public sector we've managed to safeguard people's pensions because we're strongly unionised, and that is one of the biggest factors that is going to benefit people in a situation like that. But even in the civil service there's moves now to bring in an unreduced pension age to 65, which means not that you can't work until you're 60, but that if you do your pension will be accurately reduced. And these are the things we're going to have to fight against, and people are.

They're going down the defined contribution road. Then what must be done is that the unions must get in there, must be on the ball and make sure that generous contributions from employers are negotiated. They need to be persuaded that good pension schemes are also a recruitment tool which can be used to get the best people into their company, and also trustees need to defend good schemes.

So I would ask everyone to unanimously support this Motion.

Rosheen Callender, Congress Executive & SIPTU

Just two points out of the many useful points that have been made.

I just want to reassure people on the question of ethical investment, as one of your nominees to the Pensions Board, and the one that represents specifically member trustees. To my knowledge, every Congress training course for trustees, and every SIPTU course, and I'm sure that every course that other unions run on trustee training, covers extensively the whole issue of ethical investment and the need for member trustees to raise this issue in the context of discussions at trustee level on how everyone's pension funds are invested. So I think that is already a big issue that unions have been dealing with for many years, and continue to deal with. Our problem is that still not enough people are taking up the positions of member trustees and taking up those training courses for trustees, and I would urge Delegates to give more attention to that in all their employments. There is also, at national level, a trustee forum which regularly debates issues such as this, and again, I would urge people to become members of the trustee forum if they're not already.

Just the second point I wanted to deal with was the question of retirement ages, and I know there's a Motion later on at which this will arise again, but I would certainly caution people against taking up the cudgels on the issue of earlier or later retirement and a fixed retirement age. I think myself, because of increasing longevity, happily we're all living longer, but that does mean pensions are more expensive and difficult to provide. I think the trend in the future will be towards greater flexibility and diversity of pension age, and very much against fixed retirement age. There's already been abolition of different retirement ages as between men and women, but I think that the question of a fixed retirement age, be it 60 or 65 or higher, will give way increasingly to the concept of a more flexible and a diverse range of retirement ages suiting different occupations and professions better in the future.

So I just wanted to make those remarks.

Senator Joe O'Toole, Congress President

Thank you very much Rosheen.

I will now put the Motion. All those in favour? Please show. All those against? Carried. Not sure if they were voting against it in the back, but it's carried anyway.

Now thank you very much, sorry for delaying you. We'll be back at 2.30pm. Enjoy your lunch

LUNCH

Private Session
(Motions A – E)
Principal EC Report reference: *Appendix No. 6*
14.30 – 15.30

Senator Joe O'Toole, Congress President

Bringing you to attention please. We'll try and get through the business as efficiently as possible. Sorry for the delay in starting, we're just getting things together.

We're now in a private session and the first section of this session is dealing with the amendments to the Constitution and they're on page 12, beginning on page 12, of the agenda.

Motion A is the affiliation requirements and provision for associate status from the Executive Council.

Dan Murphy, Congress Executive & PSEU General Secretary, *Motion A*
(Amendment to the Constitution)

On behalf of the Executive Council, Dan Murphy, PSEU, I wish to propose the Motion A which is an amendment to the Constitution under the provisions relating to affiliation.

There are a number of changes to the Constitution proposed in the Motion. Firstly, that trade unions affiliated on or after 1st January next should have a minimum of 500 members employed in Ireland. Secondly, that provision be made for associate membership for bodies which, while having some of the characteristics of trade unions, do not meet the normal requirements for affiliation, and that this facility should also be available to trade unions who would meet the current normal requirements for full affiliation to Congress but whose membership in Ireland is less than 500. And thirdly, that the Executive Council may set conditions for affiliation.

Now, in order to understand the purpose of the Motion it's necessary to be aware of some background. Firstly, as regards the requirement of a minimum of 500 members for affiliation, at the moment there are eleven trade unions with membership of less than 500 which are affiliated to Congress. Their combined membership comes to just over 2,600. This gives them an average membership of 240 each. Each of these unions is entitled to send one delegate to the Delegates' Conference, so they have 11 delegates between them. Yet a single union with their combined membership would be entitled to only three delegates. Or to put it another way, to have eleven delegates a single trade union would need to have 10,000 members.

The Executive Council has had before it seven applications for affiliation from trade unions with less than 500 members in Ireland. If they were to be accepted into affiliation their combined membership would be less than 1,200, but they would each be entitled to one delegate at Delegates' Conferences - a total of seven delegates in

respect of the 1,200 members in total. By contrast, a single union with 1,200 members would be entitled to two delegates. Or to put it another way, to have seven delegates a single union would have to have 6,000 members.

Now, as the Executive Council sees it, the current arrangements in respect of affiliation of small trade unions have a distorting effect at voting at annual delegate conferences, and allowing it to continue with further affiliations of such unions would lead to even further distortions. On the other hand, the Executive Council has to be conscious of the fact that some of the applicants are trade unions which are affiliated to the British TUC and have a desire to have association with the trade union movement in Ireland. This is a desire which the Executive Council would wish to accommodate, and in these circumstances it is proposed that they should have the facility of associate membership.

Delegates will see that the Motion provides that the requirement to have 500 members for affiliation applies only to future affiliations. Those trade unions with less than 500 members who are already affiliated are not affected. These unions were accepted into affiliation under the existing provisions of the Constitution and the Executive Council cannot see how one could now, by means of a change of rule, effectively suspend them from affiliation at this stage.

I should add that some gremlins, or little fiends, got at the note for information that is printed on the agenda after Motion A. Now, while it was intended to show the way in which the amendment to paragraph 2 of the Constitution would appear in paragraph 2, the first two paragraphs after the introductory words should of course be shown as A and B. And sections i and ii of B, that is the requirements referred to in B, were omitted. Hope everyone is clear on that.

The primary purpose of making provisions for associate status, as distinct from full association, is to enable bodies such as the military and Garda representative bodies to enter into some formal connection with Congress, short of affiliation. These bodies cannot affiliate to Congress because it is a condition of affiliation, under the Constitution, that to be affiliated the trade union must satisfy the Executive Council that its rules, objects and policies are in harmony with the Constitution of Congress, and it must undertake to abide by its provisions. Clearly, the bodies I've mentioned couldn't meet these requirements of the Constitution. However, from time to time and to varying degrees, some of these bodies have expressed the desire to have a focussed relationship with Congress, and the Executive Council considers that it is desirable to make provision for this by creating associate status. In addition, associate status would enable trade unions that have less than 500 members to be associated with Congress.

The third point that I mentioned, Chair, is conditions attached to affiliation. This is making it explicit that the Executive Council may set conditions to affiliate, and it is suggested that this be provided for by the addition of the sentence, shown in the text of the Motion, to paragraph 4 of the Constitution. The current text to paragraph 4 reads *a trade union desiring to affiliate to Congress shall satisfy the Executive Council that its rules, objects and policy are in harmony with the Constitution of Congress and undertake to abide by its provisions*. Now, on a number of occasions,

affiliation has in fact been made conditional on agreement in respect of the scope of the organisation. Typically, this has involved the situation where a union with headquarters outside of Ireland, but with membership in Northern Ireland, wishes to affiliate, and the same category of worker in the Republic is already organised by an existing affiliated trade union. In such circumstances affiliation has been granted by the Executive Council on condition that the applicant for affiliation has agreed that its scope of organisation would be confined to Northern Ireland. The provision of the Motion to amend the Constitution in this respect is therefore simply bringing the test of the Constitution into line with long established practice.

I should make it clear, Chair, that the Executive Council does not consider that it is essential to provide for this particular provision in the Constitution in order to enable the current practice to continue. It's simply that in circumstances where the provisions of the Constitution on affiliation are being amended, as it is proposed in this Motion, it was considered that it would be helpful to recognise this longstanding practice in the text.

On behalf of the Executive Council, President, I move Motion A.

Senator Joe O'Toole, Congress President

Thank you Dan.

Can I have a seconder please? Formally seconded. Any speakers?

Frank Campfield, NIPSA

Frank Campfield, on behalf of NIPSA they asked you to actually remit the Motion.

This is basically a single constitutional amendment which is designed to solve two fundamentally different problems. There is a strong argument that the creation of an associate membership creates with it a lesser form of membership, and will inevitably lead to the case for a reduced affiliation fee, and this could result in unions in deciding to affiliate on an associate basis in order to pay the reduced fees. The impact upon Congress' finances could be considerable, and accordingly, this might result in a reduction in Congress' resources, and ultimately in services to affiliate organisations.

Congress, even if we were to accept associate membership for those organisations whose rules do not allow them to fully affiliate to Congress, why should this proposed associate status be applied to bona fide legitimate trade unions which have less than 500 Irish members? The reason given by the Executive Council for applying associate status to unions with less than 500 members in Ireland was basically twofold. What they're saying is an increased proportion of affiliates with small Irish membership could have a distorting effect on the distribution of delegates and voting arrangements within Congress; and the affiliation of large numbers of unions with small membership could run contrary to the general desire. Delegates, consolidation may be laudable and even desirable, it is not mandatory, and the penalty upon the small membership should not be disenfranchisement.

Delegates, there are alternatives to this amendment. Alternatives which meet the concerns about the distorting effect which gives the Executive Committee such cause for concern. For example, what is to prevent an alternative amendment which allows newly affiliated smaller unions having the facility to group together to provide delegates based on their aggregate membership? This would also allow those unions the opportunity to help shape and develop policies for this movement, but also encourage smaller unions to co-operate more closely, and this in itself will contribute to secure the Executive Council's desire to consolidate membership within existing affiliates. Conference, there are alternatives to this constitutional amendment, alternatives which are less draconian, which are less unjust, which are more equitable, which don't lead to second class unions and second class trade union members.

Delegates, remit this Motion and let the Executive Council know that the ideals of equality also apply to the organisation of Congress. That equality applies to our internal affairs as well as to public matters. Remit this Motion to commit the Executive Council to bring forward a more equitable but still workable constitutional amendment.

Senator Joe O'Toole, Congress President

Thank you very much.

It has been formally seconded. Sorry, what was the question? The Motion has been seconded. The Motion to remit requires a seconder. I thought you were going to, sorry. Have I got a seconder for the Motion to remit? There is a seconder. It is seconded.

Patricia McKeown, Congress Executive & UNISON

Thank you, President. Patricia McKeown, UNISON, to oppose both the Motion and the proposal to remit.

If I could deal with the proposal to remit first of all. This is a constitutional amendment and the only body fit to deal with it is this Congress in Conference, so there really is no point moving any kind of remittance on the grounds that where would it go and what could the Executive Council do with it?

Think, we have to be straight about this. As Brian has said, we have a real difficulty in any kind of proposal that suggests that there are two classes of trade unions on the island, first and second class. If I remember rightly, every one of the eleven trade unions currently awaiting affiliation are British based trade unions, and this does not send out a very healthy signal to those of us who are British based trade unions, and those who are waiting to take part on behalf of workers in Ireland inside the Irish Congress of Trade Unions.

I don't think there's any room for a half-way house either about how people secure delegates at this conference. Many moons ago, the sliding scale of delegates was introduced in the Irish Congress of Trade Unions, weighted at the bottom in favour of

smaller unions, and the reason for that was the concern of the Congress that the big unions would always dominate and there needed to be a place for the smaller unions. It's incredible that now in the 21st Century, we're now saying there's no place at all unless you have 500 or more members.

I don't think voting polls etc. are a good idea, but there are indeed other ways. For example, what would have been wrong with the Executive Council bringing forward a constitutional amendment to create a reserve seat for small unions, as exists in the British TUC where the unions in that group vote for that seat? No difficulty. Maybe there's a problem with reserve seats.

I would urge Congress to oppose both the constitutional amendment and move to remit. Let's put our money where our mouths are today.

Senator Joe O'Toole, Congress President

Thank you.

Delegates, just to explain the procedure at this point. The Motion is now proposed and seconded, and so also is the proposal to remit. If the proposer accepts the proposal to remit then it is remitted automatically. Assuming that the proposer doesn't accept that, at the end of the debate there will be a vote on the proposal to remit. If that's carried, then it's remitted. If it's not carried, then the original Motion is put. It's a change of rule and it requires a two thirds majority, just to explain all that again. I'll come back at the end, but just so people know where we're going.

Thank you. Sorry to hold you up. Thank you.

Ann Jarvis, Irish Society of Radiographers

Thank you President, Conference. Ann Jarvis, Irish Society of Radiographers, to ask Conference to oppose both the Motion and the remission.

Comrades, I don't intend to cover the conditions issue in the last paragraph where unions with over 500 members can have different deals, a reason in itself to oppose this Motion. I intend to cover the issue of unions with less than 500 members.

As trade unionists we believe in values of fairness, equality and in solidarity. The mayor this morning reminded us that trade unions represent the community, the individual and the nation at large. The speaker from Tralee Trades Council told us that unity can only be achieved by being part of this Congress. In the case of these amendments, members in trade unions not currently affiliated can only be part of that unity if they belong to a trade union with 500 or more members.

Conference, I belong to a trade union that when we joined Congress had less than 500 members, a small professional group of health service workers in the North of Ireland. We even then had to argue for our affiliation, for our voice and votes and place in this Congress. We argued and succeeded in securing our place alongside our sisters and brothers in the movement, working collectively to achieve improvement in

society, called for motion after motion on the conference agenda. We achieved membership, and under this Motion we are protected, although the move says at this stage others following are excluded. So why the amendment? Why now? Why the block on further affiliations from smaller unions?

Conference, this Motion is about bureaucracy, distortion of votes in elections and policies. Conference, the SOR fully understands the sensitivities and arguable imbalances around Congress voting, and the impact of an increase in the number of smaller unions joining Congress. Conference, it's not rocket science to change voting arrangements, weight votes according to membership, and the SOR has no problem with that, but we cannot accept exclusion from Congress as the answer. It's arguably discriminatory. It's certainly against equality, fairness and unity.

Conference, the suggested alternative arrangements for these unions are insulting and meaningless, and not as good as bad partnership arrangements are for both employees and employers. Words like associates and discretion translate into no rights, no voice, no vote.

Comrades, the theme of this conference is *People in Unions are Better Off*. The speaker from Tralee Trades Council said that unions are better off in Congress. Vote to endorse that principle, oppose this Motion.

Senator Joe O'Toole, Congress President

Thank you.

Linda Austin, CSP

Conference, President, Delegates. Linda Austin, CSP, the physiotherapists union, opposing Motion A and opposing the remittance.

This Motion not only discriminates against those of us in unions that organise in Great Britain and in the North of Ireland, it also discriminates actively against women. It's keeping women out of Congress. It was hard enough for the CSP to join when we first applied ten years ago. It took us two years to get here, and Tralee eight years ago was our first Conference. If this rule change had been enforced then we would still have been able to qualify because our numbers are large enough, but if this does go through three of our sister health unions with a largely female membership would be excluded.

Those unions have been affiliated to the TUC for at least six years, and have been trying to join ICTU for at least as long. Yes, they're small unions with a small Irish membership, but these are trade unions whose women members actively want to join the wider trade union movement in Ireland. Don't exclude them. To do so severely weakens ICTU's ability to organise the health service unions in the North. They have reps who are active in their local staff sites. They're convinced of the benefits of trade union cohesiveness and solidarity. They want to affiliate. They want to take part in the Northern Ireland Health Services Committee. Unlike the RCN and the

RCM, they have not chosen to put themselves outside the organised trade union movement. Please do not put them there yourselves.

Thank you.

Senator Joe O'Toole, Congress President

Thank you.

Frank Bunting, INTO

Frank Bunting, INTO, speaking in support of the remission.

I think the arguments were quite substantially put forward by Frank Campfield. There are only two things I really want to say in support of remission, and to tell you two stories.

First of all, in Northern Ireland the majority of the unions are British based, but we have a mixture of British based, Northern Ireland based and Irish based unions. It's a very sensitive matter, and in the teachers' unions we've had five teachers' unions working in our sector. During the course of the last 15 months we've had some considerable difficulties, and I think we've worked out those difficulties through the Northern Ireland Teachers' Council, but it required an enormous amount of effort on our part, and certainly we appreciated what Peter Bunting and ICTU did for us. But there are enormous sensitivities here, and I think that the proposals in this Motion are a bit insensitive and would need to take more cognisance of where other workers were coming from in their respective organisations.

I think that the first thing I would say is that maybe now is not the time to draw back, and I think the remission proposal which NIPSA is putting forward is probably the most sensitive way of dealing with it. And of course the Congress is the only way of dealing with it.

I would remind the Executive Council that it has been more than 50 years since we've had any other somebody standing back, having a look at the structure and organisation of the Irish trade union movement. In the early 1950s it was Schreigel from the International Labour Office who was invited by the then Congress of Trade Unions to take a major look at the structure and workings of the trade union movement in Ireland. And I think the only benefit that came out of that, that I'm aware of, is that after a very long protracted period of time the Irish Transport & General Workers' Union and the Federated Workers' Union of Ireland merged into one organisation which, unfortunately, they called themselves SIPTU, but it's still a grand organisation. I think actually that we could do with more assistance in relation to this matter, whereby we could do a deep overlying analysis of where the Irish trade union movement is going, taking into account the sensitivities of where unions and their organisations are coming from, and in doing so I would ask Congress to support the NIPSA proposal for remission.

Thank you.

Senator Joe O'Toole, Congress President

Ok thanks very much Frank.

Peter McLoone, Congress Executive & IMPACT General Secretary

President, the reason I've decided to speak on this is that since I've become a member of the Executive Council, I think six or seven years ago, this problem has been with us in the form of applications from many small organisations that have simply not been processed by the Executive Council. In other words, these unions are waiting for that length of time to have the Executive Council determine will they be allowed to affiliate or will they not. This resolution is an attempt to move this forward and address the issue finally for the unions.

Remission or rejection of the Motion will not change anything, and I think that's the most important thing that people need to weigh up when they consider the vote on this issue. The problem here for many unions, particularly the UK based unions, is that they're actually seeking to affiliate to be participants in the Northern Ireland Committee and in the business that's conducted with the administration up in the North, but the only access that they have is through an application to become full members of the Irish Congress of Trade Unions. These are small organisations in the North that have very, very big membership in the UK. And we had this debate when we were dealing with the applications for the Chartered Society of Physiotherapists, and when the Radiographers were applying, and at that stage the indications were that these were exceptional, that they wouldn't present other problems, but in fact they have. And now our union represents quite a number of these health professions exclusively in the Republic of Ireland, as do SIPTU in respect of others, and the difficulty here is how do you accommodate this situation?

This proposal seeks to move this forward. It is a genuine attempt on behalf of the Executive, who've been debating this for years now, to move this forward. All I'm saying is that remission or rejection of the Motion simply means that these applications for affiliation will sit there for another two years with nothing being done about them because we do need a constitutional change to process and deal with these applications meaningfully.

Thanks.

Senator Joe O'Toole, Congress President

Thank you Peter.

Any other speakers to the Motion?

Inez McCormack, Congress Executive & UNISON

Inez McCormack, UNISON.

I'm just putting a point of order to ask for clarification from the President, to ask in what part of the Constitution is there authority to remit a constitutional amendment? Constitutional amendment is not a normal motion. It requires two thirds majority. It requires to be taken in private session and not taking a position on it is in effect opposing it.

Now I want to make it clear, my own union is opposing this. We think it is a very retrograde step. But I'm asking him what power of the Constitution there is to remit a motion to admit the Constitution? I do not believe it is there. I believe that also what I'm doing lays the ground to challenge for small organisations if they are so excluded.

Thank you.

Senator Joe O'Toole, Congress President

Under Standing Order 11, Section 4, the power of the Motion to remit is outlined very clearly in the Constitution. It doesn't make any distinction as between rule changes and other Motions. There's no distinction made in the rules. The only interpretation I can make of that is that the procedure for dealing with remission is as outlined in the rules, and it doesn't make a distinction that it shouldn't...(record ends / new record begins)...Subsection 4. The rules to remit apply to this like they do to everything else, and it's on that basis that I'm operating.

Ok? Right to reply?

Dan Murphy, Congress Executive & PSEU General Secretary

Thanks Chair. I think, Chair, that an awful lot more heat than light has been generated in this discussion.

It is clear that the only opposition that has been expressed has been in respect of the proposal to limit affiliations to trade unions with 500 members or more. This is being variously described as exclusion, as being anti-British based union and various other descriptions. It is not against British based unions, and in particular it is not about exclusion.

This is actually an effort to enable a form of association to take place which will not take place unless and until there is some provision made in the Constitution. I mean you have heard Peter McLoone describing that since he became a member of the Executive Council, six or seven years ago, there have been many applications for affiliation from very small trade unions that have simply lain on the table. Nothing has been done about them and nothing will be done about them in terms of affiliation.

This proposal to amend the Constitution to enable these bodies to have a form of association which they will not otherwise have is not about exclusion, it's about inclusions, and I ask for your support for Motion A.

Thank you.

Senator Joe O'Toole, Congress President

Delegates, in the first place, I'm going to put the Motion. There's a proposal that it be remitted and that's the first vote I'm going to put. That requires a simple majority either way. All those in favour of remitting the Motion? Please show. All those against? The Motion to remit is substantially lost.

I'm now going to put the Motion itself. That requires a two thirds majority. In the event of there being any doubt, or anyone challenging it, then we'll ask the tellers to do a count.

Just to explain to you that I've asked the tellers to decide on one of them being the chief teller. There are five sections in the hall and if we have to have a count vote I'm going to ask all Delegates to be seated, and the only people standing will be counting, they will have a section each and we'll deal with it in that way. But in the first place, I'll take a card vote.

The motion is Motion A, Amendment to the Constitution in the name of the Executive Council. All those in favour? Please show. All those against? I think I'm going to have to have a card vote, I just can't call it.

Ok, so I just ask the tellers, can I ask the tellers come up here first please? Can I ask that the doors be closed please? And can I ask that all Delegates be seated. Ok so the five tellers are here, and can you take a section each please? And the results will come back to Rhona.

All those in favour? Please show.

Sorry central row, if you're in favour please keep your hands up, thank you.

Right, could the tellers give that figure please to Rhona? Ok thank you.

Now all those against? Please show. Thanks tellers.

Okay, the result of the vote is For - 242, Against - 143. The Motion is lost, it didn't achieve the two thirds majority. I'll let someone else work out the percentages.

Now we'll move on to Motion B, Amendment to the Constitution around the objectives of Congress.

Joan Carmichael, Congress Assistant General Secretary, *Motion B (Amendment to the Constitution)*

Thank you President, Delegates. This is a fairly straightforward amendment to the objects of Congress, to update them with current legislation provisions both North and South.

What we're proposing is that the grounds covered in the Constitution be extended to cover marital status, family status, sexual orientation and membership of the Traveller

community, and we're also proposing that the objects be extended to cover equality in civil society as well as in employment. While these have long been the objectives of trade unions and Congress, and may not need to be restated, I think it is appropriate that we name them and use this opportunity to reconsider our commitment to all of the grounds, including these new grounds, because really what we're talking about is more than eliminating discrimination, but also welcoming and supporting diversity. However, it is right that we name grounds like sexual orientation and membership of the Traveller community because both sections of society experience discrimination.

For example, many people who are opposed to racism don't view or even recognise that some of our attitudes towards members of the Traveller community are racist. That the approach to how they are treated by society and by service providers boils down to a racism that would not be accepted by any of us in relation to any other group in society. For the first time, the census in the Republic included a question about membership of the Traveller community, and the figures show they represent 0.6 per cent of those questioned, and it might be interesting to note that almost 60 per cent live in permanent accommodation and only just over 33 per cent live in what we would describe as mobile homes and caravans.

In relation to migration, for the first time there was a question in the census, and just some of those statistics are interesting as well. Non-Irish nationals represent almost 6 per cent of the population now. But what's interesting is that only half of those are from countries outside of the European Union, the UK, Northern Ireland and the USA. So where people believe there's a huge influx of numbers, it doesn't stand up when you look at the figures.

In relation to gay and lesbian rights two reports are relevant. The Equality Authority last year produced a report which was referred to NESF, the National Economic & Social Forum, who introduced a report only last week and identified that there are serious structural, strategic and policy issues that have to be addressed if members of the gay and lesbian communities are to have full rights as citizens and workers. Some issues were referred to Congress and some directly to the trade unions. The issue referred to Congress was the updating of our own guidelines and work is being done on that. Esther Lynch is doing that work in consultation with representatives of the gay and lesbian community, and they will be produced and updated fairly soon. Others were issues for trade unions, and we did notify unions to address that so that you would develop, within your own unions, action programmes to promote the rights of gays and lesbians.

Now the amendment to the Constitution is technically very simple, but it really is morally and conceptually complex because equality is not a simple issue, and we will all be very disappointed if we believe that it is. It's very complex. I suppose that the gender equality issue, with legislation reporting equality for over 30 years, hasn't achieved all one would expect, so it is complex. In the past our debates around equality were gender neutral and colour blind, and we visualised a society that would be equal if we could all just be the same. And that's just not possible, indeed it's not equality. Equality is a society that recognises and supports diversity. Equality is much more complex than perhaps any of us understood, and we have to look at what I think we mean by equality. It isn't just mainstreaming, it isn't just equal opportunity,

it is acknowledgement of difference. So it's really diversity rather than assimilation, and that's what makes it complex.

Now there are new concepts of equality under discussion, and we have to lead in relation to that. We must stride, as unions, to break the cycle of disadvantage associated with groups outside the norm, promote and respect equality and dignity and worth for all, both at work in the workplace and in society, affirm the different identities of groups and facilitate their full participation in society.

Delegates, these are all trade union objectives, have always been, we're simply naming them and putting them in our Constitution and I strongly commend the Motion to Conference.

Senator Joe O'Toole, Congress President

Thank you Joan.

Can I have a seconder? Formally seconded. Any speakers? Fine.

All those in agreement? Please show. Thank you. All those against? Carried unanimously. Thank you very much.

Okay, Motion C and the Report of the Finances from the Treasurer, John.

John McDonnell, Congress Treasurer & SIPTU, *Motion C (Amendment to the Constitution)*

Not the most popular Motion, Chair and Delegates, but I presume and hope you'll agree that it's necessary.

The purpose of the Motion is twofold. Firstly, to address the current imbalance in respect of affiliation fees for unions with members in Northern Ireland. And secondly, to provide for general cost increases which you can appreciate are always there. And it should also be considered, we believe, in the context of the Congress Strategic Plan which has the objectives of achieving a level of financial viability which, with prudent management, could allow for some necessary expansion of services.

As you will see in Appendix VI of your Congress Report, the accounts for 2002 show a deficit of €333,771 on the main Congress account. While this has been contributed to by a number of non-repeating exceptional hits, Congress in the future is facing substantial on-going cost increases, particularly from pay adjustments and increased affiliation fees to bodies such as the ETUC.

The matter of affiliation fees in respect of members in Northern Ireland was raised at Conference 2001, and has been the subject of strong representation by unions since then, with the object of having affiliation fees equalised in Euros. Historically, the current situation has evolved from the time up to 1979 when the Irish and British currencies were linked. Ever since then a penny rise in the affiliation fees in the

Republic of Ireland was applied as a 1p rise in Northern Ireland, even though the punt, as you're aware, ended its life at about 82 per cent of the £ sterling. Then the introduction of the Euro complicated matters further, and the conflicting messages contained in the two conference Motions passed in 2001 is just one manifestation of this. On the other hand, expenditure by Congress in Northern Ireland is in sterling.

Nonetheless, the Executive Council is of the view that a case does exist for rebalancing affiliation fees in Euros. This will mean increasing affiliation fees in respect of members in the Republic of Ireland by approximately 10 per cent. Current affiliation fees are €1.79 in the Republic and £1.36 sterling, which is approximately €2 in Northern Ireland. The effect of the Motion will be to increase fees by 8 per cent in 2004 and a further 8 per cent in 2005 in the Republic, and by 4 per cent in Northern Ireland in 2004 only. The affiliation fees will then be equalised at €2.08. In order to facilitate unions in Northern Ireland payment can be made in sterling equivalent of this figure based on the rate of exchange between the currencies on 1st December preceding the year in respect of which these fees are payable. Some modest adjustments are also incorporated in relation to the minimum affiliation fees payable and the fees payable by the local Council of Trade Unions. The increases proposed, Chair, Delegates, are not adequate, indeed they are not adequate, but they do represent the best judgement of the Executive Council of what the traffic would bear.

The projections done by the Executive Council indicate continuing deficits of the following order. In 2003 approximately €161,895, in 2004 €129,795 and in 2005 €144,960. The General Secretary has been entrusted by the Executive Council with responsibility for eliminating these deficits through cost reductions. It will indeed be a formidable challenge.

Finally, it's worth noting that affiliation fees are now, and will remain under this proposal, lower than those of the TUC in the UK.

Chairman, Delegates, I commend this Motion for your approval.

Senator Joe O'Toole, Congress President

Thank you John.

And I first of all want to put John's financial statement to Conference. All those in favour of the financial statement? Please show. All those in favour? Please show. Thank you. All those against? The statement is carried.

Now I just want to put the Motion, Motion C on finance. I just want to make a point here. I've had Standing Orders to advise me on the following - we're now at 3.30pm, and just to ensure that we continue business appropriately I just want to take a report on Standing Orders, and I'll take it right now.

Dan Murphy, Congress Executive & PSEU General Secretary

President, on the basis that we didn't put any specific timings on things, and there was the possibility of a little overrun, I think the position can run until at least 4.00pm.

Senator Joe O'Toole, Congress President

Thank you very much. We'll take another report at 4.00pm.

Sorry speaker to hold you up there.

Paddy Mackel, NIPSA

President, Brothers and Sisters. Paddy Mackell, NIPSA, to speak to Motion C. NIPSA is supportive of Motion C in this section, but wishes to draw your attention to an anomaly contained within the Motion.

It is justifiable that, given the biennial nature of Conference, affiliation fees are set on a two year cycle. Attempts to rebalance the fees as outlined by the previous speaker are to be welcomed, but are not enough.

Affiliation fees of €1.93 from 2004 and an increase to €2.08 from 2005 are reasonable, everyone pays, and everyone pays the same. Everyone, that is, apart from unions with membership in the North of Ireland.

There are more than three quarters of a million workers throughout Ireland affiliated to Congress; 215,000, or almost 30 per cent, are from the North. If the rate of €1.93 from each member from 1st January 2004 is reasonable for the 70 per cent of our membership based in the Republic, it should also be good enough for those memberships in the North, instead of the €2.08 which is proposed in this motion.

This form of what some would call partitionism is unwarranted. With the border becoming increasingly irrelevant in political, economic and social terms, there's no justification for inequity in treatment within the trade union movement in Ireland of its membership, regardless of where they're based.

NIPSA would welcome confirmation, given this point from Congress, that if based on revenue some €32,000 obtained from the Northern membership affiliation fees in January 2004 is redirected back to NICTU to develop its membership base there and strengthen its voice on behalf of the workers.

Congress, when we return in 2005 for the next biennial conference, if a revised Motion on affiliation fees is placed on the agenda my union will expect change. If sterling still exists then, which is almost a given at this stage, the affiliation fees for membership throughout this island should be the same, regardless of where you live, regardless of where you work or through an accident of birth or employment opportunity. I will call upon the incoming President and Executive Committee to ensure that the anomaly contained within this Motion is rectified for the next biennial conference. The Euro rate set for the first of January 2006 will have a sterling equivalent, use it.

Conference, support the Motion and also endorse my union's recommendation for affiliation fees for the next conference. I move.

Senator Joe O'Toole, Congress President

Thank you Paddy, and thank you for pointing out that. And it is true to say that what he pointed out was absolutely correct. There was just a difficulty of moving them together and this Motion is an attempt to do that. Thank you very much.

Any other speakers? Thank you.

Tom McKee, NASUWUT

I would fully endorse the comments made by the previous speaker.

I think the name of the game here has to be one of equity. Our association has brought this matter before Congress before. At the moment, of course, the exchange rates are moving in the other direction, and if we were to wait two to three years, and if the UK continued to operate sterling, the matter could work in the other direction. The name of the game has to be equity of treatment, and the sooner that we move towards clear and acceptable equity of treatment so people are paying precisely the same affiliation fee, the sooner we get to the situation of one person, one vote. Full equity is the name of the game.

Thank you.

Senator Joe O'Toole, Congress President

General Secretary.

David Begg, Congress General Secretary

Colleagues, could I just make a point here in response to Colleagues who just spoke?

We did receive strong representations to try to bring about this equity, and I think we've made a reasonably good attempt to do it, albeit phased over a two year period, and bearing in mind also that the fees in respect of unions with membership in Northern Ireland did not increase last year either. We froze that, and that frankly is the best we can do.

To be absolutely honest with you Colleagues, the finances in Congress are in pieces, they are a disaster at the moment. Not alone are we confronted with the problems that the General Treasurer brought to your attention, you know, which he did in a most straightforward and unemotional way, but to be quite honest with you, the situation is extremely difficult in trying to manage it. As he did point out, we're facing into deficits, huge deficits, for the next few years which we will have to contain by very rigorous cutbacks in the organisation.

We already have five vacancies in the organisation that we have not filled, and we will have to have more going forward. The pension scheme, I regret to say, is in an extremely bad situation as well, for all the reasons that were discussed this morning,

and I personally have no idea how we're going to deal with the pension scheme because it is so bad. I can tell you straight, Colleagues, that we are not in a good financial situation. We have to manage our way out of it.

We have done our level best to respond to the case put by our colleagues in Northern Ireland. Ten per cent of the increase which is being talked about now is simply about addressing that difference between the two parts of the island. The rest of it is simply just to deal with the increasing costs.

I just want you not to run away with the idea that we don't have a problem. We have a very serious problem which, unfortunately, has been added to this morning in the decision we have just made in relation to the Constitution. If we had been able to accept additional unions into affiliation we might have been able to alleviate that, and indeed in regard to the military people, PDFORA had expressed an interest possibly in joining Congress which we can't facilitate now because of the rules as they stand.

But our position is really difficult, and I would ask for some considerable understanding from yourselves about it because it's going to be very difficult to put it straight in the next two years.

Senator Joe O'Toole, Congress President

Thank you very much, and I have to say I very much share those views - having spent months looking at those books. Any other speakers on this issue?

Ok, well then I'll now put the finance Motion, that's Motion C. All those in favour? Please show. All those against? Carried unanimously. Thank you very much for your support.

Motion D, Amendment to Paragraph 48 to provide for an Ombudsman. The proposer is Larry Broderick, I think. There you are Larry.

Larry Broderick, Congress Executive & IBOA General Secretary, *Motion D (Amendment to the Constitution)*

President, Delegates. I've been asked to put forward this Motion before Delegates because we're very much conscious of the difficulties in relation to inter-union transfers.

It's fair to say that the General Purposes Committee, over the last two years, looked at radically changing the rules in relation to inter-union transfers. It was viewed that this was a very difficult issue for the movement, and the Motion that arises results from an objective step by Congress in a strategic plan to enhance the appeals procedures, and to make them more transparent. It also allows for a review of a case by an independent ombudsman to ensure that the member or members have been fairly treated.

All of us are conscious of the need to ensure transparency, and the need to recognise the high level of service that, as trade union officials and as unions, we need to give

to our members. This particular review will be viewed as a judicial review to ensure that the procedure followed by the Appeals Board was fair and reasonable.

It also is important that it is a new departure for the trade union movement generally, to open up procedures to independent, external scrutiny. It will of course be open to us and the Executive Committee to expand these arrangements. And there may be views among Colleagues that it doesn't go far enough, but it is important to know that it's a stepping stone in the right direction. It is hoped that this new departure that provides for this facility of an external review will allow for members to attend very diligently, to get complaints that they receive from members in relation to lack of service, and in so doing allow and provide a situation that we can avoid situations where there might be a basis of transferring between unions, and we're all aware of the grief that that can entail.

It's our view on the Executive Committee that this particular resolution should be supported. It is a step in the right direction. It does provide for transparency on procedural issues and I ask Conference to support the resolution.

Thank you President.

Senator Joe O'Toole, Congress President

Thank you Larry.

Can I have a seconder please? Formally seconded. Any speakers? Thank you very much.

I'll now put the Motion then. All those in favour? Please show. All those against? Carried unanimously.

Thank you Larry, thank you Delegates.

Now we're onto Motion E which is the last in the section that was supposed to conclude before 3.30pm.

Inez McCormack, Congress Executive & UNISON, *Motion E (Amendment to the Constitution)*

Inez McCormack, UNISON.

23 years ago my union and I, on behalf of my union, proposed a Motion which was about creating a number of reserve seats for women in the Irish Congress of Trade Unions. It was bitterly opposed at that stage, on the grounds that we could get there if we had merit. It was opposed on the grounds that it wasn't democratic and we needed women to come through the structures, like everyone else had, so that we could either trickle down or trickle up. It was opposed because the wording wasn't quite right. It was opposed because the timing wasn't quite right. It was bitterly opposed. We lost.

The following year we put it again, and in the meantime, women had mobilised. That is a lesson, women have mobilised and organised. And there was a mass rebellion at that Conference, every woman in the Conference got up to speak, and we won the debate for both the reserve seats, and we won the debate for an equality report conference and the women's conference and all of it, by a vote of 191 to 185.

The message I have from this woman to all women - space is never given to those who haven't it, space has to be taken! And I will also say this, that in the intervening time all of those who promised us that subtle, strategic, strategies would produce the change that the blunt instrument of reserve seats would not have yet to see the strategies or the subtleties. I certainly haven't seen the outcomes.

There are indeed an increased number of women present in this room, but not because of the voluntary decisions by the affiliates or by the Executive. It's because of a rule change. The composition in this Conference came because of a rule change that made it necessary to have women present in certain numbers. The reality is now, 23 years later, that the number of women senior officials are falling, the number of women has nearly trebled in the South and increased in the North, and the structures have not changed to make it feasible, possible or attractive for any woman to feel that they can be comfortable.

Do reserve seats solve all those problems? Of course not. They are a blunt instrument. They are a symbol of political will. I am speaking as a woman who proposed that Motion. I am speaking as the only woman in the intervening 23 years who held a general seat. I am speaking as the first woman president of the Irish Congress of Trade Unions, and the reasons I am using this opportunity to speak here at this, my last Conference, is taking those seats and holding those positions were not about space or status for me, it was about the women in this country, in this society and workplaces who don't even know we exist, whose daily experiences are of humiliation, exclusion, harassment and embarrassment, low pay and all of that. It is about women within the trade union movement in those 23 years that I have seen disappear out of the movement when they came to that invisible glass ceiling or concrete floor, when they had done everything they were expected to but people still didn't move over.

Does it take a blunt instrument? The answer is yes. Is space given? No. This proposal is about creating the political will for change. All those years ago, when we were given the reasons on the doctrine of unright time, some of the reasons were very interesting. Some of the reasons were even intelligent and good, but change doesn't come from the subtle reasoning of those who haven't put forward the proposals. Change comes from those who say change has to happen now, justice delayed is justice denied.

One small point I'd make before I end, that I learnt from experience as this very Conference. The proposals refer to the Executive Council. The proposals refer to the Northern Ireland Committee. The proposals also refer to something called the General Purposes Committee which the majority of Delegates or ordinary workers in the trade union movement know nothing about. I'm speaking as someone who has held every high office in the trade union movement. The status of the General

Purposes Committee, where decisions are taken usually behind closed doors, not in any form of corruption or anything else, but the decisions I'm telling you are taken by men in their image.

All the structures of the movement have to be changed. I'm using my experience, my commitment, my authority, to say to this movement change has to happen now, and if you don't like the instrument show me another one, but don't show it to me in two years, don't show it to me in four years. Vote for this now.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Inez.

Patricia McKeown, Congress Executive & UNISON

President, Delegates. Patricia McKeown, UNISON, to second this Motion, and in doing so I would like to dedicate it to Maire Breslan, to Frances McGuire, to May O'Brien, and today on UNISON's birthday, I would like to dedicate to Joan Carmichael, the Deputy General Secretary of the Irish Congress of Trade Unions.

I didn't think I'd find this such a difficult speech to make. 23 years ago there was unreasonable hysteria in this movement because women said a bit of positive action might be a good signal to other women, particularly the unorganised, particularly the exploited, particularly those, although in unions, who didn't really get the chance to go into rooms where decisions were made, and that it might be a very good idea at the top of our movement to give a signal that space could be made there. And if space could be made in the senior decision making places then the real change, the space on the shop floor, might in fact happen because there would be political will, there would be resources put at the disposal of working class women in our movement.

The hysteria that that produced was unreasonable, and unfortunately so too were our expectations. I did honestly expect that 23 years later I would be on the way out of this movement and behind me would be an army of women. Now there is an army of women, 50 per cent of the movement in the North is now women, 46 per cent of the movement in the Republic is now women. But a decade ago there were legions, women coming through the ranks of this movement who by now should have been in senior positions, and they're gone, and there wasn't a damn thing wrong with them.

And there's everything wrong the way we do our business. They went because, I am pleased to say, a younger generation of women than me and Inez is not prepared to put up with the crap that we have. They've gone elsewhere. They have walked with their feet. But it is imperative upon this movement to stop that drain, that enormous drain of talent and energy. It is imperative on us to change the way we do business. Blunt instrument yes it is, but 23 years has been too long, and I'm not prepared to wait another 23.

I ask you to support.

Senator Joe O'Toole, Congress President

Thanks Patricia.

Fiona Marshall, ATGWU

Fiona Marshall, ATGWU, supporting the Motion E.

Conference, I would like to start by saying the fact that we have to have a Motion like this on the agenda, after so many years, after talking about representation and participation, is a sad reflection of the trade union movement. We all talk a good fight when we discuss at conferences and other venues about how we want women and other under represented groups to play a more active role in our organisation, but in reality there are only a handful of unions that actually have women in the senior positions which are ordinarily represented on the Executive Council.

In the T&G we are no different, and we have made changes similar to those suggested in this Motion with tremendous success. For a long number of years my own union had a policy of setting targets of proportional representation for women and black members in our union structures, with little or no effect; a policy similar to that of Congress. Then in 1998 our Roots Conference made it compulsory that women be represented proportionally on all committees and delegations.

The best example of how this works in practice is on our own Regional Committee. Going back 4 years we would have had one women on the Regional Committee, along with 23 men. On our current Regional Committee we now have nine women and 15 men, with a woman as Chair and Vice-Chair. This is over and above proportional representation. And the fact that after one electoral term the contribution of these women has been recognised to the degree that they've been elected to these senior positions says it all about how positive everyone involved has found this innovation. Most, if not all, of our Regional Committee members would say that while at the introduction of the rule change they might have had some reservations, they have found the change a very positive one. I believe it has changed the tone, atmosphere and agenda in the meetings, and one thing it certainly has done is dispel the myth that often the officers can't find women to take up seats. If a district doesn't put forward its minimum number of women its delegates simply lose their seats.

Although this Motion doesn't go as far as proportionality, I believe that the Congress experience will be a similar one. And if adopted the Motion would assist in changing the public face of unions, and encourage affiliates to continue to press forward in improving the position of women in their own representational structures.

Conference, I hope you can support this Motion. But I also hope that all unions continue to look at the reasons why women are not progressing up the ladder within unions, so we can see more general secretaries, regional secretaries, full-time officials who are women, and they can take up their seats on the Executive through the more traditional route.

Please support.

Edward Matthews, INO

President, Delegates. Edward Matthews, Irish Nurses Organisation.

Very briefly, 23 years ago I'm afraid I was a very, very young man, and as the newest official in the Irish Nurses' Organisation which has a 96 per cent female membership, we would stand here, or I would stand here, and say we have a shamelessly low number of women in senior positions.

Our organisation supports this rule change to try and ensure that women take up active senior positions at union level. Please support the Motion.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you very much.

Joan.

Joan Carmichael, Congress Assistant General Secretary

President, Delegates. I don't know what this is a sign of, but I'm proposing on behalf of the Executive that this Motion be remitted. Patricia, I don't know where that leaves you and I in relation to the dedication you made, but if I could just explain the thinking behind it.

It's not a question of disagreeing with anything that has been said. I've been at the debate, at both sides of the argument on should there be a reserve seat. I remember when we were beaten up by women when we suggested that there should be reserve seats, and then that became acceptable. And I agree that without reserve seats there would only be one woman on the Executive in the past, and currently Inez and Patricia herself.

But where does the problem lie? It lies in the fact that unions do not nominate women. Even since the reserve seats, unions who have more than one place on the Executive don't propose or don't put forward a proportionate number of women. So the issue is, what the Executive are saying, is that we need to look at it and maybe come up with a proposal that maybe will be the only solution is a reserve seat, but it may be that there may be more fundamental thinking to be done within unions.

We all know the way the voting system works, and it's a very modest proposal, an additional number, a small additional number of reserve seats on the Northern Ireland Committee, on the Executive Committee of Congress, and I suppose the most significant one is that there would be women on the GPC. But will that change anything in the way trade unions do their proposing of delegates and of nominations to the Executive? I don't think so. It actually would allow affiliates not to change the

way they propose nominations to the Executive. So really what the Executive is saying is that it has to be looked at in greater depth.

Now I know I've looked, in preparation for this, I've looked at all of the Equality Programmes, the First, the Second, the Third and the Fourth, and each of them have said that unions and Congress must look at a proportional representation for women. But the most significant thing, in looking at what has happened in the past, is that prior to the reserve seats the women who were presidents of Congress, or on the Executive, were nominated by the Women Workers' Union. That's how they got there, not through reserve seats. So the issue really is that unions are not nominating people, and they're not proposing them as President, Vice-President or any of the Officers. And why is that? So that's a fundamental issue which may not be addressed by simply increasing the reserve seats.

The position within Congress itself, and the Executive, is that they want to look at this again. But they acknowledge that in the context of the time of the biennial conference that you would actually be four years away before there could be any change, and I think one of the other speakers made this point, if this couldn't be voted on today. So what we're suggesting is that there would be a special delegate conference which would consider the work that is being done by the Joint Women's Committee, by the Gender Pay GAP Project and in consultation, in advance of that, with the affiliate unions, so that if an amendment to the Constitution is needed it can be carried and would be in place by the next biennial conference.

So Delegates, in that context, I would urge you to agree to the remit of this Motion.

Thank you.

Senator Joe O'Toole, Congress President

Can we hear from the proposer about the proposal to remit? You're not prepared to remit? Well in that case, I give the proposal's proposer the right to remit.

Inez McCormack, Congress Executive & UNISON

Joan, you're a good woman, you're just doing the job of bad men. You're still a nice woman.

The point I make is this, these arguments are rehearsed 23 years ago, they're still the same objections again. It can all be done better, differently, and it can all be done at another conference. I just make these points, very simply. This is not about accepting our responsibility tomorrow or next week or next year, it's about accepting our responsibility now, without finding reasons why not to do so. It is about this Congress which, indeed, consists of affiliates, but it is also about this Congress having the authority now to make this decision on behalf of this movement, on behalf of workers of this island, on behalf of women on this island.

Right, so I'll tell you my answer to the offer. When you vote for this Motion, and when you pass it, all the additional women who are on the Executive Council will do

their level best to make sure that whatever proposals come from the special conference, because we can have that anyway - because isn't that the subtle strategy, right, we're the blunt instrument and have the subtle strategy - whatever proposals come from the special conference, they can help to implement, because at this stage we can't have too many women.

Very simply and straightforwardly, I am saying to you this - support this Motion now to put the pressure on, to get the kind of change not only that those women 23 years ago deserved, but the thousands and hundreds of thousands of women that went before them that created space. And to quote May Clifford, who's the woman that Patricia forgot who people know is President of Dublin Trades Council, when she said at one wonderful conference "A day at a time dear Lord, a day at a time." She also was screamed at by other women because we didn't agree with her. I'm screaming, no not a day at a time dear Lord! Change now, justice delayed is justice denied.

I'd ask you to support the Motion.

Senator Joe O'Toole, Congress President

I'm not sure if I'm one of those bad men that you refer to, but I think it was a bit unfair on Joan, that comment, I have to say, whatever about the rest of us.

Anyway, again to explain the procedure. There's a proposal to remit that can be carried by a simple majority. In the event of that not being carried, then we will put the Motion which requires a two thirds majority. Sorry to be throwing the maths at you all the way there.

So the proposal is that the Motion be remitted. All those in favour? Please show. All those against? I think it's being carried, well carried. Ok just from here it's clear that it's been voted to remit. Tellers please, can I just ask that the doors be closed for the vote and Delegates be seated? Have we got the five Rhona, have we? Could I ask Delegates to be seated please and tellers take up their positions? All those in favour of the remission? Please show. Ok Delegates, could I have your attention please? Now the vote for those people opposing remission. Please show. Thank you Rhona, thank you tellers. The vote for remission 190, vote against 160. So it's remitted.

Could I also correct the earlier vote? I actually gave the wrong figure, it was actually my dyslexic ears or whatever. I said 241 or 242. It was actually the other way around, 214, so it was substantially defeated - the first one.

Patricia McKeown, Congress Executive & UNISON

President, can I seek a point of clarification? Was the offer of the special conference a real one, and is it still on, and was the offer to bring a constitutional....

Senator Joe O'Toole, Congress President

Sorry. That's not a point of order, that's not a point of order.

Patricia McKeown, Congress Executive & UNISON

I'm asking for clarification. You made an offer, I want to know does the offer still stand? Was it a real one on behalf of the women of the movement or was it not?

Joan Carmichael, Congress Assistant General Secretary

Sorry President.

One of the reasons for joining a trade union is to work in solidarity with each other. Now to say that after all my years that I would be almost accused of lying to Conference when I said that we would have a special delegate conference is not acceptable, and it's not acceptable to the Executive.

The proposal stands, there's no question of it not.

But I would like to take this opportunity of also saying that as a trade unionist, in my working life, I've actually represented more men than women, and while I disagree with probably every man I've ever sat on a committee with, at one time or another, I do not consider them bad men, and I do not consider myself, which is even more important, a weakling that would be used by them.

Senator Joe O'Toole, Congress President

Ok Delegates, thank you for that.

Recruitment and Organisation

(Motions 6 – 8)

Principal EC Report reference: Chapter 10, *Strengthening the Trade Union Movement*

16.00 – 17.30

Senator Joe O'Toole, Congress President

We now move onto the business which is Recruitment and Organisation. It is the section which was supposed to begin at 3.30pm.

I will ask the General Secretary to introduce the Report Section and its discussion.

Could I just say to people, there's always a sort of hiatus after Constitutional Motions, but all of the difficulties we've been talking about, all the financial difficulties, all the recruitment difficulties, all the non-participation issues are all focussed on in the next hour and a half here. And the decision that we are going to take is really going to set the scene. I really would ask for your attention, your support and participation in this debate. I think it is crucial.

David Begg, Congress General Secretary, *Introduction to Presentations*

Thank you very much indeed President and Colleagues.

The theme of this Conference, as I mentioned earlier on, is entirely focussed on the question of recruitment and organisation, simply because it is a matter which the Executive Council considers to be absolutely essential and crucial to our work for reasons which I'll try to explain.

It's hoped that in this concluding session today, as I mentioned, we'll have a number of interesting presentations in relation to different approaches to this. And we're very fortunate in having with us two colleagues, one from the United States, Tom Woodruff, and one from the TUC, Paul Novak, who will be making a contribution.

Now, in my working life I meet an awful lot of people who sort of know me as a public figure, and who would ask me about problems that they have as individuals. And it's an extraordinary thing, the extent to which people do have problems and are treated extremely badly in work.

Even this week alone, with two neighbours, I came across two quite horrendous cases, one of which I'm happy to say Joe Cunningham of SIPTU took up for me and was able to resolve. But these are people who have nobody to turn to, they're not in a trade union, and really, when something happens to you in your life at work you know it's very hard to find the resources within yourself to deal with that problem because all the glitz of modernity and new HRM strategies and all of that type of thing. An awful lot of people are as exposed as ever they were to some very hard brutalities of the power relationship between employer and employee. I think what

people want most in their working life is respect. Excuse me, thank you Tom, that gin and tonic is always good. And I mean there are many other problems as well, as you know.

We were talking earlier on today about the pension situation. This is an issue that affects absolutely everybody, in a trade union, or not in a trade union. It's a hugely important issue affecting all workers which we should be able to galvanise public attention around.

Now the point I'm really trying to make, I suppose, is this, that we should get into organising and recruiting because it is the right of every person to have respect and dignity at work and provision to live in reasonable comfort, and not for institutional reasons. And it drives me bonkers at times that whenever you raise this matter in public discourse it is seized upon as an issue where you are concerned about simply the institution of trade unionism that you're trying to defend.

There's no point in having an institution if we don't do the business for which we were set up in the first case, and frankly speaking, an audit of our organisation at the moment is not that bad. And if you look at page 102 of the Annual Report you'll see that actually trade union membership affiliated to Congress has grown actually by about 10 per cent in the last few years, and it's grown in the last two years in Northern Ireland and the Republic in line with the increase in the Labour Court. Admittedly, in the years immediately up to that, it did not, but nevertheless, it is not a bad position overall.

But there are still very large numbers of people who could be within trade unions, but they're not, and we're not reaching them, and this is something I think that we have to try to do. Because ultimately, of course, our influence and our legitimacy in society is proportional to our organised strength.

But even so, we have 767,000 members affiliated to the trade unions, to Congress, and in that sense we are by far the largest civil society organisation in the country. Not the employers or the farmers or anyone else can come near us, and as well as that, we have one organisation, one. When we sit down at the Partnership talks we have five employer organisations, four farmer organisations and 26 community and voluntary organisations. There is one Congress, and it is a much stronger entity than our critics would allow.

Now on the question of recruitment it seems to me, and Colleagues who will speak later on will perhaps give a better insight into all of this, that the impediments to recruiting are really, I suppose, changes in the structure of work organisation - the growth of the services sector and the relative decline of manufacturing. The picture we had was where we had a concentration of people in large numbers in one single employment, whereas now you have an awful lot of people, very many of them women, working in groups of 10 or twelve, working sort of on a part-time basis and so on, and they are very hard to reach and very hard to service. We have, as is well known, a good phalanx of anti-union employers who are very ideologically committed in their opposition, and who will espouse any cause in order to keep us out.

There is huge difficulty accessing trade unions, and I'm not quite sure if you'd never heard of, or if you didn't know anything about trade unions, or if you were just an ordinary member and wanted to join a trade union would you know how to go about it. It's not something that you will easily find information about in your local shopping centre, the trade union office, or that you will receive anything through the post about. It's not that easy. We are not a very accessible sort of an organisation.

There's a standard joke, going around for awhile, and I'm not sure, perhaps it might not have even been true that there was a certain branch of a certain union who declared that the branch was closed to members, it was full-up. There is this slight difficulty that one has in accessibility, and there is then the industrial model which a number of speakers have mentioned already today. This sort of idea that we are kind of in an industrial society where everybody works, you know, in a factory set up 9am – 5pm or whatever it might be, that they have the meetings in the evening, that it's based on a male breadwinner who has the time to come out to meetings at night and actually enjoys the politics and all that surrounds trade unionism. That of course has changed very radically as we pointed out that, people now, particularly women, who constitute the big bulk of the recent growth in the labour force, just simply are not in a position to engage with that. And regrettably, we know of unions not affiliated to Congress who have actually restricted options in terms of how people could participate. But we can't go along. We have to change that. We have to make ourselves better, I think, in terms of participation.

Then there is the servicing capability, and you see that this is a chicken and egg situation - that if you take your ordinary work a day trade union official who is trying to service members here and there and everywhere, really, whether they would admit it or not, it's very hard to take on additional people and give them the service. We have to think, in resource terms, that this is, you know, a kind of an investment that has to be made. You take people in, you have to give them a service, and if you take enough people in, well, they will remunerate the investment that's been made in the people necessary to give the service. So it has to be approached strategically to recognise that linkage.

But I think most of all the impediments to recruitment and organising are a sort of a cultural conservatism that it is very, very difficult for us to change. And we have to now recognise that we're a different model, and we have to really sort of re-invent ourselves in order to accommodate the needs of modern working people.

Now it is often said that the law is an impediment, and the law indeed is not perfect, far from it. As everybody knows in this part of the world, it is better in the United Kingdom because of the Employee Relations Act, which is a better Act, I think, in many ways. We have sought to change that position, and we've made some progress in it, and not insignificant progress. I think, actually today, the Cabinet will hopefully be approving the legislation to give effect to the amendments to the 2001 Act. I think with that, and with the revised Code of Practice we'll be talking about later in the week, and the Code Against Victimisation of people who engage in recruitment activity, I think we will move forward significantly there, but that is still only one side of the coin you know. I mean, even if we had the most perfect law, as they have

in other countries like France, you still have to go out and make your appeal to people in every generation, from first principles develop and make the case for trade unionism, and for the need for solidarity.

Now if you think about it, the mission of the trade union movement is to pursue social justice. That's the mission of course of the St. Vincent de Paul Society, of CORI, Oxfam and a great number of organisations. But we do it in a particular way. We do it by recruiting people into trade unions and organising them so that they can use their collective strength in the market system to effect a redistribution of wealth. That is what we do, it is a central part of our mission. If we don't do that mission then we're not doing our business. We have to keep our focus, I think, on that, and it is more important now in every Western country because of the growth of inequality. And I tell you this, this is something I fervently believe, that it is the growth of this inequality which will eventually sap and erode social cohesion so that we will have very sick societies unless we can tackle that, and there's only one actor in the marketplace with the capability of influencing that, and it's organised labour. We have to remember that.

Government is important, Government is extremely important, but it is not the complete answer. The trade unions have to organise, particularly now, what I would call the working poor people. The people who IBEC and others would see as providing this huge army of service workers for the well off and the well to do in society. We have to organise those people so that there can be some justice, and we have to be an advocate for a decent society. Otherwise, at the end of the day, the people who like to come along and talk about this country being Ireland Incorporated, the parameters of their vision are limited to an economy and not a society, and if we don't organise properly they will have their way.

Now colleagues, I just want to introduce Sally Anne Kinahan. I want to just take a second to introduce her because this will be her first time appearing before Conference. Sally Anne joined us during the year, her background is that she was Head of Oxfam in Ireland for some 15 years, she was a colleague of mine in Concern where she was Head of the Marketing Department, she's a member of AMICUS and very welcome with us in headquarters. Now she is going to lead off this presentation and she in turn then will introduce Tom and Paul, and I, hopefully at the end of it, will be able to make some concluding remarks.

Thank you.

Senator Joe O'Toole, Congress President

Thank you David.

Sally Anne, do your best for us. We need those extra members.

**Sally Anne Kinahan, Congress Director of Advocacy and General Services,
Presentation: *Strategic Aspects of Recruitment and Organising***

Thank you President, Delegates and Friends. It is a great pleasure for me to be here, and thank you very much David for your warm introduction.

As David mentioned, I've been with the organisation now almost four months, and I still haven't recovered from the shock! It's quite different to any of the experiences I've had in the past, but that's a good thing. As David mentioned, what we're hoping to do now is that I'm going to, more quickly than perhaps I'd anticipated a couple of hours ago, talk to you about the situation facing us on this island. And I'm going to then introduce our guests, from the SEIU in the United States, Tom Woodruff, and also Paul Novak from the TUC, who will both talk to you about the very positive experiences they have had of recruiting and organising within their specific environments.

To kick off, just to give you a quick overview of the market, and it's been mentioned on several occasions already that we've seen a very rapid increase of the numbers at work in the last decade. It's mainly private sector, a lot of it is in small workplaces, predominantly service industries. There's been a doubling of women's participation in the workforce, and a significant increase in the number of part-time workers, so it looks a lot different to what we've been used to in the past.

Looking at some of the membership data that we have as an organisation, I think it is important to note that other than having figures from the annual affiliation of unions, and from a limited amount of research we carry out, we're actually very poor on information, on analysis, on data, about what's happening out there and about the attitudes of people towards our work.

As has been mentioned, there's been a rapid increase in the numbers of people in work over the last decade, a very significant increase. And we've also seen an increase in the numbers of people who are members of trade unions, an increase of almost 100,000 if you look back over the last ten or eleven years. This is just in the Republic of Ireland. Likewise in Northern Ireland, there have been some increases in the numbers of people who are members of unions, and also the number of people who are participating in the workforce. At the moment we have 215,000 members in Northern Ireland, of a total workforce of just over 600,000 individuals. If you look at our net increase in membership we've actually had some kind of star years. Some people cynically might say that they tend to be just before an annual conference because it affects the outcome of the number of people you can have as delegates, but I'm sure that's not the case.

We have seen performances, quite remarkable performances, where we have managed to take on an additional 20,000 plus individuals in a year, and in fact we did that quite recently. I think last year there was an increase of over 20,000 people as trade union members, but I think one of the things that I suppose we have to note is that they were predominantly public sector workers. If you look at our annual increase in percentage terms it goes up and down. We've reached the highs of almost 5 per cent, but the lows of zero, in the last decade.

I suppose what we want to look at when we take a snap shot of participation rates and density is how that looks across a range of ages. And if you look here at the level of people at work, and the people who are in a union represented by the yellow line, it is quite clear to see that we seem to be doing ok in patches, but they seem to be getting older. And when you look at us in a younger labour market, or towards a more middle aged labour market, we're not actually, our density isn't really, hitting the mark.

There was some research carried out on a couple of occasions over the last four or five years, and some of you may have seen it already, but I think it's important to focus on it because it is the only information, or data, we have at the moment about the attitudes of the public towards trade unionism. It's one of the things I would strongly urge that we continue and increase our investment in, and I'm sure there is some analysis held locally by affiliate organisations, and it's the type of information that we need to share and encourage people to undertake.

We know that people join unions for a variety of reasons, but from the research that we have it's clear that the most important reasons are about job protection and security of employment, and about things like pay and conditions. We also know that people leave their unions for a variety of reasons, but one of the most important reasons why they leave is because employment has changed, and I think that's a significant thing that we need to consider when we're looking at how we churn members. Many unions, particularly unions that are working with lower paid workers, like MANDATE, churn people on an annual basis because people tend to change jobs very rapidly.

It was quite surprising when we were looking at the reasons why people don't join a union. It is because quite often they haven't considered it, or they haven't been asked, or they haven't been exposed to it, or they are self-employed. So it actually means that we're starting from a fairly positive base to know that it's not because people are completely opposed to unions, or indeed even anti-unions, but it's got more to do with the fact that they hadn't really thought about it or considered it, or they hadn't been accessed and given the opportunity to join. One of the things that was established in the research was that about two thirds of working people who are not currently members stated that they would consider joining a union at some stage in the future. A good base to start from.

Ok, I think a great challenge for us is not just about getting people on board, but is getting people involved. And you know, some of the debate that's taken place in the last couple of hours demonstrates that you know participation is so important to us, and to our future, and to our legitimacy. And what we do know is that people do not get involved in an active way in unions. They tend, in fact, often to never get involved unless they have a problem. We're looking at 70 per cent of people involved in unions having little or no participation.

So looking at just a synopsis of attitudes towards unions, and this is looking at the Republic of Ireland because we don't have similar research for Northern Ireland at the moment, the environment is very benign. There's a fairly good feeling about unions and towards unions, perhaps not by employers, but by people in the

workplace. In excess of two thirds of non-union individuals would consider joining a union. Indications from the research that we have here indicate that 15 per cent that would actually join have never been asked.

And one of the problems that we face in trying to get people on board is that quite often they don't see the relevance about joining, why they should join. I think that's a particular challenge for us with younger people, recent entrants into the workforce or people leaving school nowadays. Many people have grown up without any historic understanding about the importance of trade unions, any family experience in trade unions, so it really is a challenge to convince them that unions are good for them, good for all of us and good for the future of our society.

I think it is interesting, as I said already, that the majority who leave a union do go when their employment changes, or when they become self employed, and that the main reason for joining a union, as I said already, is about job security or to improve conditions, and this is a very traditional reason for joining. Job security and terms and conditions, that's what people want, the basic protective function of unions is what our strength is.

Less than 10 per cent of individuals being actively involved is something that we have to deal with, and the under involvement of women, young people and ethnic groups. Because whether we like it or not, unless we can get those people involved we're not going to be able to attract them into our organisations because very strongly, like represents like and attracts like.

Okay, so overall, whilst the actual numbers are improving, we have almost 100,000 more members within the union movement than we had eleven years ago, our density is declining, and that is the real challenge. Currently we're hovering in the Republic of Ireland between 40 per cent and 42 per cent, and in Northern Ireland between 33 and 35 per cent, but the growth in the workforce does offer us massive opportunity to grow our membership, and also the fact that there is a willingness to join if asked. So the opportunity is ours, and I recognise also that it is a huge challenge. It's not as simplistic as saying "yes they're out there, yes they're interested, yes maybe they'll join," because many of you have had years of experience of trying to make this happen, and not terribly successfully.

Looking at the Irish Congress of Trade Unions' strategy for the next three years it has already been agreed at the last biennial delegate conference that we want and we need to increase the density of union membership, and particularly focussing on the private sector. We've agreed that we want to build leadership on issues of concern to workers and their families, to engage on issues of social exclusion and equality to influence change and to increase the involvement of individuals in their unions. And it's quite remarkable that we agree these things, but quite often we don't seem to be able to implement them. I've looked back at some of the publications and outcomes of meetings over the last 20 years, and it is almost an annual event that we discuss recruitment and organising, the need to get more people on board, to make it a more meaningful experience and to increase participation. But for some reason or another it just doesn't seem to happen at the level we all expect.

I think that's the big question we have to ask ourselves - if we are all so committed, if we all recognise that this is probably the biggest strategic issue that we face as organisations, then why haven't we been able to make it happen? And I do hope that some of the discussion and input that you're going to hear might help inspire and move us forward to the next stage.

In terms of the barriers that we face, I think the biggest point is that there is a lack of strategic prioritisation within individual unions. We talk about it, we have committee meetings about it, we produce papers about it, but is it the number one strategic priority? Often it is not.

I think it's also quite remarkable that with the many years of social partnership we have had that we would have imagined that it would have freed up resources within unions to focus on recruitment, but this does not seem to be the case. And I've heard many stories, as David has already remarked, about people whom I've spoken to within trade unions who have said that they actually can't take on the burden of extra responsibility, of handling more members, because they can't cope with the level of work that they have to do already. This comes down to the fact that we are not adequately resourced or structured to deal with taking people on in large numbers.

I suppose it's important to mark or point out that inter-union rivalry and the competitiveness that exists doesn't necessarily help what we are trying to achieve. There seems to be great relish, I think, in taking members from each other, more so than taking people on board who've never been unionised. And there's no doubt about the fact that if someone is already a union member it's probably a lot easier to recruit them into membership than it is to take somebody who's out there in a small workplace who's very difficult to access and to reach.

I think the other big issue that we face is how we relate to and fulfil the involvement of people within our organisations. I've heard many people, many individuals, about why they have left their unions. They felt that they hadn't gotten value for money, or they're not getting good service or whatever else, but a lot of it is actually about the fact that people are not being communicated with adequately. And I really do think we need to explore more innovative ways of communicating with and fulfilling the relationships that individuals have with the institutions to which they belong. We've had a discussion already about our structures and how they don't necessarily work to involve people and engage people, so I won't concentrate too much on that.

I know that David has already mentioned the legislative environment that we're operating in. It isn't necessarily conducive to our situation, but I don't think it is as big a barrier as sometimes we think it is.

Of course it is important to know that we are not alone in this, and that gives us hope, but density is a major challenge for many unions in the Western world. The USA and GB are just two examples where recruitment has been prioritised, we'll be hearing more about that later on, and there have been some remarkable successes.

I think it is quite heartening to look at what the TUC has been doing because their aim was not just to increase recruitment, but to encourage unions to target non-union

companies and workers who were most in need of union protection, and probably had no experience or involvement in trade unions in the past. But despite some of these superb initiatives and the successes that have been shown, the proportion of union resources, I know within a UK context, that has been committed to organising is still tremendously low when you look at the challenges that we face.

And those challenges include the fact that the public needs to be better informed about the central role that unions have played in achieving the many advances that we have seen in our society, and the contribution that they have made towards the economic prosperity that we have experienced, or that some of us have experienced in recent years. We need to demonstrate truly to people the benefits of union organisation – what difference can we help to make in people's lives, and not just people's lives within the workplace, but for the betterment of the society that we are living in, for all of the citizens in the future?

We need to have a strong, coherent identity, and to ensure that our communications and campaigning activity inspires all of our audiences with our purpose and our values. And one of the things we must try and do at this Conference, try and achieve at this Conference, is to change how we look, to make ourselves look a little bit more appealing to younger people, and to women in particular.

I do think that quite often we are very conceptual in the way that we communicate about unions, or about institutions or organisational structural change, when in fact unions are people organisations. We are the biggest people organisation in the country, but we don't often represent that in the most effective way.

Equally, it's time for us to harness new technologies to meet our purpose and create a greater impact. I would be a huge advocate of the need for us, organisationally, to have a single database of every union member on this island so that we can exploit it to inform people, to engage with people, to get people to take action and also to communicate about issues that are important to us. I think that's the future, that's where we need to go. Whether, or not, that's too challenging a concept, I'd be interested to hear later on during the discussion.

As David mentioned, my background is in the NGO sector. I've worked most of my working career in not-for-profit and in third world development. My most recent job was with one of the biggest, if not the biggest, charity now on this island. Just to give you a snapshot of some of the challenges that have been faced within that sector, and at the same time acknowledging that it's different, it's different but it's similar.

We had a quarter of million supporters when I took up my last job, one third of them active givers, but only 10,000 of them were regular donors, and that accounted for only 10 per cent of our income. We carried out a lot of market research to establish what potential we had to grow and found out that about 16 per cent of adults were willing to support our organisation, not too different from the 15 per cent of individuals that we've established are willing to join trade unions. We set about carrying out a mass recruitment campaign and put a huge amount of resources into it, and within a three year period, finishing this year, we managed to recruit 200,000

individuals who give a donation on a monthly basis, through a direct debit or standing order, to the organisation.

Now many of you will say yes, but they're giving to a good cause, and yes, that's true, they are. But people give because they feel guilty, and that's one of the things that we're probably quite good at making people feel in the NGO sector. But within our sector, within the trade union movement, I suppose the emotion or the concern that people have is fear, and I suppose that would inspire people to do far more than I suppose the guilt of giving to a charity. So I do think there's a huge potential when people are concerned about their job security, where they're concerned about the future of our economy.

This is the time to take the challenge, to take the opportunity to use it to try and get out there and recruit people. The techniques that have been used by the NGOs, whether they're Greenpeace, member organisations, Amnesty International or Oxfam, or indeed Concern, to get people on board are not that different from the techniques that we have to use as a movement. Some of the greatest successes have been achieved by face to face recruitment, calling to people's houses, as well as using mass and targeted media campaigns that are used so effectively by big businesses to create profits. It's about time that we started capturing that and using it to our advantage.

If you look at the Republic of Ireland, for example, the number of people we have as potential targets within the private sector is significant. We know that there are over a million workers, with a membership somewhere in the region of 312,000, so the density rate is less than 30 per cent. We know that there are about 800,000 potential people that we could recruit as members, okay, it's a starting point. And if we know that, okay, maybe 60 per cent, two thirds, would consider joining a union, there are definitely 15 per cent out there who would join if approached, then we have a minimum of 160,000 people to recruit in the next year, with up to 500,000 people as the target that we should have our eye on. And I actually think we have to break it down to that level of the number of people that we're going to recruit and the period in which we're going to recruit them.

I think I have to say that in the charity sector huge resources are put behind this type of work, and that we would look at the annual income of an individual and then look at a lifespan model. There's no reason why we can't do the same within our movement, and say that even if someone only has a three year life span that it's worth spending money to get them on board as a member.

Finally, I just want to outline what I believe our role can be, from the Irish Congress of Trade Unions, and recognising at this moment in time that the only resource they have is part of my job, and it needs obviously to be a bigger resource, and much more strategic than that if we're going to achieve the type of change that we need to achieve.

I think, firstly, we need to develop a rigorous analysis, gather the data and devise a strategic approach to change and to recruit numbers of people into the movement. We need to work with the willing to develop the strategies and plans, and I do think that we can do that in an effective way. We need to build a recruiting competence at

Congress, perhaps establishing systems and support, something like the Organising Academy that has been established in the UK. And one of the things that I know the TUC is willing to do is to work with us to help support that initiative.

We also need to look at developing strategic communications, a plan to target the groups and individuals that don't think favourably about trade unions, or don't know about trade unions, or don't recognise the centrality that unions are playing to all of our lives. So we need to communicate in a far more effective way to raise awareness and influence attitudes towards the movement. I think we can also devise marketing campaigns and support materials for recruitment. None of that is an issue. The biggest difficulty we have is that we don't have the resources, so it can only work if individual unions are willing to be strategic about it and put the resources into it.

I would also like to look at the possibility of piloting and testing some activities regionally. I think some of my colleagues from the Galway Council of Trade Unions are going to speak about some of the experiences they have, and I'd like to do more of that, replicate it around the country.

That's all I have to say for now. I want to pass on to our guests to let them tell you about the positive experiences they've had within their environment. And I do hope that we can engage and have some discussion about this, and to hear the commitments, most importantly, from the unions that are here today about taking this forward and bringing on board members for the future.

Our first speaker is Tom Woodruff from the Services Employees International Union (SEIU) in the States. He was elected as Vice President in June 2001 and is currently overseeing the International Union's organising programme. Tom has extensive experience of the trade union movement and worked with the National Health Care Workers' Union in West Virginia up until 1996, and following John Sweeney's election as President of the AFL-CIO, the SEIU elected a new leadership team headed by Andrew Stern. At Stern's request Tom left his local union and became the Assistant to the President for organising at the SEIU. Tom has been responsible for organising almost 400,000 workers into the union and they've been carrying out some fairly ground breaking initiatives which we're going to hear about now. So I've great pleasure introducing Tom to speak to Conference.

Tom Woodruff, SEIU

Sisters and Brothers, good afternoon. Mr. President, Mr. Executive, Secretary, Madam, Assistant Executive Secretariat, I want to thank you, and I very much appreciate the invitation to be with you today, it's quite an honour.

Quite frankly, standing in front of you, it's quite humbling. I come from a labour movement that has been declining for the last 50 years, and I stand here and you have built a very strong and powerful labour movement. You have a ways to go, but you've maintained decent density, and I really think as a large part, as a result of that, this is a much more civilised and peaceful country than the one I come from.

I was thinking on the plane on the way over here why in the world would you want somebody from the labour movement in the United States to come here? And I had to flashback to my youth.

I grew up in a small, rural, mountainous State, West Virginia, that is known for coal mining and manufacturing, and is a very religious State, but my own personal religious upbringing was severely wanting. I was chased out of the house one Sunday morning to go to the neighbourhood church, and I went down to the church and the preacher was in the pulpit and he was preaching. I forget the particular Biblical passage, but he was talking about how everyone was a child of God and everybody had a purpose in life. And he went back behind the altar and he got the man who everybody knew was the town drunk, and with some considerable effort a couple of ushers got the guy standing up there and he said, "Here's Jimmy, and he does nothing but drink all his life, and he lost his family and doesn't have a job and he's just a drunk. But he's a child of God, and he has a purpose on this Earth, and his purpose is so that all of you out there will know what not to become."

So the next Sunday I got chased out of my house again, with some degree of apprehension, and went back to that church. The preacher was talking about the same thing. This time he went back behind the altar and he got Bobby out of there, in one of those orange, county jail uniforms. A uniform I got the pleasure of wearing a few times later in life, as the result of a number of picket line incidents and so on, but I hadn't had that opportunity up to now. But he stood, he came up there and he said, "He's a child of God. His purpose in life, even though he doesn't have a job, he just goes from one arrest to another, the County has to put him up, his purpose in life is as an example of what you don't want to become."

Well, I never went back to church again, and I haven't been in a church since because I had this sneaking feeling that if I ever went back some preacher would grab me by the nape of the neck and put me up in front of a crowd of people I didn't know as an example of what not to become. Now that preacher is dead I am sure, but he must be smiling somewhere today, because here I am in front of a group of people I don't know as an example of what you should not become!

I want to talk a little bit about SEIU, the Service Employees Union in the United States, and some of the things we're doing. And I recognise that the terminology is different, our laws are different, the obstacles we face are different, but it seems to me that there are a few universals. And that is that we want to build a strong labour movement, and if our societies are going to have any chance to achieve justice and equality we have to do that. That one universal is that we have to have the political will to do it. Secondly, we have to devote tremendous resources to it, and third, we have to have a strategic plan about how to go about it.

We start in SEIU with a fundamental premise - that our future is not a matter of chance, it's a matter of choice. Too often the labour movement, at least in the States, acts like victims of things that they can't control, and things just happen. But we, in fact, think that we have to take charge of our futures, and it's a matter of choice.

I started in 1974 as an Organiser. SEIU was known then as SEI Who. Nobody knew what it was. We had 500,000 members at that point in time, but the labour movement was dominated by auto workers, steel workers, Teamsters, the main transportation union, the building trades. SEIU was a union of janitors, health care employees and public service workers, and in 1974 25 per cent of all US workers were in unions.

In 1996 we had a convention of change. The union movement had continued to decline. I was in a medium sized branch. John Sweeney was elected. SEIU had just over one million members, it was then the fastest growing union. We had a contested election and it was really about change versus the status quo, and it was not about who really headed the union, but which way the union was headed. Andrew Stern was elected. We adopted a bold action plan that was a result of a committee, and we embarked on a four year plan for growth, and at that time had no significant resource change.

But we did that because we looked at what was happening to workers then. In 1996 in the US income was declining for 80 per cent of all families, 60 per cent of all new jobs created since 1979 paid less than \$7,000 a year, average real wages for workers were lower than \$8,973, even lower than they were in 1959! Workers covered by healthcare and pensions were declining, time off was declining and people spent less time with their families. Meanwhile, since 1980 to 1996, CEO pay was up 536 per cent, corporate profits up 118 per cent, factory wages down 8 per cent, minimum wage down 15 per cent. So we understood that there were winners in our society, the top 1 per cent of people owning 21 per cent of all wealth in 1980, move that to 42 per cent by 1995.

The world's richest 225 individuals at that time had wealth equal to the annual income of the world's poorest 2.5 billion people. And this really tells a story. This is a story of our labour movement in 1996. We had 35 per cent density in 1953, it moved to the 20s in the '70s, and in the '80s it was down to 14.9 per cent. Now I don't have a chart, but if you look at the number of union members, the number of union members remained essentially constant. What happened was that the labour force grew and the labour movement didn't. And just quickly, looking at a map of the United States in 1965, States with more than half the people in our country had density above 30 per cent. And you just go through the years and what you find is absolute decimation of our movement. And as a result of that, there is a real price to be paid.

If you look at productivity and compensation following World War II, when there was essentially a social contract that working people at least ought to have a rise in the standard of living equal to their increased productivity, that by the way, is a rather conservative point of view - that workers at least ought to get equal to what they produce, not get more than that, not get ahead. That held through the mid '70s. And then you see the chart as compensation begins to fall and productivity began to rise.

That in fact is a 35 per cent, and what that means is that we maintain our strength and our ability to at least keep that social contract, working people in the States would be 35 per cent at standard, 35 per cent higher. We did polling of our members and our members congratulated us for trying hard, but they said we didn't accomplish what

they wanted, which was to raise their living standards and secure them, and provide a better future for our children. We asked them if you got a chance to vote would you vote to keep the union. And when the results came in we felt pretty good. 83 per cent said they'd vote to keep the union. But then if you ask them why, they said not because they thought it would improve their lives, but they thought things might get even worse without it. And quite frankly, that is not, I think, why we have our movement.

Our movement is about winning social and economic justice. So we are mindful of that old West Virginia proverb that says if you keep going in the same direction, you are liable to end up where you're headed. Now that's rather simple, and it can go by you fast, but it does amaze me that at least our movement in the States continues to do the same thing over and over again and expects different results. That really is not possible.

So we adopted in that convention a programme of bold action. We had massive re-allocation of resources and branches, moving to 20 per cent, our branches now spent 20 per cent of their resources on organising non-union employers. We had a massive re-organisation at the international union. Spent 50 per cent of our income on growth that only includes fulltime staff dedicated solely to organising, not shared costs. Together we began spending over \$80 million, where before 1996 it was less than \$20 million. We said that we had to have an organising plan based on building industry power, that we had to gain the strength to take wages out of competition and set them by human need and not corporate greed. We said we moved from 24 to 74 branches that had fulltime Organising Directors. We moved over 300 organisers into over 3,500 member organisers. We made our political programme about our growth. We are organising our pension investments to be about growth instead of being used against us. We changed the way we did representation, to put the power on the shop floor with the rank and file. We concentrated on co-ordinating our bargaining. We made all of our work about growing the union and strengthening our members, and so, just going through all of our industries, we had a substantial increase in building service, in homecare, in the public service, nursing homes, and in hospitals. And the result - when you have the will, when you spend the money, despite all the opposition - you can win.

In 1999 we had the biggest organising year ever in our history, more than any union since 1918, almost 155,000 new workers organised. The greatest four years in our history - over 300,000 as a result of choices we made, results came in. And we faced again a new convention in the year 2000. We began looking for that, even with all that success, and we felt good about it. But if you turn around and look at what's happening to workers in that same period of time, 1996 - 2000, average weekly earnings were up 5.4 per cent, but we're all supposed to celebrate the four year period so we now got to where we were in 1961!

At the same time, corporate profits continued to boom. And then if you look at CEO pay just for four years you start with \$3.7 million, which I thought was more than enough in 1995, 54 per cent, then 35 per cent, 36 per cent, 17 per cent, not bad increases, 335 per cent in four years. We didn't, quite frankly, have to do much deep

research to discover that we had not signed a single collective agreement that called for a raise of 335 per cent over that four year period of time!

You know, then, if you just look at some of the CEOs, this guy Jeffrey Barbarcalldet is the CEO of Tenant. It's a healthcare corporation, it's the second largest hospital corporation in America. I have to say, I got off the plane yesterday and I bought some newspapers. There's a story about your health insurance costs increasing. One of the political party's spokespersons says that the answer to that is that the private sector should become involved in running hospitals and there should be increasing competition in health insurance. Well, take it from me, this is the example in the States - this guy in one year took almost \$150 million out of the company! It is a company that does not provide family healthcare for its own employees, and you just really wonder. That whole company could have had fully paid healthcare, and a lot of uninsured people could have got it.

And then you got this guy, the CEO that runs Calsal. He exercises \$5.3 million stock options that were given to him in May, paid \$3.78, sold them the same day for \$14.05, made a profit of \$50 million. That, again, is a company that does not provide any healthcare for any of its employees. That amount of money would provide healthcare to everybody, and yet this guy takes it, puts it in his pocket and workers go without healthcare. Then in August the profit forecast drops, the stock price fell to \$4, and then they tell us that was just by happenstance, there was no insider trading, he didn't have any information, he didn't know the profits were going down. And listening to that, it does make you wonder who the hell was running the company.

Then Enron - this guy Kenneth Lay took \$100 million in severance. The company tanked, everybody lost their job, every single worker that worked for that company lost their pension plan because it was all invested in Enron stock. Wasn't only that, other unions had pension funds invested in that, billions of dollars, workers' loss. This guy puts \$100 million in his pocket, the guy with the global crossing makes \$734 million before the company tanked. People lost their jobs, \$47 billion was lost. So I got curious about what in the world would you do if you had \$734 million? So I looked a bit further. One of the things this guy did is that he went and bought a house in Bel Air, California for \$25 million. And I guess it was a fixer-upper because he spent \$10 million to rehab it, and it now has 25 bedrooms, 6 kitchens, and 30 bathrooms! You really do have to wonder don't you? Just exactly how full of you know what do you have to be to need 30 toilets in your house?

And then my favourite, because it's kind of an on-going saga in the States, is the Jack and Jane story. It would be funny if it wasn't so serious. Jack Welch, who was the CEO of the General Electric Company and now he's the guru of CEOs. He writes books, he advises people on how to do it, eliminate unions, cut wages, slash benefits, all that kind of stuff. He retired a couple of years ago and he was worth \$900 million. Now, quite frankly, that would be enough for me, I wouldn't need a pension. But he got a pension of \$9 million a year on top of that, and that's all anybody knew about until he filed for divorce from Jane, and he said to Jane, "I'll pay you \$ 60,000 a month for living expenses until the divorce was finalised." And Jane, given that she was quite frankly pissed off, spilled the beans, and it turns out stockholders didn't know it, nobody knew it - the company is continuing to pay this guy \$80,000 a month

for an apartment, for use of the corporate jet worth \$3 million a year, all these tickets, four country club memberships, security and so on. Well, since Jane spilled the beans, then Jack, he got irritated and said if \$60,000 isn't enough put in your budget. You have to file that in the court papers, and don't get me wrong, I hope she gets it all eventually, but you do have to wonder about something. She said her minimal living budget was \$126,000 a month! Clothing \$7,500, over \$10,000 for jewellery, \$20,000 for travel, \$5,000 for petty cash. Well, nobody wants to go down to the pub on Saturday night without a little pocket change! And then the one that caught my eye was over \$8,000 a month in wine. Now figure that one out a bit later on.

Meanwhile, there is this growing income disparity. In fact, four fifths of people living in the United States are drawing less of a percentage of the total income, more of it's going to the top 20 per cent, and in fact most all of it. 80 per cent are losing as the percentage is going to the highest 1 per cent. And income is still stagnant or declining for 80 per cent of Americans. The top 1 per cent own more wealth than the bottom 95 per cent. Latino wages are 79 per cent of white wages, African-American wages 76 per cent of white. There's been a decline in women's earning, and they earn just 72.7 per cent as much as men. There's been a decline in pension coverage and 53 per cent of all Americans have no pensions at all, they have only the social security system to rely on after retirement, where the average benefit is \$800 a month - after they've worked all their lives. There are now 41 million Americans that have no healthcare, and 37 million adults have no drug coverage. So leading up to our convention in 2000, we faced choices.

Everybody likes to go to a convention where it is happy. Particularly when there are elections you don't want anything controversial, so we could have gone through a nice programme of gentle motion, just continuing the same thing and everybody could have been happy. But we had this problem - that there are 21 million unorganised workers in our industries, and if we continue that, even at the wonderful pace we had, it would take 280 years to organise if our industry didn't grow. What in fact that meant is 9 generations it would take to get the job done before people could experience a union society. That really didn't seem so wonderful, so we looked at a different alternative. If we really wanted to do what our members wanted us to do, build enough power to change their lives, provide a better future for their children, it was going to take not gentle motion, but what we call the new strength unity play.

This is a picture I saw in the *New York Times*. It's about a tribe of people in Northern Africa that lives in the desert where the wind blows. And they actually have to use this pale to get the sand out of the door and it's a daily job, and if you fail at the job the door will fill up and then you got to move and go build another house, so it's kind of a serious job. When I saw it it just reminded me of the labour movement in the United States - two steps forward, one back. It's not that we're not working all the time, but somehow we're not getting ahead.

In 1996 we embarked on a programme, so we went out and got us a John Deere to help with the project, but that wasn't enough. We really needed one of these guys, and maybe a whole army, so we could take care of all that sand. You see, what's happened to us in the States is that our employers changed. They move from regional to now national and in fact international employers, but the union didn't change.

There was too little co-ordination, too many branches, structures were not aligned with the employer.

We had 16 different branches in different parts of the country, all talking to the same employer and getting used by that employer. We decided that we had to do something about that, and in that it took an industry by industry plan that we had to unite our power. By industry we had to have industry divisions and industry branches, set industry standards, have one industry relationship, speak with one voice, have a gross strategy in our industry and run industry bargaining campaigns.

We also said at this convention that winning meant having the resources to win, and what we said in the past, unanimously, is that for branches we would raise subscriptions by \$4 each month for 5 years. So as a result of that the new resources will come into the branches, and the international union, and will be \$360 million. Our members will see an increase in subscription fees from \$24 a month, on average, to \$44 on average, over the next 5 years. That took tremendous will. It took a tremendous campaign to talk to members, but our members voted to do that. As a result of that we have what we call a unity fund, which is held at the national level, contributed to a dollar a year for 5 years. It's to take on bigger projects, things that we weren't able to do, take on major national employers and win. It'll produce \$75 million in 2005, \$45 million this year.

We said to ourselves in that convention, if we organised 300,000 members in the last four years can we imagine 600,000? You see, we have a choice. You saw the other nine generations of people run through. Well, this is another way to look at it, as tough as it is, that could imagine us taking on our task and succeeding in 20 years by doubling in each cycle.

So if you look at SEIU in 2003 we have 1.5 million members, but the truth is the labour movement in the United States is now down to 13.5 per cent density, and if you look under that figure it's 8.5 per cent in the private sector and 37 per cent in the public sector. While we have a job to continue to organise in the public sector, I maintain that that movement cannot long exist with that imbalance, that it takes huge density in the private sector to have the political influence to uphold the right of public sector workers to have a union. And we, quite frankly, in the States are liable to loose public collective bargaining rights in State after State because we don't have the political power any longer to maintain it. And our task has to be to organise hugely in the private sector. And then if you look at the six years before this plan began, we organised, it wasn't that we weren't organised, we organised 174,000 members. But in the six years since that, with all the change, all the turmoil and all the difficulty, triple that and organise almost 600,000 people by the end of the year 2002. We've done a lot of work just this year – our branches will spend over \$50 million, another \$45 million from the International, \$45 million from Unity fund, \$140 million. That's huge compared to what we had. It probably was not enough, but we chose that because we want to build a union strong enough to create a more just and humane society.

We simply don't want to hang on, can't afford the status quo. We have to provide a better future. We have to build a union that doesn't just try hard and fight the right

fight, but a union that wins for its members and for working people. It's about not only ourselves, but our communities and our families, our children and our grandchildren.

I'm blessed to have six grandchildren, and they are a pleasure in my life. Anybody here have grandchildren? You people? I quite frankly think they're great. You get to take them out, stir them up, feed them a lot of sugar, when they get cranky you just give them back. I tell my kids, only half jokingly, that if I could live my life over again and figure out how to have grandchildren without the children stage, I'd do it!

But I have a real sense of guilt in our country. You see, I happen to believe that if we don't change things we will be the first generation of Americans who will turn over to their children and grandchildren a society filled with more not less injustice, a society filled with more not less lack of opportunity. And that's something that we simply cannot do.

Sisters and Brothers, I think we can in the States, and I know you have and can in your country, build a movement powerful enough where workers win every day, and we're free at last. It's simply not a matter of chance, it's a matter of choice.

In closing I just congratulate you. You have picked up the torch. I encourage you to raise it high. You're leading the labour movement of the world, don't let your density fall. It's a lot harder to rebuild from 13 per cent than it is from 35 per cent. It's so easy to go year by year and say, well, we'll get to it next year. If you face the hard choices now, you can build your movement in such an incredible way.

Thank you so much, you're an inspiration to us in the United States. Thank you, thank you, thank you.

Sally Anne Kinahan, Congress Director of Advocacy and General Services

That was breath-taking, but it's convinced me that recruiting 160,000 people in one year is more than do-able, and I've worked out the cost of it will be just be €19.4 million, which is nothing like the amount that they spent in Tom's union! We'll have more chance in a moment to discuss some of the points that Tom has made.

I would now like to introduce you to, and to you, Paul Novak, who is the Director of the New Unionism Project in the TUC in Britain. Paul is interesting and unusual. He's unusual insofar as he seems to be very young to be doing a job at that level. He's very interesting because he has come through the system. He was one of the first recruits in through the Organising Academy of the TUC and he's now running the show. So I've great pleasure now in introducing to you and handing over to Paul Novak.

Paul Novak, TUC

Ok, well thank you Sally Anne, President, Congress and Colleagues. What can I say to follow that? I wish I'd been asked to speak before Tom. But certainly an inspiring

address, and I have the unenviable task of following Tom. But can I just say it's a real privilege for me to be speaking to Congress today.

Increasing our membership, more importantly as Tom pointed out, increasing union density, strengthening workplace organisation, making unions relevant to union members and non-members alike, is a common goal shared not just by Congress and by the TUC, but by the AFL-CIO, and in fact by unions right across the industrialised world. So any opportunity that we get to share experience, ideas, inspiration that we took there from Tom and the work that the SEIU is doing in this area is certainly something that I look forward to, and that I really appreciate.

What I want to do in the next sort of ten or 15 minutes is just give you a little bit of background on the work the TUC is doing around its New Unionism Project, and the whole shift towards organising British unions. I also want to talk a little bit about where UK unions are now in terms of our membership, our density, what we're doing around workplace reps and so on. And I want to give some practical examples of the work that the Project and our unions have been doing over the last three or four years. Small scale projects, but projects which hopefully with Government momentum will help us make that shift towards organising, help make our unions more effective, help make our workplace organisations stronger.

We set up the New Unionism Project back in 1996, and essentially the Project was the TUC's response to our rapid and continuing membership decline. Back in the start of the 1980s we had over 12 million members, and that fell to around 6.5 million members by the mid 1990s. Now we all know there are many and varied reasons for that membership decline, not least the fact we're operating in an extremely hostile political environment. But I think even more significantly than the political environment we found ourselves in was the failure of the unions, the failure of the TUC to break into new and emerging sectors of the economy, and to actually go out there and organise the new layer of workers in workplaces. So by the mid '90s we were managing decline, servicing our members, our existing and our declining group of members, in effect re-enforcing the decline that had gone the previous 20 years. The New Unionism Project was set up in 1996 to try and reverse that decline, and we set ourselves three broad objectives, three strategic priorities.

First of all, to try and promote organising as a serious top priority for the movement. Not just in words or rhetoric, but actually shifting resources into recruitment and organising, employing specialists and dedicated full-time organisers, but also strengthening our workplace organisation to take on that challenge. Shifting the whole culture of the British trade union movement away from managing decline to organising for growth. We wanted to help unions strengthen our existing membership basis, but there's still a lot of work to be done. If you look at the public sector, where British unions are strongest, still one in three public sector workers aren't members of any union, so actually building on our existing membership basis. But also beginning to break into the new jobs and industries that we saw in the UK economy, and finally but by no means least, actually sharpening the appeals of unions to women, to young workers, to black workers and those workers very much on the fringes of the labour market, those people on agency contracts or on temporary

contracts who've been casualised - people for whom trade union membership wasn't a natural sort of bedfellow.

So where are we now? Membership decline has halted over the last three or four years, our membership has held steady. Densities are a slightly different story, and I'll talk about that in a moment. We've a rise in number of new recognition agreements; over the last two years we've signed something like 800 new recognition agreements, which is a massive increase on what we've seen beforehand in the previous years. And although most of the new recognition agreements are in areas of traditional strength such as manufacturing, there is some evidence in looking at those figures to suggest that we are beginning to make inroads into new areas of the economy and the labour market. Alongside that increase in workplace influence we're also seeing an increase in union influence at national level with the new Government, but also at local and regional levels through the emerging Regional Assemblies, and around areas of policy such as skills and productivity.

But as much as we made progress in the last three or four years we recognise that there is absolutely no room for complacency. I mentioned before about our density. Although our membership is holding up pretty steady, in some areas it's even beginning to turn the corner, our density continues to decline. We're something around 29-30 per cent union density. Now it varies from region to region, but decline is still there, we're still losing density.

Some of the positive things I outlined before are due to a number of factors. Now we are in a much more positive political environment, we have seen legislative change. David mentioned before about the Employment Relations Act. We are undoubtedly in a much tighter labour market, in some areas of the country we've got approaching full employment which is good news for union members, good news for potential union members. And we have seen increased public sector investment and an increase also in public sector workers.

But I think the key to the fact that we have stabilised membership, that we are beginning to turn around membership decline, is that we have an increased union focus on recruitment and organisation. I just want to give you three quick, practical examples of what that increased focus means on the ground.

First of all, the Organising Academy. We set up the Organising Academy back in 1998. It was modelled on similar initiatives in the US, the Organising Institute, and Organising Works in Australia, and we set ourselves four key aims when we set up the Academy. First of all, to encourage unions to innovate. Innovate in terms that we brought through as union organisers and officers, bringing through more women, more young people, more black workers and more part-time workers and so on. Innovation also, though, in the work that those organisers undertook. A move away from our traditional areas of strength around collective bargaining and representation into recognising that there's a specialist role for full-time organisers.

That links onto the second point, for developing legal organisers. We wanted to bring through people on the Academy who weren't just recruitment officers, who didn't just turn up with bundles of membership forms and sign members up, but people who could plan and implement organising campaigns, people who could see campaigns

right through to fruition, people who could develop teams of workplace activists. We wanted to set ourselves measurable outcomes. We wanted to prove that organising actually worked. I mean a lot is talked about organising, people presume it must be a good thing, but we actually wanted to put some figures, some substance, behind that belief.

And lastly, I think probably most importantly, it wasn't just about the people we put through the Organising Academy, it was thinking about how we could actually change the culture of the trade union movement and seeing people who'd gone through the Academy as key advocates for that change. Just a last point - we evaluated the work of the Organising Academy externally through Cardiff Business School, and that's been important just in terms of establishing some credibility for the programme.

Since 1998 we've put about 160 organisers through the 12 month programme and they're jointly employed by the TUC and our sponsoring unions. We provide the cost of recruitment and assessment of support and training for the organisers, and unions pick up salaries and expenses costs. And every single one of our organisers does around about 20 days in the classroom developing their skills as an organiser, developing their skills as people who can strengthen workplace organisation. Importantly, that classroom training is then backed up with work that they do practically on the ground, so they're working with unions on a day to day basis on organising projects and campaigns, and unusually for UK unions, those people are also working to an accredited portfolio so they get a qualification at the end of the 12 month programme.

This is just a slide which shows you some of the work we've done on innovation. If you look at what's on your left hand side it gives you the figures for Academy organisers, on the right hand side is the figures for more general full-time officers that we've appointed since 1997. And I think it picks out a couple of key points. If you look at the top three bullet points you can see that the people who come through the Academy are more likely to be women, they are more likely to be younger. Over half the people that have gone through the programme so far have been women, over half have been aged under 30. Three quarters of the people that we've put through the programme have previous union experience, but you can see significantly that only 38 per cent of them have held a senior lay position. So, effectively, what we're doing is cutting down the long lay apprenticeship that some of our existing activists would normally serve.

And it's not just innovation in terms of the people that we've brought through, the type of people that we're employing as organisers. Again, if you look at the bottom four or five bullet points, you can see the actual activities that those organisers undertake varies quite significantly from existing full-time officers. They are more likely to use organising tactics and techniques like workplace mapping, like setting up organising committees, making house calls to potential members and so on. The work that they do is important, and I said before, that what we wanted to develop was not just people who could hand out union membership forms and bring them back when they were signed, but people who actually take on the job of legal organising. And you can see that three quarters of our Academy organisers are involved in direct

recruitment, but significantly, they're also involved in, if you like, more sophisticated forms of organising, promoting workplace organisation, planning, organising campaigns. And if you look at the bottom two bullet points you can see very clearly that what they're not involved in is the traditional work around collective bargaining and representation. Now we figure that we've already got enough people to do that sort of work, and they're doing it well. These new people that we're bringing through are focussing 100 per cent on recruitment and organisation.

And just the last slide on the Organising Academy. I mentioned before that the outcomes were very important for us, and these are figures based on survey returns from about 113 / 117 organisers that we put through the programme. And you can see that, save for the point down there, each Academy organiser, for the first 12 months that they're employed, brings in around about 340 - 350 new members through the campaigns they're involved in. Importantly, if you look at the last bullet point on the left hand side, you can see they've established a trade union presence in almost 700 new sites since the Academy was established.

And the key thing for us is that we've had a range of outcomes. A range of positive benefits from the Academy, not just in terms of new members and new activists and new recognition agreements, but in arriving at workplace organisation in areas where we already had a union presence, and in more sophisticated outcomes as well.

So generally speaking, we feel that the Academy has been a successful, although not perfect, innovation. There's clearly issues around scale and how we increase the number of people that come through the programme, how we actually make more of an impact through the programme.

One of the things that we will be doing this year, well three things, first of all, developing a programme, a senior leaders' programme, for people at National Officer, Assistant General Secretary, Deputy General Secretary levels which will be about not just employing organisers, but thinking about how we develop successful strategies for organising. We'll be developing and organising Academy programmes for existing full-time officers and organisers so that they can benefit from the same sort of training and experience that our Academy organisers have benefited from. And we'll also be thinking very much more clearly about how we link our lay representative training to the work of the Organising Academy. An example of that is in the last couple of months we've run eight regional development centres for the Organising Academy which focus on training and support for lay reps, but also allows us to identify and talent spot people to potentially come through to the Organising Academy.

So overall, the Academy, though not perfect, has been a successful innovation. But obviously, if we're serious about making the shift towards organising, we have to be serious about not just employing specialists to organise, and putting more resources into specialist organisers, but thinking about everything that we do as a trade union movement, and that includes the work that we do to support and train our lay representatives.

At the end of last year the TUC launched an internal campaign if you like, called *Union Reps Winning Respect at Work*. We set ourselves 2 broad objectives, first of all, actually increasing the number of people that are out there in representative roles who actually take on activity for the trade union movement. We know, for example, in a quarter of unionised workplaces there's no workplace rep. We know in a large proportion of our workplaces where we do have reps there's only one rep, so actually bring more people into activity was the first objective. Also importantly for us, as well as an increase in the number of people we have in representative roles, is actually changing the profile of the people who take on those roles. We want our reps to actually be representatives, and we want more women, we want more young workers, we want more people working part-time, we want more black workers.

And underneath those two broad objectives we set ourselves a number of practical aims. First of all, raising the profile of reps and the understanding of the role. All the survey work that we've done indicated that one of the biggest barriers to people becoming active in the union is that they just don't know what the rep does, don't know what the role is, don't know what time would be expected of them and so on. We want to improve access to training and support, tailor that training and support around the individual reps rather than what suits the union or the TUC. We want to develop the role of the rep as an organiser. UNISON did some survey work recently of their own reps which identified that only 13 per cent of the reps that they surveyed said that recruitment and organisation was one of the activities that they spent most of their time on. So we want to actually drive up the number of reps in actually recruiting and organising for the union. And we want to explore different ways of working, thinking about how we get reps to work in teams, how we build progression to reps through the structures. That may mean thinking again about time off, not just in terms of legislative rights, but through our facilities agreements as well.

And the last point, and certainly importantly from the Project's point of view, thinking about how we develop the role of the TUC just for reps. There are a number of action points for 2003, but I won't go through all of them, I just want to draw your attention to the last one. We've actually, just in the last couple of months, developed a new web resource aimed at reps called www.unionreps.org.uk. It's formally launched on 11th July, although if you look on the website now it is live, and that's a web resource purely aimed at reps with news, information and resources for reps. There are also bulletin boards so that we can start building communities of reps around issues like recruitment and organisation, learning and skills, and it will also allow the TUC and our regional councils to have direct contact with reps out in the workplace. And that's a quick screenshot of what union reps will actually look like, but as I say, feel free to browse through that. It's not officially launched till the 11th of July.

I just want to sort of briefly conclude my remarks by talking about another area that's been increasingly important for us, and that's around learning and skills. It's a joint union / Government agenda, the whole push towards life-long learning, and probably the most practical expression of that shared agenda is the Union Learning Fund. Established in 1998 it's been worth some £25 million since then, and over the next three years it'll probably be worth about another £34 million. It's money that's there to support union led projects on developing education, training and skills.

As well as all the successful outcomes around learning and skills, or giving our members access to new skills and so on, the key thing for us is that it's allowed us to bring through a new layer of union representatives called Union Learning Reps which were recently given new statutory rights. These are the people who get time off to attend training, who get time off to carry out their duties and signpost members towards learning opportunities. The exciting thing about Union Learning Reps is that 20 per cent of those Union Learning Reps are brand new reps, people who've never been active in the movement before, and again they are more likely to be women, more likely to be young, more likely to be black. We estimate that we can bring through between 20 and 30 thousand new learning reps by the end of the decade, building on our existing army of workplace representatives, and we're trying to link that whole agenda around life-long learning. I mean it's good in itself, but the key thing for us is that we can use this agenda to strengthen union organisation, to improve our membership, improve the number of representatives that we got going through and supporting our members in workplaces.

So just to conclude, I mean one of the significant things that we set ourselves in the New Unionism Project was three broad objectives, and it's been useful that we've had those broad objectives because we've had to be held to measure our progress over the last few years, and as I said before, there's no room for complacency. But, at the same time, we feel that there's a lot to celebrate in the work that we've done, albeit on a relatively small scale, in terms of progress against those objectives.

In terms of learning points, the key thing for us is we think it's extremely important and valuable that we do employ specialist organisers and bring through more people in that role. But organising and the shift towards organising isn't just about employing specialist organisers. It is about making a cultural shift, so that means engaging our members and our activists. It means engaging our existing union staff and officers. And echoing Tom's point before, it means building organising into absolutely everything that we do, whether its work around learning and skills, health and safety representation or bargaining, making sure that all that work is focussed on recruitment and organisation, and actually building the union.

So I would just like to conclude my remarks by saying thanks again for the opportunity to speak to Congress, and I look forward to working with Congress on the development of the shared agenda. I think you're lucky in that you're starting from a higher base than we did in the mid '90s, and we will watch with interest about how you develop and make that step towards organising the next generation of union members.

Thanks very much.

Senator Joe O'Toole, Congress President

Thank you very much Paul and, I'm sure on all our behalves, I'd like to thank the three speakers for the presentations. It is the way forward.

I'm going to ask the General Secretary to do a two minute wind up.

There are three Motions there. I'm going to take a formal proposal and seconder of the three of them without debate, and take it that there are no objectives to them.

What I would say to you is that I want to thank you for sticking with this for the last hour and a half which can be difficult, I know, once a thing goes on in such deep focus. It is a tribute to you and I really appreciate the time you gave it. I think it's important that we reflect on these things and use them for debate on the future and use the points.

David.

David Begg, Congress General Secretary, *Motions 6, 7, 8 (Deployment of Resources; Recruiting and Organising; Talks to Schools)*

Mr. President, thank you. Thank you Colleagues. I just want on your behalf again to thank Paul and Tom and Sally Anne for their contributions. I think they have been extremely interesting.

From the point of view of Congress, you know when you think about it, we have resources in place to handle social and economic affairs, to handle industrial affairs, to handle educational affairs. But we've never before attempted to put in place a resource to assist affiliated unions in the area of organising and recruiting, and that is what we want to do. And in that process, as Paul said, we're hoping to work extremely closely with the TUC, and hopefully with the other regional TUCs as well, because I think that is the way to go. Can I say though that I mean it is kind of important that we try to work directly through the Centres, through Congress and the TUC. Paul probably could establish a little growth industry in terms of handling the tourists who come over to see how they do it in Britain, but it is a bit debilitating, I think, for them to handle all of that if we organise a better channel of communication with them.

At the end of the day this very much depends on yourselves, the extent to which you want to work with us. I mean let's be frank about it. When I raised this thing first of all in Congress Liam Berney came to me one day and he gave me a copy of a report which was a very excellent report about studies which had been done about organising, but unfortunately nothing ever happened because when people sat in committees they didn't sort of open up to one another, they kind of were afraid, thinking 'well if we say x and somebody else goes off and does that,' and so on.

Frankly, I think we have to co-operate a bit more like that. There is a bit of a challenge for yourselves if you're willing to engage with Congress, if you don't feel we'll run off to somebody else and tell them all your state secrets. But I think frankly, the effective way to do it is to try and find out what works, what is best practice and to apply it. And the way we would intend to try and do it is to work with unions who are willing to work with us in terms of putting in the resources and being serious about it, rather than trying to set up committees and establish the sort of lowest common denominator approach to the whole thing.

But it is a choice that has to be made, both in terms of co-operation with one another and in terms of resource allocation, but I mean it is all to be done. I'm quite convinced of that. Do you know I always felt, looking back to the mid 80s, the day the trade unions started to decline, the signal for it was that the Financial Times stopped reporting labour affairs. The interesting thing now is that they have started doing that quite extensively again which is quite a positive thing.

It's all to play for, it's certainly not going to be easy, but I think that we can make a good fight of it if we set about it with enough conviction, enough commitment and a kind of a confidence that we can actually achieve something. I'm quite convinced if we can show some successes, you know success breeds on success, and we will move forward quite well.

I want to formally propose Motion 7 if I may. I mean it is quite important, I think. Just concluding the last sentence of it, bringing it to your attention, you know. "Conference therefore resolves that the recruitment and organisation of workers in unions will be the primary strategic objective of the movement henceforth." I mean that is quite a significant decision for us to make if you are willing to make it this evening.

The last thing I want to say to you is that Sally Anne has arranged in the seminar room upstairs at half past six that Paul and Tom will be available, if there are discussions you would like to have with them, if you would like to ask them questions about what they do and so on. They'd be happy to engage with you.

Senator Joe O'Toole, Congress President

Thank you very much David.

And seconded by the Vice-President, that's Motion 7. I'm going to put it with your permission without debate if you don't mind. I think we've had a discussion. Is that agreed?

There is Talks to Schools from Galway Council of Trade Unions, which there is no objection to from any quarter, so could I have a formal proposer for that please? Formally proposed. Could I have a seconder? And I could put that to the floor please?

Ok, there is one final item of business, that's the NIPSA Motion on Deployment of Resources, Motion 6, which we didn't get time to take earlier, but I will take a formal seconding of Motion 6 from NIPSA at this point. Somebody formally propose please. Formally proposed. Seconded. Is that agreed also?

Well, in that case, you get to leave early.

Thank you very much.

See you in the morning at 9.30am.

Thank you for your courtesy. Thank you.

Wednesday 2nd July, 2003

Social Policy (contd.)

(Motions 12 – 22)

Principal EC Report reference: Chapter 6, *Developing Social Provisions as Good as the Best in Europe*

9.30 – 11.00

Senator Joe O'Toole, Congress President

I was wondering what was seriously lacking in this Conference, and I've serious consternation about the future of the trade union movement. I think in a lot of years it's the first time I've walked in and out of Conference ten times and not been met by a picket about anything. So there's somebody doing something right, or wrong, along the way. Could somebody stick a picket outside their front door so that we'd know that we're at home?!

Now, yesterday, as you'll recall, we had made progress on the Social Policy section, and we had dealt with Motions 9, 10, 11 - the Future of Europe, Social Cohesion and Pensions. The next issue is the Motion 12 on Health Strategy, and that's where we're beginning our business here this morning.

Also, just to say that I'll be missing for some period during the morning and the Vice President is going to get some first hand experience of running the operation, so be nice to him.

Beginning with Motion 12, Health Strategy, in the name of the Irish Nurses' Organisation.

Claire Treacy, INO, *Motion 12 (Health Strategy)*

Thank you, President, Delegates. Claire Treacy from the Irish Nurses' Organisation moving this Motion seconded by Winifred Collier.

Delegates, this Motion comes before you today with a health service that's in crisis. We must recognise the critical situation that now exists within the health service, its severe impact upon the quality of care for patients and the working environment for all health workers.

We condemn all forms of cutbacks and demand the re-opening and restoration of all beds and services curtailed or closed. In particular, we condemn the failure of the Government and health service management to recognise the following appalling situations:

- Firstly, the inability of the existing service to provide high quality care for all patients and clients.

- The terrible strain upon nursing, midwifery and other staff as they strive to maintain adequate services despite inadequate resources.
- The hidden and unseen suffering of public patients as they wait longer for treatment due to the shortage of staff and closures of beds.
- The inadequacy of services for the elderly, including the failure of the services to provide basic support for maintaining comfort and dignity.
- The chronic shortage of public health nurses and other community based staff, resulting in unnecessary and avoidable admissions to hospital.
- The absolutely ironic situation where currently hospitals are refusing to guarantee work for newly qualified nurses while we have official figures of in excess of 1,000 vacancies.
- The failure of the service to meet the needs of the vulnerable and the disadvantaged in our society.
- And finally, the blatant inequality of a health service where financial means can ensure swift access to treatment.

In response to all the foregoing, this Conference must actively oppose and resist any proposals which will cut services and or staff.

Congress, together with the INO and other unions, must lead a campaign of resistance and mobilise other community groups. And finally, this Conference must demand that the Government fulfil all of its obligations to implement the Health Strategy as required by *Sustaining Progress*.

Senator Joe O'Toole, Congress President

Thank you very much Claire.

Winifred Collier, INO

President, Delegates, Winifred Collier, INO. I am seconding this Motion.

As a nurse working in the clinical area I am deeply concerned about the plight of the most vulnerable group in our society, i.e. the patients or the clients. We had the launch of the Health Strategy, with a great blaze of publicity and expense I might add, which we welcomed. We now have cuts, cuts and more cuts. We have ward closures. We have staffing reductions with no replacement for leave. We have service curtailment with reduced respite care, reduction in home carers and in home help in our communities. We have early discarders from acute settings with no step-on facilities for those who require it. These patients are caught in the middle of this inadequate healthcare system. Where is the principle in the Strategy which they called *patient centeredness*?

I must also point out to you that nurses are exiting the health services every week. There's a shortage of over 1,000 nurses presently, yet we have a situation where our students, following graduation, are not guaranteed employment. Where will these graduates go? They will seek employment abroad.

None of us know the day when we ourselves will require access to the health service. We want no more pious platitudes and we want no more lip service. It is imperative that Congress act now to ensure that we have an effective and efficient health service, and that it's provided for now and into the future.

I urge you Congress, as Delegates and as citizens, to support this Motion and to secure our health for the future.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Winifred.

Speakers to the Motion.?

Madeleine Speers, INO

Good morning Delegates, Madeleine Speers, Irish Nurses' Organisation.

I would urge you, and I know that you are going to, support this Motion. No matter what union you are in, we need a health service for everybody, whether you're public or private - and I think it's appalling that we have a two tier system in this country and we accept it and we're not out in the streets complaining about it!

But I really would like to extend my sympathy to the family of the little girl who died awaiting surgery in Crumlin Hospital. That news must've been particularly upsetting for anyone who has children, but no one should have, in our so-called first world society with the best will or committed nurses and doctors - some not so committed I might add - to read about a tragedy like that.

But with the best will in the world we cannot sustain a first world health service without the money being put in to the infrastructure, and to keep the staff that we need to care.

When we are old, if we don't do something about it now, we will deeply regret the society we have allowed to develop.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Madeleine. I'm sure we'd all wish to be associated....

I'm sorry, are there speakers on both sides waiting, just so that I know? I wonder if the speakers could just sit here please so that I can see them and to make it easier.

Yeah, Jack is next, then Paddy.

I'm sorry speaker, and just before you start, I'm sure before you start that we would all wish to be associated with the points that were made, and in extending our sympathy to the family of that child in Crumlin.

Thank you very much

Kevin Callanan, IMPACT

Thank you President.

Since the closing date for receipt of Motions we've seen the publication of two reports, the *Prospectus Audit of Structures and Functions*, and the *Report of the Commission on Financial Management and Control Systems in the Health Services*.

Of course, there is one report as yet outstanding, the Hanly Report on medical manpower. This group is looking at the issues of the locations for regional specialisms, the rationalisation of existing structures, an increase in the number of hospital consultants with corresponding reductions in numbers at more junior medical grades. The current debate is phoney to some extent, in the absence of the actual recommendations of the Hanly Report.

The proposal to increase the number of consultants provides the opportunity to move from a consultant led service to a consultant delivered one. But Delegates, it also provides the opportunity to renegotiate contracts to ensure an exclusive commitment to the public service. More to the point, the Government has an opportunity to review its own Health Strategy. For all its laudable and ambitious targets, the Strategy affirms the current two tier system. In a couple of paragraphs amongst all the documentation the idea of changing the existing inequitable arrangements was summarily dismissed. It was quite a public relations stroke, therefore, to christen the document *Quality and Fairness*.

Over the years of social partnership we in the movement were less than vigorous in our pursuit of a fairer health service. Now that this debate has been placed firmly on the table in the South, we must argue relentlessly for real change, for real reform, and with conviction. And we must offer our membership, and the public at large, the vision of a health service which is one of high quality, available when you need it and free at the point of access. If we can make this vision believable, and this is the key, we will also have convinced people to fund the service properly.

Such a vision, if it becomes a reality, will remove for many people and for many of our members, the need to contribute to private health insurance. Let's face it, whether you pay by way of tax, insurance or a combination of both is immaterial. What matters is that you can get a quality service when you need it. The focus, therefore, needs to be on the total health spend, be it from general taxation, health insurance or indeed private payments. And yes, we should question the adequacies of funding, but we also shouldn't shy away from value for money in doing so.

However, we make no apology for the fact that the health service is labour intensive, nor do we apologise for pay recently won after many years of exploitation. The

commitment of healthcare workers generally is widely acknowledged and reflected in public appreciation once services can actually be accessed.

Delegates, let us leave this Conference with a firm resolve, a determination to settle for no less than real fairness, and to make a concerted effort in the weeks ahead to reclaim the health service from the clutches of vested interests and present it to the people.

Support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much Kevin.

Next speaker please.

Jack O'Connor, Congress Executive & SIPTU General President

President, Delegates, Jack O'Connor, SIPTU.

Delegates, it is clear to everyone that the public health system, in the Republic at least, is in crisis. The now familiar, never ending litany of ward closures, staff shortages and persistently lengthy waiting lists, which is far from the standard which can be expected, should not be expected in one of Europe's most prosperous States, but is now visiting us again. But just as our prosperity masks a widening gap between rich and poor, our two tier health system is such as to almost defy rational analysis.

The OECD described it as unique. It might be more accurately described as a bizarre, sick joke, perpetrated on the most disadvantaged in our society who see wealthy patients receiving substantial subsidies from the public purse to secure faster access to treatment from profit driven enterprises trading in the health service as a commodity.

Private medicine is booming, largely because of the inadequacies of the public system which is suffering from decades of under funding and poor management, which even the increased investment during the boom years did not fully address. We had the vision king just over 18 months ago when the Minister outlined the blueprint for the future of the health service, which, despite his best intentions perhaps, was ultimately an exercise in smoke and mirrors because it was quite clear from the outset that the plan was predicated on a funding commitment which his colleague, the Minister for Finance, was never prepared to meet.

We now have another blueprint for the health service, drawn from the Prospectus Report and the Brennan Report, which calls for more structural reforms to be phased in over the medium term, and on the face of it, there is some merit in those proposals. But will it make an iota of difference to public access to treatment, or the two tier nature of our health service?

I don't believe it will, because the really necessary change which this Government is studiously avoiding is the reform of the deep-seated inequities and irrationalities of the present, parasitical, public private partnership in health. For as long as the two tier system remains intact the present, chaotic, impoverished public system will continue to lurch from crisis to crisis.

We are suffering, in the Republic at least, from the increasingly debilitating effects of an on-going epidemic of the virus of blind free marketeerism in every aspect of public policy. Nowhere is this more evident, Delegates, than in the battle for resources for the health service. This will come sharply into focus as we approach Budget 2004, when the Minister for Finance will have to decide between the needs of our people on the one hand, and the taxation sensitivities of those such as his friends in the bloodstock industry.

And Delegates, we must do more than pass Motions such as this, worthy though it is, because, as the only organisation capable of providing a counter to the powerful vested interests which are actively influencing public policy in advance of the next budget, we must engage with as many of the groups campaigning for a better health service and develop a campaign focussed on the budget. And we should, we must, organise at least one major national demonstration in the early autumn to provide a platform for people to articulate their preferences on this vital debate on public priority.

Thank you very much Delegates.

Senator Joe O'Toole, Congress President

Thank you very much Jack.

Can I just say just before Paddy begins, we are at the moment dealing with Motion 12.

I'll also take proposers and seconders to Motions 13, 14, 15, 16. They're all the health section from here on in, and then we'll vote on the whole lot of them at the end, or deal with them at the end of the section. So the proposers and seconders of Motions 13, 14, 15, 16.

Paddy.

Paddy Behan, SIPTU

Two years ago in Bundoran I was on the platform about the whole question of the health cutbacks, and you've cutbacks right across the board in all sorts of different health situations.

We had the Special Olympics open last Saturday in Croke Park, and Bertie Ahern our Taoiseach was there and praised the people for what they're doing on behalf of the people with disabilities.

And what's he doing? Cutbacks, cutbacks on the poor unfortunate people who have disabilities right across the board. No respite right across the board. And Joe was saying he misses a picket outside the Conference, no reason why we can't put a picket on Friday when Bertie comes down here to show the situation how things are.

And I'll support my Vice-President Jack O'Connor when he's talking about having a major demonstration, we should have a major demonstration. And we're coming to the anniversary of the '13 strike lockout by James Larkin, and when Connolly founded the Labour Party. He founded the Labour Party on the voice of the working class people in Dáil Eireann to fight their cause.

You know we can come here year after year, 2 years and 2 years. We have to take action. We have to take action on the basis that reflects the people we represent. And when we look at the whole system of the Flood Tribunal, and the ducking and diving, and one fellow getting out and one fellow getting in, I stepped in, he stepped out again.. And the whole question about the very famous opera, it was called Mack the Knife, by jaysus? This Government is making sure they're cutting it very well.

Thank you

Senator Joe O'Toole, Congress President

Thank you Paddy, thank you very much.

Just before the next speakers begins, could I just say that voting cards are now being distributed in exchange for credential stubs in the hall. Don't all rush. Thank you.

Ok speaker.

Helen Murphy, SIPTU

President, Friends, Helen Murphy, SIPTU. I am speaking on Motion number 12 because while I support its principles and characteristics, I now believe it to be redundant as a consequence of the rate of deception driven by this current Government. No offence is intended to its authors, but it has to be said that the goalposts have radically changed since the Government published the two health strategies: *Quality and Fairness* and *Primary Care, a Health Service for You*.

Congress, doesn't the title of these policy documents make us feel positive about our health service – a health service for you? The reality is that this Government has a string of broken promises for you in every government discipline, most obviously in the health service.

The National Health Strategy, published prior to the last general election, promised an extra 3,000 beds, 650 which were to be in place by 2002. They haven't delivered on this, bed numbers have been reduced since. The National Health Strategy promised, by the end of 2002, that no adult will wait longer than 12 months and no child will wait longer than 6 months on a hospital waiting list. This hasn't happened.

Fianna Fáil promised in the last general election to extend the medical card eligibility to an extra 200,000 people. The National Health Strategy said the number of people covered by the medical card system will be increased significantly.

Congress, when making these promises the Government knew they would never ever be realised. This constitutes a lie and broken promises, and it is our responsibility to respect the principles of democracy that should exist in this country.

The recent publication of the Brennan Report contradicts every aspect of the National Health Strategy. The Government is masking the current crisis which prevails in our A+E Department where patients are receiving inadequate care on trolleys, and in closures with ward closures taking place and cutbacks at this very moment in my own workplace.

And having listened to Minister Martin on Monday giving a briefing session on the current initiative to reform the health service, abolishing the Health Boards, nothing in it that he has said has convinced me that it will do anything for the patients in this country. And after all, that is what we are all about.

And I believe, like Jack O'Connor said in his remarks, that Congress must do more in addressing the grievances of this nation, and that means it must be done by direct action. Direct action against broken promises and a plethora of reports that cost the Exchequer millions.

I support this Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you.

Are you proposing or are you speaking to? You're proposing a Motion, just for the timekeeper, ok, thank you.

Maggie Holmes, Chartered Society of Physiotherapy, Motion 13 (Health Service)

Maggie Holmes, Chartered Society of Physiotherapy proposing Motion 13.

President, Delegates, the National Health Service was established to give a health service that was funded out of general taxation, free at the point of delivery and equal accessibility. Fifty plus years on we do not have the perfect health service, and even though we have been doing it this way for many years, Joe O'Toole said yesterday morning that the perfect health service was hard to define but like the elephant we would know it when we saw it. If after 50 years we haven't got it right, I think we're going to be debating this one a little longer.

After all this time there is still much that is clearly not understood about healthcare systems, and little understanding of the connection between financial input, quality of

care and health outputs. The changes within our health services tend to be driven by political agendas rather than the health needs of our nations. Government approaches tend to be that of infrastructure and we are undergoing, yet again, complex reforms both North and South.

I have worked in Northern Ireland in the health service for nearly 20 years and have been through several re-organisations, from directly managed units to trusts and now agenda for change. The patients really haven't seen much change or improvement in the delivery of care, but the staff on the ground have had several major headaches.

I think we realise that throwing funding at it is not the only issue, but there is an enormous gap between the funding provided and the level of demand; and long-term chronic underinvestment has left its toll. The number of hospital beds has decreased, the physician population ratio is less, waiting lists are increasing, finding an intensive care bed is becoming a lottery as can be seen in the tragic report that we've just heard about young Roisin Ruddle. In Northern Ireland the cancer recovery rates are the lowest in the developed world, equivalent to countries such as Latvia and Poland. In Northern Ireland we spend less per head of population on health in comparison to Scotland and Wales, and for once in our lives we are the highest in something in Northern Ireland - we have the longest waiting lists in Europe. Recent workforce planning, the first time they have done it in Northern Ireland, showed a projected significant shortfall in the likes of the physiotherapy workforce in the next five years, and this is similar in other health professions. In my own trust we already have nursing staff from the Philippines and from India. I think we have already shown that shortfalls in staff do not just increase waiting lists, they do lead to death.

In physio in Northern Ireland we are only holding on to a small percentage of our physiotherapists within the health service after they graduate. And one of the methods of addressing some of the workforce issues, we believe in the Chartered Society, is that we are not developing our staff, from the Assistants right through to senior Physios, to their maximum potential. Organisational changes within health service in the UK over the past decade have provided opportunities for physiotherapists and assistants to develop their skills beyond their traditional role, and we believe that the establishment of extended skilled practitioners, clinical specialists and technical instructors posts will assist in providing more timely care for patients, and hopefully ensure that the workforce of physiotherapists and other health professionals will remain within the health service.

ICTU has always been proactive in health service issues, and that has to be commended. I call on Congress to continue working with the health service unions to push the Governments, both North and South, to commit themselves to develop true patient centred health services and enable patients and service users to actively and effectively contribute to service planning. We want a health service that is not driven by political gain so that before the next 50 years are up health services are no longer on this agenda.

Thank you.

Senator Joe O'Toole, Congress President

Thank you.

That's Motion 13 now proposed. Do I have a seconder for Motion 13? Formally seconded.

Do I have a proposer for either Motion 14 or 15 please? 15, ok.

Fintan Hourihan, IMO, Motion 15 (Health Service)

Fintan Hourihan, Irish Medical Organisation, proposing Motion 15 which reads that Congress will support the campaign for the introduction of legislation which will protect health professionals who draw attention publicly to inadequate patient care standards within the health service in Ireland.

In moving this Motion the IMO is calling for the introduction of legislation which will protect staff working in the health services who draw attention publicly to inadequate resources which could undermine the capacity of doctors and others to deliver the best standard of care to patients within our health services. You may be aware that legislation was passed in the UK in 1998, The Public Interest Disclosure Act, which encourages people to raise concerns about malpractice, and to ensure that organisations respond by addressing the message, rather than the messenger, and resist the temptation to cover up serious malpractice. Equally and importantly, there are a number of safeguards in place which will protect against spurious complaints or abuses, and it would be critically important that these would also be provided for in legislation which would be introduced here in Ireland.

The 1999 Biennial ICTU Conference supported the notion of similar legislation being introduced here in the Republic of Ireland, and subsequently the Labour Party published the Whistleblowers Protection Bill in 1999. Unfortunately, there has been no progress in enacting the proposed Bill, so Congress and the Secretariat have been involved in supporting the observations of the Labour Party Bill.

We would argue that the time for reactivating this campaign is overdue, and we suggest that the events of the recent past, where they had extensive tribunals set up on issues such as contaminated blood products and other public health matters, warrant similar legislation being introduced here, now. And while we haven't had the same number of high profile cases as there have been in the UK, such as the Bristol enquiry, there have been instances in the absence of mechanisms and protections in place for professionals in the health service, inadequacies in patient care standards have been left unchecked by management and eventually only been highlighted with the establishment of State tribunals. We also have to allow for the possibility that similar inadequacies could continue unchecked while doctors and others are afraid to voice their concerns publicly about inadequate resources, staffing levels or management practices which result in situations where they're unable to guarantee appropriately safe standards of patient care. The IMO and its members will continue to argue for the need to ensure that doctors and others are in a position where they can publicly highlight and advocate for proper professional standards, and on behalf of patients.

I would ask that you would support the thrust of this Motion. The Motion calls for legislation which will afford staff some degree of protection where they feel they are left with no option other than but to publicly highlight deficiencies in resources and the consequent health service provision. The IMO will be arguing for the introduction of such protection as part of the reform of the health service published in recent weeks.

With the publication of the Government's reform programme for the health services it's a matter of concern and regret that, when the Government is trying to find new ways of disguising its programme of cutbacks in a system, we've practically the lowest number of doctors, acute hospital beds per capita in Western Europe and a season of doctor bashing has now commenced. Doctors always insist on evidence based decision making and will not be browbeaten into being forced to treat patients according to political expediency or accountant's budgets.

The insistence of doctors on evidence based decision making stands in marked contrast to the lack of evidence to support criticisms of doctors and their practices over the past few weeks. And it is unfortunate that these simplistic and ill informed criticisms have come not only from the usual suspects, but have also been echoed, albeit in veiled more euphemistic fashion, by some colleagues and representatives of health service staff. This trend is entirely regrettable and could only produce short term division and infighting which is not in the interest of patients or service providers. The IMO is and has been available to discuss new work practice changes for doctors, but will make no apology for insisting that changes be freely negotiated and agreed in accordance with standard IR practice and procedures.

To return to the thrust of the Motion, I would ask you to support the Motion and I look forward to working with my colleagues in the health service unions in framing legislation which enables the right and responsibility of health professionals to act as advocates for the best health service we can provide.

I won't speak at any greater length on the details of the legislation, but would ask you instead for your support of the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Fintan.

Can I have a seconder for that Motion please? Formally seconded.

Just to put correct, Motion 16 in the name of the Executive Council, I'm formally moving that and seconded by the Vice President.

So we're looking for a speaker for Motion 14 from the Fermanagh Council of Trade Unions, otherwise all the Motions are now open. We can take it from here on in.

Paula Carey, Congress Staff, *Motion 16 (Health Service)*

Thank you President. Good morning Colleagues, Paula Carey, Congress staff. Delegates, in this Motion 16 this morning, the Executive Council is calling for the availability of full community services, care services for older people underpinned by legislative entitlement and guaranteed funding.

In many ways, on the face of it, this Motion is about motherhood and apple pie in that it states that people, where at all possible, want to stay in and be cared for in their own homes, they want a system that guarantees the viability of that care and the identification of resources to meet that need for all, not just on their ability to pay. The Motion is about planning for the future, and its challenge are all the more apparent when it follows three Motions from health service unions here which are talking about nothing but cutbacks in the services to date.

As Joan mentioned yesterday, last week two important reports inform us in relation to this issue and gives us an insight into care options available and the arguments surrounding the issues involved. This is the review of the nursing home subvention scheme and the study to examine long term financing of care in Ireland. Delegates, these reports make for very sobering reading indeed, they merit serious scrutiny by the trade union movement. They will inform Government thinking and they put our own considerations, even here today, into a certain context for us in that they outline a demand for care, a model of care and going to the financing of care into the future. Whatever the outcome of these reports, we will be asked to dig into our pockets to finance care, and we need to have a serious involvement in this debate.

Delegates, the demand for care into the future presents a particularly challenging picture for us. We know at the moment that there's about 70,000 people in need of care, elderly people in need of care in our system. And we know that over the next 50 years that is set to double, 10 per cent roughly each year. We also know that the risk of disability among that grouping is 20 per cent among men and 36 per cent among women. We know that there will be care demands ranging from home care to residential care.

The situation in respect of the carers we have at the moment is we know that we have roughly 130,000 carers in our system. Some of those are informal family carers that go unrecognised and unsupported, and just to give you some sense of the recognition of carers, only 18,000 of those receive any kind of Carers Allowance, and only 425 receive Carers Benefit. In other words, they were workers who took time to care for their elderly relative, 400, and I have to say Delegates, 80 per cent of the carers are women, so this is a particular problem for us.

In addition to those carers, of course, there are professional services, many of them represented by you here today; a professional range of healthcare services which intermittently on a short-term, medium-term or long-term basis need to care for our elderly in their homes or in residential care. So there's clearly an expansion needed right across the board if we are to meet the future demands which, as I said, is a doubling of the people in need of care over the years to come.

The reports discuss models of care and they come down very heavily in favour of a bias towards community care services. Now I think there's very few people who are involved in this area in this room that know more about the inadequacy of the resource that we have at the moment in community care. They discuss issues about public-private partnerships and private as well as public financing into the future. And we will be involved in these discussions, but they're already fraught discussions. A number of us, as you know, are involved in the public-private considerations in relation to step down facilities at the moment, they also discuss packages of community care that are needed and flexible support systems, and I don't have to tell you what an ideal that is in a system that is fraught with inadequacies from beginning to end.

But Delegates, there are some very serious questions for us to answer here in terms not only of the care recipients, but those giving care. How do we balance the competing pressures of time and achieve a decent quality of life for all that are involved? We know that most carers are women, many of them trying to currently balance childcare and working. And the challenges for the future in relation to elder care are very difficult to contemplate. Many of them are operating over great distances, commuting and trying to balance childcare also. How do we respond to this changing pattern of participating in the workforce and balance the gender role that ought to be there in relation to the care of the elderly?

Equally, in times when the debate on services is dominated by value for money efficiency issues, who will be providing these services into the future, who will establish and meet standards of care for care recipients? These are all issues, Delegates, that we will have to discuss in the coming months, and we have structures to do that.

One of other issues we know in the Motion is looking to be guaranteed by entitlement. This is a very hot current political issue in respect of people with disabilities. What does this right space agenda mean? We're deep in argument over entitlements, funding, enforcement mechanisms, and they're complex issues that we'll have to thrash out in the months to come.

And finally, the Report talks about financing in terms of taxation or social insurance systems and what's involved in relation to that. Delegates, we've a long way to progress this issue but we have a structure to do it through *Sustaining Progress*. We prioritise this issue in the context of those negotiations, consulting with the Departments in the months to come and we will be heavily involved in this debate.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Paula.

I now call on Peter Sands from the Retired Workers' Committee to respond.

Peter Sands, Retired Workers' Committee

Mr. President, Delegates. I'm slightly confused here this morning, and I'm not easily confused, but this Motion originated with the Retired Workers' Committee in Congress and I'm not sure as to whether I was to speak on the Motion or to speak as a guest, so what I'm going to try and do is to combine both together.

But before I go into that at all I want to say, on behalf of the Retired Workers, to say thanks to the members of the Public Services Committee for the wonderful job that they've done on behalf of the pensioners. The pension deal for people in the Public Service is a tremendous deal. I daren't mention them by name in case I be accused of electioneering, but I want to say thank you very much to them and that the workers appreciate it very much.

The trade union movement in Ireland has much in common with our colleagues in the European Union, and it's very important that we all work together on fundamental issues. I am the Retired Workers' Committee representative on FAIRFA – the European Federation of Retired and Elderly Workers, an organisation of some 12 million. It's affiliated to the ETUC, as you can see in my report to the Executive Council on page 128 of the Council Report.

It's one issue that has to be addressed because it's very important that we have continuity with our organisation in Europe. The fourth statutory Congress was held in Rome from the 8th-11th May. There was a major debate on issues that you're debating here again today, or at this Congress, on retired people, renewing and improving European social protection systems and the topics included were very relevant to our members - the right to participate and to be consulted. And that leaves a lot to be desired here I might say- the right to healthcare, the right of dependent and elderly to public healthcare and social service provision and the right to an adequate pension.

The men and women of FAIRFA call on member states to see that the European Convention would be such that the EU's policy role is strengthened so that it can speak with one voice to see that international institutions act in accordance with the EU's founding values of peace, respect for fundamental rights and solidarity, and that these rights are respected by incorporating the EU Charter of Fundamental Rights in the forthcoming constitutional treaty. That social exclusion and poverty, which effect millions in Europe, including Ireland, including retired people, are tackled more effectively by establishing a minimum income which will enable them to live a decent life compatible with human dignity. That public services are protected and promoted.

Retired and older people must benefit from continuity, quality and security of services such as pensions, healthcare, transport and housing. This type of service must remain a public service responsibility. The retired people's right of active participation is guaranteed by recognition of our place in policy shaping process at all levels. That public provision must deliver healthcare services to help people that are growing dependent to live at home by recognising the value and work and skills of the professionals in the service, and providing support for their ties to families and society in every way possible.

The trade union movement must recognise and promote the right of retired workers to take part in a policy shaping process, and must involve them in all negotiations and consultations on issues that affect their well being. In order to keep our Retired Workers' Committee an organisation of strength, trade unions must ensure continuity of membership and active participation in the transition from working to retirement. Retired activists are able to assume responsibilities in trade union activities on behalf of the retired and elderly, and I would ask that the Executive Council review the status of retired workers within the trade union movement. It's now eight years since Ciaran Ryan presented the *Report on the Status of Retired People in the Trade Union Movement*. The exclusion of the Retired Workers' Committee and the Senior Citizens' Parliament from the partnership process was a matter of grave concern for all retired and elderly people, and action must be taken with those responsible to see that it never happens again. We, the representatives of the trade union of retired members, are concerned to see that we are involved in the on-going discussions in *Sustaining Progress* regarding decisions that affect the well being of our members.

This Conference has debated recruitment and trade union membership. The changeover to retired membership is not getting the proper attention, I think, that it deserves. It should be on branch's meeting agendas, together with new membership.

As far as Motion 16 is concerned, we have had reports of community care going back to 1986 on-wards, to the launch of the health strategy *Primary Care, New Directions*. While this Strategy acknowledges the crucial role of primary care services in achieving the growth and development in service provided that will be required in the years ahead, and noting that many countries are currently developing primary care services as the cornerstone around which their health services are built, we've been advocating that for years and nobody was listening to us! Or if they were listening to us they weren't doing anything about it.

New approaches are highlighting the importance of the team-based approach to primary and community care which should play a more central role as the first and on-going point of contact with the healthcare system. What we are asking for in this Motion is to ensure that the services delivered, that people's entitlements, be enshrined in legislation and funding guaranteed, as is the case in England with the 1990 Health Act. The Scottish parliament has also introduced similar legislation.

I urge Congress to push for early introduction of this legal requirement. Put an end to the suffering being endured by the elderly because of cutbacks in delivery of much needed services.

Before I finish off, we, the members of the Retired Workers' Committee of Congress, who are life-long trade unionists, have demonstrated with this Motion on community care what can be achieved by being active within the trade union movement with all of us working together. And I want to finish with this message to those who support the anti-trade union faction - our conference in Rome discussed the serious unemployment situation in mainland Europe which is beginning to creep in here. Without the protection of a trade union the dole queues can be a very lonely place.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Peter.

Delegates, the Motions 12, 13, 15 and 16 are open for common debate. I have five speakers here at the rostrum. If there's any more speakers that want to speak on any of these Motions, come forward. Otherwise, we're just going to take the five speakers.

Liam Doran, Congress Executive & INO General Secretary

Thanks Chair, good morning Delegates. Liam Doran, Irish Nurses' Organisation speaking primarily for Motion 12, but obviously for the thrust of the Motions before Congress at this time.

However, before I begin, may I, on behalf of all the members of my union, the Irish Nurses Organisation, express our appreciation to the President, General Secretary and all of you for your kind expressions of sympathy on the premature death of our President, Claire Spillane, on Sunday evening. I can assure you that your thoughts were conveyed to her family, and from Claire's point of view, wherever she is at the moment, she certainly would have enjoyed and appreciated your kind thoughts. She also would have enjoyed, I have to say, the debate that's emanating in relation to the health service here.

I think, from an ICTU point of view, it's stating the self evident obviously when we say the health service is in crisis. We are debating this morning when there are 520 public beds closed, when there are no services to some housing estates in some urban areas in terms of child health and child welfare, and when we have people not entitled to medical cards that were promised them, and where we have hidden suffering all the time. In this country at the moment, if you can afford it you can get healthcare, if you cannot afford it then you wait. You wait an untenable amount of time, and hidden suffering is endemic for those not in a position to fund their health service, and that has got to be a fundamental concern to this movement.

We cannot continue to talk about the health service and not do something very visible about addressing and forcing the Government to correct the grievous errors it is making at this time. We equally cannot allow the debate that the Government would have us have on reform and all they're doing about reforming the Health Boards and abolishing them and setting up these agencies to be a substitute for investment. The Irish health service needs more investment for the next seven to ten years to become anything like a world class health service. That has got to be an issue for this movement.

The question of funding it is another issue in terms of taxation and so on. But when we have a Minister for Finance who goes on the television last night and says no one values anything that's for free, this movement has got to tell that Minister for Finance that access to health care, as a right based on need, is a right in this country, not

something that is dependent upon his will and his favour to allocate monies to the health service.

There's much talking about the spend on the health care in this country and the black hole and the colander that the Brennan Report said about money leaking away. There's 96,000 people working in the health service who work very hard. They're treating more and more people year on year. The Department of Finance never understand that. Sure we have to look at value for money, but let's not apologise. We've increased productivity in the health service every year for the last number of years. For one year only have we got the average OECD spend on healthcare in this country, and the Government is waxing lyrical about that as if it's something they did every year. We have to maintain that spend for the next number of years, and do so in order to ensure it.

In terms of doing constructive things about it, in our annual conference last month we passed a motion saying that the alliance of health service unions should be reformed, should go to the streets and mobilise the community at large to ensure that the Government gets the message - because they're getting away with it at the moment Colleagues, they're getting away with cutbacks. And certainly we will join with SIPTU and Jack's proposal, and we will join with ICTU under their umbrella. And we should put our members on the streets if they don't do a u-turn on the health service, don't open beds, don't provide fully operational services. And we should do so this autumn because that is the only thing that will turn this Government around.

So Delegates, let's send one message. We'll pass these Motions, we'll all mean them with our sincerity and so on, but let's also say to Dave and his colleagues and the incoming Executive and so on that if the services aren't properly funded, if all beds aren't fully operational, if all community services for the young and the old aren't fully operational by the autumn, then we will put thousands upon thousands of people on the streets and tell the Government the ballot box will hit you, and we will hit you in the ballot box, unless you fully fund the health service and make it truly world-class for all of us, and for all of our children's children.

Thank you very much Delegates.

Senator Joe O'Toole, Congress President

Thank you Liam

Melanie French, UNISON

President, Conference, Delegates. Melanie French, UNISON, speaking in support of Motion 13.

The health service in Northern Ireland is going through radical change with the introduction of the developing better services initiative. Change for change sake is not good enough and will not address the needs and expectations of the users of our services. The introduction of local trusts with reduced services available to local communities needs to be supported in a structured way that delivers to those who

need care most, and it must be accessible to all. A wide consultation process needs to take place to recognise and provide for special and individual needs that are exclusive to each area.

Congress must support initiatives that make sure these needs and expectations are met, especially in rural areas. Please support.

Thomas Mahaffey, UNISON

Chair, Delegates. Thomas Mahaffey, UNISON, supporting Motion 13 on the Health Service.

Government in Northern Ireland has made very public promises about tackling poverty and reducing health inequalities. Yet when it comes to putting money into the budget we see no sign of this commitment being turned into reality.

Although the recent public health strategy, *Investing for Health*, recognises that health is a fundamental human right, it failed to produce a comprehensive anti-poverty strategy to tackle the social and economic inequalities that have left Northern Ireland one of the unhealthiest places to live in Europe. In the North and South we die too young, and too many of us suffer from preventable illness or disability. The statistics show how badly we compare with the rest of Europe. Our life expectancy at birth is well below the European average. We also have some of the highest rates of heart disease and some cancers.

Health is a human rights issue affecting everyone. We're talking about people dying before their time, and suffering different health outcomes, because of inequality. While health inequalities are getting smaller in other parts of Europe, in Northern Ireland the gap is growing rapidly. We see it in the death rate of the poorest children who are twice as likely to die before the age of 15 than the richest. We see it in the erosion of services for older people. We see it in the unequal access to services for the most disadvantaged in our communities.

Tackling such inequality requires action on all fronts - education, training, employment, nutrition, housing and in all social, economic and political spheres. In health it requires a service that is fully funded out of general taxation, free at the point of delivery and to which all have equal access. Only then can we start to make a difference, to challenge the scandal of the system where the life expectancy of a member of the Traveller community of Belfast is 15 years less than that of a settled person.

Please support the Motion.

Senator Joe O'Toole, Congress President

Colleague, are you speaking?

Linda Austin, CSP

Linda Austin, CSP speaking in favour of Motion 13.

Motion 13 refers in its final paragraph to the need for the health service to become patient centred. Conference, I'd like you all to look 10 years into the future and to see what this could mean. The health service unions in Northern Ireland, through the Partnership Forum, have recently been involved in a workforce planning exercise that did just that - it looked at the long-term future of the health service. It's clear from that exercise that the shape of the health service, even in 10 years time, could be very, very different.

Technological advances will enable many more services to be provided locally. These advances will mean that even the new hospital planned for Enniskillen would be out of date by the time it's built, and we all know how long PPP hospitals take to get built.

However, patients shouldn't need to have to travel 30 miles to attend outpatient clinics. Why make 40 patients travel when one consultant could do the trip instead? We've already seen the erosion of services in Dungannon and Downpatrick. The domino effect when A+E goes, then paediatric services, then maternity services, then specialist outpatient clinics. GPs then stop referring patients and the service is left to wither on the vine.

If these services go, and if we allow them to go, it will be much harder to bring them and the medical staff back in the future. We need to actually make sure that the health service in the future meets the needs of people locally, where they live, and that access issues don't prevent people from getting the treatment they need.

Conference, I ask you to support the Motion.

Ann Jarvis - SOR

Apologies, Chair, President, Conference. Ann Jarvis to support the Motions before us on health, and to speak in particular on Motion 13.

Previous Delegates have already covered the shortfall and impact on health services of under funding. I want to in particular concentrate on the issue due to the shortages of developing roles and responsibilities of workers across the health service, shortages of developing new roles.

In particular I want to highlight the problems suffered by radiographers in the North of Ireland. Radiographers both in cancer therapy services and diagnostic radiography are struggling in terms of delivery of service. They work long hours, most of them still covering 24 hour emergency duty despite the working time regulations. Sadly, radiographers know that there will be no let up on pressures due to the under funding, and also due to the poor planning by Government in terms of future workforce. Over the next four years there won't be any improvements as there are insufficient radiographers in training.

Consequently, we are working to develop new and more flexible ways of training to encourage returners, to support and train our support workers. We are working to ensure the retention of our existing members already struggling under the pressures.

Congress, it's essential that the role of development and training across the professions is given the highest priority. It's also essential that we get it right. Patient care and safety of patients and workers is at stake. A mistake in radiography diagnosis can result in patients receiving too much radiation, and it can result in death. New models of working, training, developments across the professions, must not be introduced by the Government as a quick fix to block gaps, but changes must be negotiated with the health service unions and must take fully into account patient care and safety, and also the safety of the workers.

I ask you to support the Motions in front of you.

Brendan Mackin, Congress Vice President

Thank you Anne.

Can I just say that we have the last speaker, and after the last speaker I'll be calling on the General Secretary, David Begg, and then we'll be going into voting on the respective Motions.

Just to inform you that Motion 14 wasn't moved or seconded so it's fallen.

Martin McKenna, UNISON

Mr. Vice-President, Congress. Martin McKenna, UNISON, in support of Motion 16.

In supporting this Motion I feel that not only should full community care services be made available to older people, but should include older people with disabilities. Not only should Congress seek that care services are underpinned by legislative entitlements and by guaranteed funding, but it should be made clear to Governments that this is a right by law and should not be means tested.

The national intellect disability database of 2000 gave a figure of 41,427 people with a learning disability in the Republic and Northern Ireland, at April 2000. Of this, 9 per cent are aged 55 or older. In this, the European Year of People with Disabilities, we should remember that they are also living longer, and they should too be able to enjoy a life with dignity in their own homes. As one who works with adults with a learning disability, we find that they enjoy a life span longer than was once thought. This has left the Government with a problem that it did not envisage say ten or 15 years ago. As many of the people who I help to care for live at home, most of them with elderly parents themselves who will need the provision of healthcare, has Government thought about the provision of funding for this group of people?

As you have seen over the last couple of weeks with the Special Olympics, people with learning disabilities have shown more ability than we sometimes give them

credit for. Some of the athletes were over the age of 65, the age of retirement, but do we deem them as this as resources are needed to assist them into going into place?

As the last line of the Motion says, *Congress demands that care service for older people be underpinned by clear legislative entitlement and guaranteed funding*. I say that this should also include people with disabilities.

I support the Motion.

Thank you.

Brendan Mackin, Congress Vice President

Thank you, Colleague.

I now call on the General Secretary to respond to the debate on health.

Can I also ask Conference to allow the speakers a bit of order because the sound level has come up a bit?

Thank you.

David Begg, Congress General Secretary

Vice President, Colleagues.

First thing I want to do is just to say a word of apology to Peter Sands because Peter, I think, had been anxious to speak on the Pensions Motion and unfortunately, scheduling of Conference was altered yesterday, we got more business done earlier than we expected, and consequently he missed the opportunity. So my apologies to you Peter for that. I know how much you wanted to contribute, all I can say to you is on behalf of the Executive Council we remain very open to the views of retired workers, and you know that you will find, anytime you want to make representations to us, you will find a receptive audience. I also want to say to you that Joan and I attended the conference of the ETUC in Prague a few weeks ago and we supported strongly the incorporation of FAIRFA in a more institutionalised form into the structures of the ETUC, but unfortunately that turned out to be a minority opinion and it didn't happen. We have been successful during the year on one point though, and that is that the Senior Citizen's Parliament have been given official status within the Partnership process, and Michael O'Halloran is there now, and my understanding from what I hear is that he's made quite an impact, somewhat to the discomfiture of other members of the Community and Voluntary Pillar, but he's certainly making an impact.

Colleagues, I think this debate on health strategy is one of the most important that we will deal with during the week. And when the Government's policy statement, *Quality and Fairness*, was published last year Congress supported it because we believe that there was no point trying to second guess strategy that had been formed through extensive consultation. We felt that probably it represented the best views of

all of the professionals connected with the health service, and all who had made submissions to it. But we had one qualification, and the one qualification was that the resources to implement it would be provided, because we felt that if those resources were not provided the strategy would fall and all of the enthusiasm and support which had been built in with the staff of the health services would lead to a position where people would be more completely demoralised and the last position might well be worse than the first.

And since then, as you know, the concept of the black hole in the health services has gained a currency value in public discourse. Professor Brennan has not endorsed that finding in her Report, and she has spoken of a colander, as Liam said, a sort of utensil with many holes, rather than one big black hole. And it is important that money spent in the health service should be efficiently used and properly accounted for.

It is true that spending on health of 10 per cent of GNP now exceeds the European Union average, but that is against a background of underinvestment since the mid 80s, which was also the context of planning for meeting the needs of an ageing population requires even higher spending. And it's important to understand that implementation of the Brennan and the Prospectus Reports will not in themselves deal with the 3,000 bed deficit which was identified in that original policy statement, *Quality and Fairness*.

Now, Maev Ann Wren has written an absolutely excellent book, in my view, called *Unhealthy States*, recently, and she points out that Ireland shares with many States concerns about the shortage of nurses, expensive medical technology and drugs, an ageing population and pressures on hospital services. Where Ireland differs is in its two tier system of access and care, its long hospital waiting lists for the bottom tier, its financial barriers to accessing primary care, its structures and staffing system that compound the shortage of doctors and nurses, its virtual absence of preventative medicine and its high levels of heart disease resulting in a lower than average life expectancy. While States with better healthcare have invested at above average rates for decades now, Ireland is grappling with the after effects of decades of under investment. Although some States, such as Canada and Denmark, consider that they have waiting list problems, Ireland is, I think, in a different league completely.

The level of health spending does matter, as has been said, and good quality health care does not come cheap, but high quality spending does not ensure good quality, accessible health care outcomes in itself I think, as illustrated by the United States. And the manner in which the systems are organised and accessed remains absolutely crucial.

Citizens of some States have shown a greater willingness to spend on healthcare, which may be related to how they contribute to it. Insurance based systems are generally more responsive to patients' needs than tax based systems, which are more likely to ration care. So health systems have been consistent in France and Germany and tightly controlled in the United Kingdom.

Private or social insurance explicitly defines the basket of healthcare benefits that it covers. The tax funded NHS for instance, does not specify an explicit list of

guaranteed services, a shortcoming of the Irish public healthcare system as well. But Denmark, on the other hand, which does not define benefits either has delivered relatively high health spending.

Some States have publicly funded healthcare systems which deliver care through publicly funded institutions where doctors are salaried. Some States' public systems purchase care from private hospitals and self-employed doctors. Some do both - some States fund through insurance and some through tax. All these arrangements through some way or another are capable of delivering equitable care, and outside Ireland very few developed States permit private practice in public hospitals. In the United Kingdom and France it is extremely limited and subject to considerable control in an effort to avoid preferential access. Ireland's institutionalised two tier system in which private patients gain preferential access to designated private beds, whatever their relative need, is actually quite exceptional and leads to quite exceptional inequity in the system. The US experience discloses that the domination of the profit motive in insurance and managed care makes for expensive healthcare systems with spending there, I think, of around 13 or 14 per cent of GDP, and in that system patients may suffer as indeed Tom pointed out in his contribution yesterday afternoon.

And at the other end Canada's hospitals, for instance, are not for profit, and in Germany the for profit sector is very small indeed. And private for profit hospitals play a role for providing care in some States, but actually, if you look at what's been happening in Ireland, there's quite a sinister development I think in the last year or so, because we have moved gradually towards a position where the private for profit sector has been gaining a foothold, with the aid of the Exchequer, because the number of amendments brought in the Finance Bill last year provided for the extension of this tax subsidy to the construction of private hospitals. It also provided, for instance, for a reduction in the criteria to qualify for this which was originally at a 100 beds and was reduced subsequently down to 70 beds.

Now the point is that if you start facilitating the creation of private institutions like that around the State, independent from a strategic approach to provision of healthcare, well then at one hand you have one part of the Government, through the tax system, undermining for instance what the Department of Health might be trying to do in a strategic way in terms of the provision of healthcare. And it's another example of where ideological commitment or ideological sort of prejudice is undermining the provision of a long-term sustainable approach to healthcare. And the same argument actually applies to considerations of the privatisation of the Voluntary Health Insurance Board because, I mean, I'm aware for instance that the VHI itself probably favours privatisation. It may even be that some of the staff favour privatisation. But if you stand back from it and look at it in the context of providing health services for the future, at the provision of a long-term sustainable approach to healthcare, to privatise the VHI not alone does it fall in with the model of privatised health care that you heard about yesterday, but it also prejudices the possibility of ever again constructing an insurance based system, as has indeed, for example, been advocated by the Labour Party. So this is a very serious situation where we could have an institutional framework for the provision of healthcare in the

future which would restrict completely our options and force us more and more down the road of the American model.

Now there are many international options for reform of how the healthcare system is funded and administered, healthcare is purchased and delivered. But the central anomaly in the Irish care system is the two tier hospital care system and the financial barriers, I think, to primary care.

And it comes down to values in the end. The dominance of the profit motive and the huge profit margins in US healthcare should give cause for thought to those who favour privatisation of the VHI and the introduction of those special tax incentives for the private hospitals. And the question is, do we as a people consider healthcare as a consumer purchase or do we believe in social solidarity? It is a question that affects the most basic of human rights and is a question, frankly, I think, that cannot be fudged.

Brendan Mackin, Congress Vice President

Thank you David.

We'll now move to voting on Motions 12, 13, 15 and 16.

Those in favour of Motion 12? Please show. Those against? Please show. It's unanimous.

Motion 13? Please show. Those against? Please show. Carried.

Motion 15? Please show. Against? It's carried unanimous.

Motion 16? Please show. Against? Unanimous.

So we now move onto Motion 17. I'm going to take Motions 17 and 18 together, and then what we'll do is have a common debate on the two Motions. So any speakers who want to speak on Motions 17 and 18 can make their way to the front.

Catherine, Motion 17, Inequality and Education

Catherine Byrne, INTO, Motion 17 (*Inequality and Education*)

Thanks President, Colleagues. Speaking to Motion 17 on Inequality and Education.

During the negotiations on *Sustaining Progress* Congress identified the elimination of child poverty as one of this movement's priority issues. Now those negotiations proved successful in that respect in that the Agreement targets the ending of child poverty as one of the Special Initiatives of the programme. More specifically, the programme goes on to say that pre-school and primary education, in the context of this Motion, that they should be targeted for resources and for services.

The National Anti-Poverty programme commits the Government to reducing the number of children who are consistently poor to below 2 per cent, and if possible to zero per cent by 2007. As a nation, Colleagues, we have less than four years to reach that target. This education Motion commits all of you and all of us through Congress to do two very important things: 1) to a public campaign to make sure that the education budget for targeted disadvantaged programmes is increased; and 2) to make sure that we monitor and review the implementation and effectiveness of anti-poverty measures over the next number of years.

It's no surprise to you to know that Ireland has the third highest per capita poverty rate in the EU, and the 6th worst of OECD countries. Despite our economic growth more than 16 per cent of our children still live in households where the income is only half the national average. By contrast, our education spend, as a percentage of GDP, is 4.3 per cent, while the European average is 5.1 per cent, and we're the second lowest among 15 EU countries, and only four from the bottom in 28 OECD listed countries, with Turkey, Greece, Korea and Japan lower than us.

Colleagues, we still have, every year, 1,000 children of 12 and 13 years of age who drop out of the school system at the end of primary school. The Minister for Education today claims that tackling educational disadvantage is his top priority. I'm afraid that parents, children and teachers would be forgiven for thinking or wondering what that priority means. Does it mean not being able to find or retain a qualified teacher in a disadvantaged area for a class of 28 children? Does it mean missing out on a vital speech therapy service because of no availability or you can't pay? Does it mean that a child of seven or eight years of age has to wait one more year for a critical psychological assessment because they can't pay? Does it mean that targeted pre-school provision is not available for your three or four year old if you live in a disadvantaged area? Does it mean that the prize for an eight or nine year old child leaving second class and going into third class is getting 10 extra pupils in their class, not less pupils?

We know what making something a priority means. It means investing more money and more resources. Throughout most of the last century Ireland was a poor country. For decades most of our public services, including education, were under funded and rundown. Then we had the good years. We had massive economic growth, we went into double digit growth figures. We had huge fiscal surpluses and we expected, rightly, that at last our public services, education, health, transport would benefit and we'd be right up there with the rest of the world. And yes, there was investment, but it wasn't enough, it wasn't enough to make up for the rundown years that we suffered. It wasn't enough to make up for the cutbacks in the '80s when some people lined their pockets with money while the essential services of any decent nation were rundown.

We need, Colleagues, and this Motion is about action, we need to reject the mantras of Ministers that tell us that there is no alternative to prudent restrictions on public expenditure and there is no point in throwing money at problems. We know that educational disadvantage is one of the key indicators for getting rid of and eliminating poverty.

I'm just going to finish with this thought, and I really hope that I can inspire people to really support campaigns that you will see over the next year in education. Childhood is a very special time in the life of every single individual. The quality of the experience in childhood determines to a large extent what happens later on. Every child has the right to be cherished, nourished, supported and protected at that time, physically, emotionally and intellectually. The extent of inequality in our education system represents a betrayal of our commitment to cherish all our children equally.

I commend the Motion to you and I urge you to actively support its full implementation.

Thank you Colleagues.

Brendan Mackin, Congress Vice President

Thank you Catherine.

Have we a seconder?

Noreen Flynn, INTO

Vice President and fellow Delegates, Noreen Flynn, INTO.

Society, by definition, implies a sharing based in need, a real sense of inclusion. However, despite the prosperity experienced by our nation over the past 10 years we have failed to supply the most holistic supports and services required to the most disadvantaged in society to allow them the opportunity to rise above the poverty trap, socially, emotionally, and educationally. While both the *PPF* and *Sustaining Progress* articulate the aspiration of an inclusive society, little as yet is happening on the ground to make this a reality.

The Egyptians, thousands of years ago, realised that the secret to constructing a sustainable monumental structure was to lay a solid foundation, and sure enough, the pyramids have stood the test of time. Yet in this, the 21st Century, we have failed to transfer that well tested principle to the needs of our children suffering the ravages of disadvantage. Recent Department figures show that of approximately €456 million spent in 2003 on programmes specifically designed to tackle educational disadvantage, only €7 million was allocated to area education, €70 million to primary, €5.4 to the National Educational Welfare Board and a staggering €158 million to third level access. What chance has a child of accessing any of that €158 million if they have left primary school, angry, socially inept and without sufficient basic skills in literacy and numeracy? The answer is no chance.

Early childhood and primary education are central in alleviating disadvantage, and yet, as these figures show, they continually command the least amount of funding. We must not continue to make the mistakes of the past by waiting to try and rehabilitate adults who have been condemned to a life of misery by the system because of the lack of holistic supports for them in their early, formative years. One of the aims of the revised primary curriculum is to enable the child to develop as a

social being through living and co-operating with others, and to contribute to the growth of society. This cannot be achieved in areas of disadvantage where INTO statistics show that 10 per cent of teachers working in those areas are unqualified. It will not be achieved when children present in junior infants barely toilet trained and already suffering a two year language deficit compared to their advantaged peers. Nor will it be achieved when those children present daily in school suffering severe sleep deprivation and having no breakfasts in their stomachs. And it certainly will not be achieved if children do not appear in school for up to 100 of the 183 days required.

The Educational Welfare Act became law in 2000. This legislation has the potential to make a significant difference to the marginalised. However, schools have been left in a complete vacuum with regard to implementation of this law. The budget of the Welfare Board was slashed by €3 million last year. Educational and Welfare officers have only been appointed in the last few months to deal with the issue of attendance locally. This has had a devastating effect on the attendance of the most vulnerable in areas of disadvantage, urban and rural, and the statistics this year currently with the National Educational Welfare Board will bear out this reality.

Brendan Mackin, Congress Vice President

Noreen, can I ask you to wind up please?

Noreen Flynn, INTO

I'm just finishing President, thank you.

INTO has fought for this for many years, and I now, Vice President, call on the Executive Council of ICTU to step up its campaign to ensure sufficient investment in primary and pre-primary education for disadvantaged children, urban and rural, to ensure that they too can avail of the right to a solid educational foundation that will allow them to engage as active citizens in our society.

I urge you to support the Motion

Brendan Mackin, Congress Vice President

Can I have the mover of Motion 18 please?

Seán Rowley, INTO President

Vice President and Colleagues. Seán Rowley, President, Irish National Teachers' Organisation.

Colleagues, the Special Olympics have come and gone, and as the dust settles we can rightly be proud of the organisation and effort that went into the games. For the past week or so the country has reaped the benefit of the values of inclusiveness and their celebrated ability. The special athletes and their families have shown us the way, have shown us what is possible. But we must we build upon the achievements and

make sure that teaching and learning resources are made available to every child that needs them. These games must not be an end, but a beginning of a new determination to ensure that every child in Ireland that needs resources for special education have them and that they have been put in place.

The determination of the schools, teachers and parents to support the games, the well being and good feeling that was abroad, this must be replicated by the Government in a spirit of generosity and a will to tackle the inequities that are there. The reality of special education shows that while we have made progress, and I think it would only be appropriate to acknowledge that, a huge amount is left to be done. Rights based provision has not been put in place and every resource has to be applied for, waited for, bought for, even prayed for. And of course, as we all know, people have had to go to the courts as well to win concessions. Just to give you some examples - applications for support for special children made in January and February are still outstanding, responses on these were promised but nothing has happened. This is not good enough. As of now these resources will not be in place till September. This will put the schools on the back foot in regard to trying to cope. It's nine months of neglect, nine months that can never be got back or replaced in the life of a child. About a thousand applications for special needs were made in the third term. These have not been examined. The Department have promised this, that and the other, but as far as we're concerned, at the rate that they're going the resources won't be in place at the end of the year. They must simply try harder, and there are many situations about where applications for resources are refused.

The INTO is now demanding an appeal process for schools and parents who are refused those resources. The day is gone when an anonymous public servant can make decisions on children's futures in a semi secretive manner without accountability or checks and balances. Earlier this year, for example, at one stage 50 per cent of applications for special needs were refused. Reasons for these refusals were not given. Parents and schools deserve more than an advice slip from the Department of Education and Science saying 'no resource hours are allocated'. Common courtesy demands an awful lot more than that. And what's more, what's worse actually, we're aware that some decisions were reversed when parents raised the matter with vigour with the Department, but others who could not tackle the bureaucracy involved were losers in the end. This is unacceptable in this day and age, so therefore, we are demanding an open, transparent appeals process that goes beyond the philosophy of listening to those who shout loudest.

There is also the matter of the psychological service. This is still not spread to all parts of the country. In fact, it is totally unacceptable that there are large tracts of the country still not covered by psychologists. Recently it has come to light that 29 psychologists had been interviewed, recruited, were ready to start in the system. The Department of Finance, by the stroke of a pen, cut that down to 15.

In regard to integration and inclusion, in the wake of the Special Olympics, we must translate this into a reality. As of now, the responsibility for integration falls on the schools which are far too often left with the task of trying to implement the policy without adequate resources or supports. Current procedures, whereby schools are asked to enrol children with special needs without resources in place to meet their

needs, must be changed, this is certainly putting the cart before the horse. Current policy is implemented by exploiting the goodwill of principals and teachers.

Any approach which tries to fit a one for all size solution is destined for failure. What is needed is a continuum of provision to match the continuum of needs that are out there in the system.

And for the matter of the classroom teacher - even if the child gets extra help, basically, the big responsibility still falls back on the shoulders of the classroom teacher who gets no recognition either in terms of a reduction in class size or extra funding or extra training to meet that type of situation. This must be taken in hand.

Delegates, the Irish National Teachers' Organisation believe that we are in urgent need of a review of special education provision so that all children with special needs have access to the services they need on the basis of right, and not on the basis of what you might call Exchequer benevolence at a particular time. The promised Education for Persons with Disabilities bill must be implemented and published immediately. Now this has been promised in the partnership agreement of *Sustaining Progress*, and it's also part of the *Programme for Government*, and when published, when implemented, it must bring some semblance of co-ordination to the system, whether that be by the proposed Special Education Council, whether it be by special needs organisers. It must lead to consultation with the teachers and other professionals.

It's hard to believe that no real engagement or meaningful consultation has taken place in the area of special education since the SERC Report, that's the *Special Education Review Committee Report*, was published. Believe it or not, that was the mid '90s, that was pre the Donoghue judgement and pre the Sinnott judgement, and we all know how the special education landscape has changed since then, how the whole matter has exploded and the fallout that we're all feeling from it.

In summary Delegates, and again going back to the Olympics, I think that until such time as this matter is taken in hand, until every pupil has as a right whatever education is appropriate, caring and well resourced for them, until then I would say, and borrowing from history, until then and not till then can the epitaph of these great summer games be written.

Thank you Delegates. I urge you to support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much Sean.

Seconder for the Motion?

Sheila Noonan, INTO

Thank you President. Sheila Noonan, Irish National Teachers' Organisation.

I think we kind of get an overwhelming sense of pessimism about Motions like this, particularly Section 1, which will illustrate that *Sustaining Progress* has barely the ink dry on it when Government have failed at the first benchmark. There isn't a snowball's chance in hell that the Persons with Disabilities Bill will be enacted before this summer, and we would ask the Executive Council on Friday when An Taoiseach is here to expose the hypocrisy that is already evident within the first few months of this. It is an absolute disgrace, and it is an opportunity for Congress to prove that we are advocates and campaigners and that trust and confidence has to be restored to the partnership process.

The critical point here this morning is about the legislation but, as Noreen Flynn pointed out about legislation, the Government can hide behind it. They have already done it with the Education Welfare Act. We've a fantastic aspirational piece of legislation and not a penny has been put into it. We could have a superb Disabilities Act, and the same thing, and the Government are afraid, as Liam Doran pointed out this morning, of the black hole effect because this is how it works - a school must have a psychological assessment to certify the needs of the child and then the resource is provided. And it worked for a couple of years until Government realised that this was going to cost them a lot of money. So now what they're doing is that they're not opening the envelopes, they are sending psychologists out to track down the first psychologist who reported to see if they can unravel the report that is written, and that is currently the situation.

There is a dreadful sense of irony and disbelief that the Special Olympics could mobilise several thousand athletes, engage hundreds of towns, in an act of sheer and spectacular impressive scale, a triumph for volunteerism, and the scale of it has just succeeded in exposing the sheer ineptitude of Government in handling this. They are relying solely on compassion, and I think An Taoiseach had a brass neck to gatecrash the Croke Park party on the previous Saturday and not be disgraced to say he didn't have a Disabilities Act in place. We need to have a 'can do' philosophy around this, and it is not good enough.

So, Colleagues, it remains to us in Congress to take up the torch on behalf of people with disabilities in this country, and I think it should be high on the agenda of the newly elected Executive Council when they are getting into the monitoring of *Sustaining Progress* that it is not tolerable that Government will not commit themselves to what's in print.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Sheila.

Now both Motions have been proposed, seconded. Any other speakers? Thank you.

Peter Rooke, MANDATE

Peter Rooke, MANDATE, speaking in support of Motion 17. While welcoming the sentiments expressed in this Motion, I want to focus on the differences and inequalities between rich and poor, and the recent Special Olympics, of which much has been said in the last few days.

As one of the 30,000 volunteers for the games, the gap in equality between those who were affluent and those who were poor was very obvious. It was quite evident in the area I was working in, which was merchandise, where you'd often see coaches or family members buying goods for athletes who couldn't afford to buy anything themselves. It was with great sadness I saw this, and it brought home to me the injustice in our standards of living.

We cannot allow these injustices to continue. Let us wipe these injustices from our system by supporting this Motion and educate these athletes so they can have a decent standard of living.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Peter.

Ann Donnelly, UNISON, *Motion 18 (Special Education)*

Ann Donnelly, UNISON, speaking on the Motion 18.

It was with great joy and elation that I watched the opening of the Special Olympics. As somebody who's worked hands on with children who went to Special Olympics for 20 years it gave me great pride to see a young man from my city walking in with Nelson Mandela, it was absolutely beautiful.

But afterwards, my thoughts turned to anger because as someone who's worked with people with special needs for 37 years I felt angry that there was joy and elation. It's forgotten you know, make no mistake about it, 90 per cent of the people who were there and had seen it will forget. The athletes won't, and their parents won't, and their carers won't, and that's when the anger came. Because 36 years ago I was one of a group of people who volunteered, in the hospital I worked in the North, that we would no longer hide people with severe learning difficulty behind the door, and we went to a very posh restaurant in Belfast. Anyone from the North here will know it, it was called Rob's, and one of the kids that I was with stole a fish off a woman's plate and she was very angry and I sort of thought, 'That's it, you're back and you're not getting out again.'

But with the point I'm trying to make, it makes me really angry when I see people who have to fight to get their children into a learning centre. When they turn 19 they're forgotten about. As my colleague Martin said earlier, when they leave school, there must be something else for them. You know, even at school, we must provide speech therapists, physiotherapists and everything else that goes with it. These

children are human beings, these adults have human rights and I think that we here today, 2 years ago in Bundoran, that we all get sufficient speech therapy that our kids could go up and rant and rave and call the referee whatever they wanted. But I'm saying this now, that we here today, the new Executive, that they rant and rave at Bertie Ahern and whoever and say that we've had enough. Our kids can't fight and our young adults can't fight for what they want. We're going to take on the battle and do it, but Inez said a very important thing yesterday, and I think it applies actually to these children today - justice delayed is justice denied.

We must act on this, because as I said in my opening remarks, I felt happy and delighted I was. The number of times that I've been sent to the dugout to the back for foul language and for cheating was worth it when I saw the Special Olympics, but remember, life goes on beyond the Special Olympics.

Go out and fight, and I mean fight for these children and these adults.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Anne.

Martin McKenna, UNISON

Martin McKenna, UNISON. In supporting Motion 18 I call for Congress to be more vocal in pressing the Government to act in relation to children with disabilities.

As I stated earlier, the National Intellectual Disability Database for 2000 gave a figure of 41,427 people with a learning disability in the Republic and Northern Ireland. A total of 35 per cent are aged 19 and under. Where possible, there should be integration with mainstream schools so that the needs of the child should be paramount, and funding should be put in place as a right, and the schools and parents or carers should not have to go to court to seek them.

When mainstream schools are not an option the need to develop special needs schools should be made a major priority with the Government, and as we have heard yesterday about the closure of the blind school for girls, this is not only unjust, but it gives a worrying signal from the Government that it does not care, it does not care about the most vulnerable children in our society.

Over the last two weeks An Taoiseach Bertie Ahern has been praised for the commitment in getting the 2003 Special Olympic World Games to Ireland. Now let him share the feeling and let him share the commitment and prove that at Government level that the last two weeks are not just a flash in the pan, and that Government is committed to a long-term strategy to the development of special needs education for those children who need it now and in the future.

I support the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much. Thank you.

I now intend putting Motions 17 and 18, both of the education Motions.

Motion 17 on Education and Inequality? All those in favour? Please show. Carried.

Motion 18 on Special Education? Please show. Carried.

Thank you very much.

Could I now look for a proposer from AUT on Motion 19 on Research Funding?

Reenie Prendergast, AUT, *Motion 19 (Research Funding)*

Delegates, Reenie Prendergast, Association of University Teachers moving Motion 19 on university research funding.

Yesterday's main Motion on the economy posed the question do we want to be an outpost of the United States in Europe? Do we want a low tax economy, low wage economy, low social service economy? Or do we want a knowledge-based economy which is able to innovate and compete internationally on the basis of the quality of our education, the quality of our skills and the quality of our infrastructure?

Investment in education and research and development is central to any economic strategy that aims to compete on the basis of its innovative capacity. We all know that in recent years there have been substantial investments in commercially orientated targeted research and development, especially in the South. What I want to say is that commercial R+D, targeted R+D, is very, very important, but it's not enough. It has to build on a base. It can only function in the context of a base of a wider science base in which university research has a vital role to play.

University research differs from commercial research in a number of important ways. It emphasises basic research, basic problems, it tends to look at very long-term problems, it produces knowledge as a public good available to all by and large, and not as a private good to be exploited for commercial purposes. It also, and this is equally important, is carried out by people who also teach, so research not only produces what ever output it produces, but it also helps people to provide teaching that is up to date, which is vital of course if you want to have a knowledge economy.

Given the widespread rhetoric about the knowledge economy, and given that it's accepted in both jurisdictions in this country, it might seem strange that we're putting forward a Motion expressing concern about threats to funding in higher education research. Our concerns are not fanciful. During the 1980s and early 1990s the direct rule Governments in Northern Ireland raided the research kitty for policing, for defence for what have you, with the result that research funding in Northern Ireland

fell by 20 per cent at a time when it increased by 20 per cent elsewhere in GB. More recently, the Northern Ireland Assembly raided the research kitty again and diverted resources which should have been available for university research to other purposes. This was an Assembly which bought into the rhetoric of the knowledge economy.

So what we're saying then is that we hear a lot about the knowledge economy. That knowledge economy requires that we invest in the basic educational research that makes that knowledge economy possible. The danger for us is that when Governments have to balance their budgets, and run into deficits rather than surpluses, they find that it's easy to cut university research funding. It's about chickens that will only come home to roost in maybe ten or 20 years. Somebody else will have to pick up the pieces, and therein lies the danger - because things are never as simple as that. If you cut back on research funding now you not only damage the long-term prospects of the economy, but you also undermine the quality of the teaching and skills base that you're trying to create at the moment.

So what this Motion is asking you to do is insist that the rhetoric of the knowledge based economy be meaningful, that resources for education and basic research be protected and that we match the funding of those economies that we would like to emulate.

I move.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much indeed.

Could I have a seconder please? Formally seconded. Thank you.

I will now put the Motion, Motion 19 on Research Funding. All those in favour? Please show. Carried. Thank you very much.

Motion 20, under the Teachers' Union of Ireland, Further Education.

Annette Dolan, TUI, Motion 20 (Further Education)

Annette Dolan, Teachers' Union of Ireland. Mr. President and fellow Delegates, the MacIver Report referred to in this Motion arose from a commitment in the *Programme for Prosperity and Fairness* to review and make recommendations in relation to the resourcing and organisational needs of post Leaving Cert colleges.

The interim Report was published last year in March and the final Report was presented to the Minister in April 2003. The Minister, however, to date, has failed to acknowledge this Report and has made absolutely no commitment with regard to the implementation of the recommendations in this Report. Implementation of these recommendations is crucial as, unlike other European countries, we do not in this country have a distinct further education sector.

Our further education sector has grown and developed in an organic and ad hoc manner since the introduction of the post leaving cert programme in 1985. The number of participants on PLC courses has grown steadily from 12,000 in 1990 to currently 28,000, 95 per cent of whom are enrolled in VECs. This rate of participation in further education is significant. Currently, approximately 1/5 of Leaving Cert students opt for PLC courses. This compares with approximately 2/5 who opt for the traditional third level courses in Institutes of Technology and universities. It includes a large number of mature, adult returners to the education system. Half of the 28,000 participants are over the age of 21, 1/5 are over the age of 30. The PLC sector now attracts more new mature students each year than the whole third level sector put together.

Two thirds of PLC students enter employment on graduation, with a significant number progressing on the educational ladder. PLC courses in colleges of further education are mainly of one or two years' duration, offering a range of certification. These colleges are an important source of supply skills to the Irish economy. The majority of courses are vocational in nature, preparing students for employment. These PLC courses are a major source of supply, for example, for service industry staff with a strong focus on childcare, tourism and the leisure services, business and administrative staff, information technology, art and design and electronic staff. This is a crucially important further education sector.

The problem is, however, that the Department of Education and Science has, to date, failed to recognise this sector. It continues to fund PLC colleges as if they were second level schools. Ireland is way behind the European Community by failing to properly fund and resource this distinct further education sector. The staffing and resourcing of PLC colleges fails to take account of the short duration and consequential high turnover of students, the high volume of work involved in assessments, including projects, practical demonstrations and written exams, all of which are set and marked by the teachers in these colleges. The staffing and resourcing of PLC colleges also fails to take account of the continuous changes driven by changing industry needs and changing technologies requiring on-going course revision and development, and the age profile and expectations of the students attending these colleges.

This review focussed on the larger PLC colleges, of which there are 37. These colleges scattered throughout the four provinces have 75 per cent of the enrolments in the sector, ranging in size to colleges of 150 PLC students up to 2,700 full-time PLC students. The recommendations in the MacIver Report are focussed on transforming the student experience. PLC students should not have to put up with inadequately resourced buildings and facilities for practical work, including IT access to prepare their projects, limited canteen facilities and almost non-existent library or leisure facilities.

If we in this country wish to sustain economic growth it is essential that workers have a high level of skills and knowledge. The PLC sector is crucially important in providing up to date skills and knowledge for employment, but cannot develop and provide proper services without financial investment.

Colleagues, this Report cannot be allowed to gather dust. We urge you to pass this Motion to encourage the Department to implement these recommendations as a matter of priority.

Thank you Delegates.

Senator Joe O'Toole, Congress President

Thank you Annette.

John Ryan, TUI

Mr. President, John Ryan, Teachers' Union of Ireland, seconding Motion 20.

I teach in a large PLC college, in one of those identified by Annette. Amongst the programmes I'm involved in teaching include nursing studies, holistic therapies, horticultural electronic technology, networks, and indeed others. In addition to teaching, I assess these learners on an on-going basis and by a variety of methodologies, 50 per cent of it generally of a practical nature. Like my colleagues in the colleges, I assist in marketing courses, recruiting students, in guidance support, in developing of courses and programmes, writing modules and syllabi, in the quality assurance and validation processes required by our certifying bodies - these include HETAC, FETAC, City and Guilds, CASS etc. All of these non-teaching activities are done solely on a goodwill basis, and by teachers who are contracted as post-primary teachers.

However, the focus of our Motion is not solely in relation to teachers' conditions. It is an attempt to address the blatant discrimination which exists in our education system, where almost 30,000 learners, of ages ranging from 17 to 70, are expected to study and make progress in a learning environment clearly not suited to their requirements and to their needs. There is a lack of structured counselling services, there's a lack of guidance services, socio-medical services, crèche facilities, and recreation opportunities are very rare and very few.

For the colleges themselves, there's a lack of proper managerial/administrative structures needed for the efficient running of a PLC college. There's a lack of structured professional development programmes, there is a non-existing technical support and likewise non-existing library facilities.

These learners are discriminated against in that their brothers and sisters, aunts, uncles, parents in third level institutions, in the ITs and universities, have a learning environment suited to their needs. Why should not our students in the PLC sector aspire to the same?

MacIver has identified the supports required and has made recommendations as regards to their implementation. As a part of our TUI strategy we are asking you, our esteemed Colleagues, to support the implementation of MacIver.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you very much John.

I would now like to put Motion number 20 in the name of TUI. Motion 20, all those in favour? Please show. Motion carried.

Motion 21 in the name of Ballina and District Trades Council on Cutbacks. Do I have a proposer please?

The next Motion is Ombudsman for Children in the name of Guinness Staff Union.

Danny Gaffney, SIPTU, *Motion 21 (Cutbacks)*

Danny Gaffney, SIPTU. President, Delegates.

Community Employment Schemes, and its predecessors Social Employment Schemes, have always been perceived in a bad light by the general public. The perception exists despite the enormous good work done by people working on CE.

All we have to do is look around our cities, our towns and our villages at the restoration work done by these schemes, and also the huge benefit CE has given to voluntary organisations like those caring for the elderly, those with substance abuse problems, ex offenders, and indeed people in our community who need to or have to re-establish a purpose in life. CE has established itself and has a proven record as 1) the best developer of people in progressing people to a better way of life, and 2) providing a social outlet for the isolated and most marginalised of people.

Cutbacks to date have seriously affected the weakest groups in our society. That is, the long-term unemployed, voluntary groups, community groups. It is now time that the cuts were reversed. The savings to Government in these cuts are minuscule if there are any savings at all. And again, it's the Government taking the line of least resistance and those in need of support are losing out. Allied to the cuts in CE is the serious cuts in Partnership Companies who also would have supported the community and voluntary sector, including additional support for CE Schemes.

Delegates, in my own county we've had four CE Schemes cancelled. In the local Centres for the Unemployed, President, which is the face of ICTU within the county, we've had seven people lost, seven schemes lost, one of those was a permanent post. These offices must now close for a month to satisfy the lack of rollover on these Schemes. As I say, these offices are the face of ICTU in our community and ICTU should address this as a very serious thing.

Thank you very much.

Senator Joe O'Toole, Congress President

Could I have a seconder for that Motion? Formally seconded.

Before I put the Motion I should just draw your attention to it. I'd like to compliment Ballina Trades Council for putting down that Motion. The problem with the cutbacks in the CE Schemes is that people only see it in a small area, but if you look at any of the larger areas where there are a whole lot of community schemes this is creating havoc in a whole lot of places around the country. And I would ask unions to take great note of the Motion from Ballina Trades Council, it's really appropriate, the Trades Council, they're looking at the broader view. It is causing a problem and I would ask unions to take a serious interest in supporting the Executive Council on this one.

So on that, having interfered in the debate, could I now put the Motion please. All those in favour? Please show. Thank you very much. Carried.

Motion number 22, Ombudsman for Children.

Anne Lennon, Guinness Staff Union, *Motion 22 (Ombudsman for Children)*

Good morning, Anne Lennon from the Guinness Staff Union.

Mr. President, Colleagues, before I address the main Motion I want to say that this may be my last trip to Conference. Like many workers in the manufacturing sector in Ireland, globalisation or greed has encouraged my employer to outsource. In plain terms, that means take my job away from me. I'm somewhat fortunate in that I belong to a trade union that will fight tooth and nail for me. But spare a thought for the unfortunate people in other workplaces where unions are banned and tossed to the wayside day in and day out. Union recognition is a key demand for many Irish workers, and shame on the Executive Council for not making more progress on this issue. Mandatory recognition, a Motion I brought to this conference some time ago, has still not been achieved. Perhaps if it had you'd all be talking to Michael O'Leary.

Well, I feel better after that, and I want to talk about the need to establish a real Ombudsman for children. You may not know, but one of the last things this Government did before it went for election was to announce the establishment of an Ombudsman for Children. They also announced massive school rebuilding programme and a fabulous health service, and we know what their word is worth on those things. Anyway, as soon as they were in power, the foot came off the pedal, and when the Community Pillar sought a reference to the Children's Ombudsman in the *Sustaining Progress* document the Government refused. It took a concerted effort by the Pillar to force a reference to the Ombudsman, but eventually it was in the document, there on page 63, and it states: *An Ombudsman for Children will be appointed in line with the provisions of the Ombudsman for Children Act 2002.* So what's the problem? Our worry is now that they're going to renege on this promise, or worse still, provide us with one of their cronies to sit in the office and do nothing.

Well that's not good enough, and accordingly, we are proposing a detailed Motion based on the Northern Ireland model. Their Ombudsman was appointed last week

and well done to our colleagues in the North for that. The model in our Motion empowers the Ombudsman to stand up for the rights of children and make a difference. I don't intend to go through all the points except to say that in order for the Ombudsman to be relevant, she or he has to be relevant to the children they represent as well. That is why we are demanding in the final paragraph of the Motion that 'Conference also demands that children and younger people have the opportunity to play a full role in the selection process of their Champion.' That's what they did in Northern Ireland so let's us do it here too.

I want you to cast your minds back to the fight we had here for the Pensions Ombudsman. The rainbow coalition, as did the first Fianna Fáil/PD coalition, promised an Ombudsman and he was appointed earlier this year. Mind you, he's still not open for business. He does not have an office to work from – that's right, we have an official office but no place to take a call. It gives new meaning to the word homelessness, and we know where the Government stands on that issue. Hopefully that will change shortly. I suppose it was almost ten years from promise to completion - another speedy decision by the Government. Well, I don't want us to wait ten years for the children's champion to be up and running and be effective. I want it now, and to paraphrase 5(2) in the *Sustaining Progress* document, it's supposed to be an evidence based policy making, and so far there has been no evidence of any action by the Government so we can't convict them of anything at all.

Finally, may I close by wishing you well. I have been a Delegate for the past eight years or so, and have been proud to represent my union at this forum. During that time we highlighted the plight of pensioners, temporary staff, mandatory union recognition, autistic children and today all children - our future union members. Perhaps one might start recruiting there.

Please continue to speak out for those with the smallest voices. Please support the Motion.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you very much Anne.

Could I have a seconder for the Motion please?

Just to confirm to the Delegates that Congress has on two occasions in the last month been on to the then Minister for Health and Children, the now Government Chief Whip, to remind her of her commitment when the piece of legislation was going through that the Ombudsman would be appointed within months of the legislation and that's over a year ago now. So we will take that up again.

All those in favour? Please show.

Oh I'm sorry. There's a speaker to the Motion. I'm sorry.

Mary Larkin, MANDATE

Mary Larkin, from MANDATE trade union. Just on Motion 22, while we're waiting for the Office of the Ombudsman to be established we mustn't forget that the children need help now.

And I'm being a bit cheeky because I just want to take this opportunity to call on everybody at Conference here to support, in whatever way they can, Childline. Childline provides a 24/7 service for children and is staffed mainly by volunteers. It is the only service of this kind in Ireland. In 2001 they managed to answer 1 in every 10 calls made to them. In 2002 they got it down to 1 in every 5. The goal is to answer every call they get in, and when you consider that last year they had 750,000 calls from children in this country it's an onerous task they have ahead of them. They depend totally on donations. They don't get any Government funding.

So in supporting Motion 22, to pull not only on your heartstrings, but on your purse strings on behalf of Childline.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

I'll now put Motion 22. All those in favour? Please show. Thank you very much. Carried.

Equality Policy (Motions 23 – 26)

**Principal EC Report references: Chapters 1 & 2, *Reducing Inequality in Society Through the Elimination of Discrimination and a Fairer Distribution of Wealth and Achieving Pay and Conditions on a Par With the Best in Europe*
11.30 – 13.00**

Senator Joe O'Toole, Congress President

We're now running about five minutes late, but we'll pick up the time as we go along, with your support.

We are now going onto the section on Equality Policy, and this also deals with the principal EC Report references Chapter 1 and Chapter 2 and Chapter 7. I think in your documentation Chapter 7 might have been omitted, but just to remind you, this deals with Chapters 1,2 and 7.

And on Motion 23, I would like to move that formally on behalf of the Executive Council. Seconded, seconded by the Vice-President, and I would now like to ask Esther Lynch of Congress staff to deal with it please.

Thank you Esther.

Esther Lynch, Congress Staff, Motion 23 (*Equality*)

Thank you, President. Good morning Colleagues. I would like to thank the Executive for providing me with the opportunity to speak to this Motion, and to also speak to the sections of the Report. I'm going to try and weave them together.

The Motion has been put forward by the Congress Executive on the strong recommendation and advice of the Congress Women's Committee. The aim of the Motion and the action programme that it requires is to challenge and to support Congress and her affiliates to evolve new strategies to combat discrimination and to promote equality.

Within the Motion, and certainly throughout the Report within these sections, is a clear recognition that significant work is already underway. Set out on page 124, for example, is the work that Congress has been supported in by the Equality Officers of the unions, and I would like to take this opportunity on behalf of the Executive and you all to thank the Equality Officers of the unions for their substantial support and realistic work that has gone into the achievements that we have.

This Motion, if it's adopted, will mean that we will need to continue and step up this work, to step up our campaigns for equality, both for the level of the workplace, but importantly, within unions, within unions as employer and within unions as

employers of services. Its adoption pledges us to record the achievements, to record the situation, to defend the rights and the gains that we've made across all of the grounds. In Chapters 1, 2 and 7 you'll see a clear outline of the achievements that have been negotiated and won particularly through *Sustaining Progress*.

The Motion requires us to expand our struggle to ensure equality for all our members and all our staff, and our representatives at all levels and across all equality grounds. So what's that going to look like?

I think it's going to have to include dialogue with our members, in a real way. It's not going to be about questionnaires, it could be about questionnaires, but it is going to be about talking to our members, talking to our staff, talking to our representatives and asking them is there an experience of inequality? and if there is, how is inequality experienced? It'll require us to take that understanding that we'll get from dialogue and establish, very clearly, equality objectives.

We'll need to be in a position in two years' time to come back to you Delegates, and to say what are the outcomes we expect to happen, when we expect them to happen by and how we're going to measure the extent to which we've actually achieved equality. In this regard, it'll build significantly on the work that's already underway.

Yesterday many of you had an opportunity to hear of the work that we're doing on the Gender and Pay Project, to look at the work we're doing about building a talent bank to support, mentor and provide support for women within the trade union movement. It'll build on the work that you're going to be hearing about from Maria Clarke that was undertaken by the Taskforce on Racism, and in that regard I would draw Delegates attention from pages 82 forward which looks at the significant work that Congress undertook during the two years in relation to racism. It'll also build on the work that my colleague Paula Carey is undertaking in relation to the Workway Project.

Significantly, and I think here's the biggest change, here's really what the Motion is doing that's going to be different, is that it allows for coherence across all of the equality agendas so that we can have a better integrated approach. It'll allow us to swap good practice so that, by way of an example, we could take the lessons that were learnt through the construction sector project, in relation to addressing prostate cancer, and to look at what we could learn from that about women's health, about people with disabilities and their health so that we could begin to have a better linking up across initiatives and to bring forward all grounds, and it provides an environment in which we can begin to make that strategy possible.

Finally, and I think that I have to be very clear about this, that the Women's Committee and the Executive of Congress and the Disability Committee are very, very clear about this, that it's not about replacing anything or removing any of the current Committees. Rather, it's about strengthening, supporting and improving the role of the Congress Women's Committee, of the Disability Committee. We will need to develop new participative structures under the other grounds, for example under age, under sexual orientation. I know that other Colleagues are going to

address that under race. We will need to develop new structures. It's not about replacing any of the structures that are currently there.

So Delegates, I commend the Motions to you, and the sections of the Report.

Thanks.

Senator Joe O'Toole, Congress President

Thank you Esther.

Could I have a proposer for Motion 24 now, please, from the Civil and Public Services Union?

Teresa Dwyer, CPSU, *Motion 24 (Equality)*

Good morning President, Delegates. Teresa Dwyer, Equality Officer from the Civil and Public Services Union proposing Motion number 24.

The provision of, and access to, good quality, affordable childcare is a major problem facing working parents today. Even though childcare is not specifically a woman's issue, women are still perceived as the main childcare providers, and research shows that the absence of childcare provision is one of the most significant barriers to women remaining in and returning to the labour market.

In Budget 2001 the Minister for Finance announced that the Civil Service Childcare Initiative would provide €12.7 million over two years for the provision of crèches. While significant progress is being made in this regard with crèche facilities being set up at locations in cities and towns around the country, the costs involved prohibit union members from using these facilities. For example, a Clerical Officer on average pay, which is a little over €20,000 a year, who is a single parent with one child will pay 35 per cent of gross income towards crèche costs. A Staff Officer or Executive Officer in similar circumstances will pay approximately 25 per cent of gross income. Although impossible to assess the cost where two incomes are concerned, a couple on an average income on the grades mentioned would range between 25 per cent and 35 per cent of gross income. Therefore, the lower your earnings, the higher percentage gross pay you spend on childcare.

According to the *National Childcare Strategy 1999* Ireland has one of the lowest levels of publicly funded childcare in the EU, and the cost of private childcare as a proportion of average earnings in Ireland is amongst the highest in Europe. Government support for childcare facilities is mainly focused on business needs in terms of providing a larger labour force and family friendly work/life balance initiatives such as flexible working hours, term-time arrangements which allows parents to take between ten and 13 weeks' off each summer, work-sharing, and more recently by the teleworking initiative. These were driven by the need to encourage women back into the workforce and to retain experienced workers who are trying to combine work and family responsibility.

The absence of affordable childcare means that women wishing to remain in the labour force have to rely on the availability of family friendly work/life balance initiatives. However, there are consequences of this regard - reduced hours means reduced income, fewer promotional opportunities and a negative impact on pension provision.

I support this Motion and recognise the work done to date by Joan Carmichael and the Congress Executive. I'd ask you Colleagues to support this Motion by calling on the Congress Executive to continue this work of negotiating and campaigning for an improved crèche facility infrastructure across the public and private sectors, and the implementation of measures via tax policies or subsidies for parents to access affordable childcare.

Thank you

Senator Joe O'Toole, Congress President

Thank you very much Teresa.

Could I have a seconder please for that Motion? Formally seconded.

Thank you.

Unidentified Speaker

President, Delegates, Guests.

Teresa has mentioned that the two issues for working parents which are crucial is the accessibility and affordability of childcare. Affordability? At the moment it costs between €7,500 and €10,000 per year to have one child minded. The average wage across all the sectors works roughly between €24,000 and €30,000 per year. On a rough rule of thumb, one third of a worker's wage will go on PRSI, PAYE, pension contributions and one third for childcare. That means for workers in the €24,000 to €30,000 bracket their take home pay is between €160 and €200 per week - this is assuming they're only paying for one child.

Where we can see the difference with having a second child, if you look at the CSO figures, they'll show you that the vast majority of Irish women depart the labour force when their children are between two and four. The interpretation of this is that they stay working with the arrival of the first child, but by the time the second child arrives they have to leave the workforce because they cannot actually afford the childcare costs for two children. And indeed, Congress' own study on childcare showed that in fact the vast majority of the people that responded to the survey said that they either had to cut down on time at work - through job sharing or either work overtime - or alternatively, anti social work shifts if they intended to stay and pay for their childcare, and the third option was of course to leave the labour force, which means that 35 per cent of women in this country are now currently at home.

When it comes to the issue of cutting down working hours, as Teresa has already mentioned, there's issues around part-time working, there's issues about promotion and there's issues about pension. The first thing I would like to say that the recent INDECON cross sectoral study on the male and female differentials pointed out, going back to the gender pay gap, that 96 per cent of men work full-time and 61 per cent of women also work full-time, but in fact, that, and I quote, 'the wage paths for men and women cannot be brought closely into line in the absence of a further increase in the labour market attachment of women during childbearing and child rearing years.' And the ESRI Report pointed out that not only is it women who are child bearing and child rearing, but in fact older women as grandmothers are required now to mind their daughters' and their sons' children, with the result that child rearing affects women all through their business career. And primarily the end result is not going forward for promotion because of their childcare responsibility. And because senior managers in Irish society work a minimum of 70 hours a week means that when it comes to pensions through the lesser income earned through their working lives, through the lower level of income at which they depart the workforce, that they have lower pensions, and in fact the greatest group of people moving into poverty currently are older women with inadequate pensions.

So for these reasons Colleagues, I urge you to support this Motion. And I urge Congress, particularly under *Sustaining Progress* and the *Code of Practice for Access to Part-time Work*, the National Framework Committee for Work/life Balance policies and the partnership's Sub-committee on Workplace Childcare to seriously push forward proper tax relief in the notion that all childcare should not be considered taxable income. It was a Motion from the Women's Committee last year, and I would encourage Congress to deliver on this.

Thank you.

Senator Joe O'Toole, Congress President

Could I have any speakers to those two Equality Motions now, Motions 23 and 24?
Thank you.

And just to say while the speaker is coming up, what I will then do is I will take a report of the Standing Orders Committee and then take the next two Motions.

Just to point out to you that on your Programme there is a speaker from the Disability Unit of the European Commission that we should have in this session. Unfortunately, that person has informed us just yesterday that they can't be in attendance. There will be a ten minute presentation on the issue of tackling racism in the workplace as you do have there and that will be dealt with. I'm telling you all this because it's still my intention to go onto tomorrow's morning session, and there's a whole load of work tomorrow morning and we may well be going onto that in half an hour's time - the question on Thursday morning's session.

Thank you

Margaret Baumann, NATFHE

Thank you President. Margaret Baumann, National Association of Teachers in Further and Higher Education and member of the Women's Committee in the North.

As Esther alluded in her introduction, progress has been made on equality, but we are very concerned that it should be maintained and speeded up. Now, the TUC in England has just recently appointed its first ever woman Deputy General Secretary. The sky hasn't fallen in yet on it, so that's an example.

I'd like to address particularly the idea of the model equality clause and the equality auditing process. The idea of the auditing process is that it will provide a good practical lever to make sure that the model equality clause is meaningful and not just a paper commitment. The process itself could include a wide range of things, I'll list just a few: collective bargaining, publicity material, campaigning, representation, organisation and structures, training, life-long learning, recruitment, nominations to public bodies and the very interesting one of Congress' own employment practices. The list could go on and on. If the model equality clause and the auditing process don't produce results within a couple of years we believe that Congress should consider inserting a new equality clause in the Constitution and model clauses for union rules.

Please support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much.

Claire Treacy, INO

Delegates, Claire Treacy, Irish Nurses' Organisation, also Secretary of the Women's Committee in the South and a member of the Anti-racism Taskforce.

Delegates, we welcome this Motion from Executive Council. Anybody that attended the Fringe event yesterday could clearly see the under representation of women in the trade union movement, and there's no doubt that this under representation is also reflected in the other nine grounds, such as migrant workers, gay and lesbian workers, young workers. We applaud the development of a model clause.

However, we must strive for unions to reflect their membership, and indeed we believe this can only be achieved not just through equality of opportunity, but through striving for equality of outcome. It is in our interest as union members to make unions more accessible and user friendly for all workers.

Currently, as you will hear later on, ICTU is doing substantial work in the area of equality and diversity, such as the Anti-racism Taskforce. However, the work that Esther has been doing to date on gay and lesbian issues must be expanded to include involvement in the campaign to seek legal partnership rights for gay and lesbians. The union movement must lead by example and work towards equality of outcome

for all members, irrelevant of their ability, disability, ethnic background, religious beliefs, sexuality or age.

I recommend this Motion.

Thanks.

Senator Joe O'Toole, Congress President

Thank you Claire

Amanda Allaway, NIPSA

Amanda Allaway, NIPSA, speaking in support of this Motion. I'm also a member of the NIC ICTU Women's Committee.

Conference, I have to say at the outset that I have a bit of a sense of irony that I stand to speak here in support of this Motion, with all the lovely sort of photographs and stuff that we have here today, and the face of Congress at this Conference - because the face of Congress at this Conference is a young woman. But I have to say, you know - we've heard a lot about this yesterday as well - it's not really reflected in this room. And that's why this Motion is so important, because this Motion is about bringing people through, bringing people from the under represented groups and actually getting into the issues that affect those people.

We heard a lot yesterday about recruitment and organisation and the fact that affiliate unions and Congress, we, need to feed into the issues and the problems of our members, and that we need to expand the basis of our membership, otherwise we're in danger of becoming irrelevant. But if we're not bringing the people through from the under represented groups, how can we know what the issues are that really affect them? We need to link into those groups, we need to identify, or let them identify for us, what the barriers are that they see within our structures which prevent or discourage them from getting involved in this movement.

We do so much excellent work in the field of equality. Esther's talked about the stuff in the Reports, the report here to Congress, some of the work of the Disability Committee, the Women's Committee, all the various groups. We do so much work in that field of equality and we must turn that focus, that attention, onto ourselves now - about how we operate and what our structures are. But make no mistake about it, we can have the most aggressive equality policies, but unless we actually implement them they're meaningless, and in fact by doing that it would actually cause more disillusionment and frustration for those groups that we're trying to actually promote.

So we'll talk about commitment in this Motion, it means action and it means the resources that we actually need to progress this. The aspiration for equality is of course a laudable one, but we must not, we cannot, just pay lip service to it. We have to make it a reality because if we don't do it, who will?

So I urge you to support this Motion, and in doing so to actively support it, and in doing so to make sure we don't have a long, drawn out consultation period, but we actually get something out of this that we can all take away and use in our unions and use through Congress to actually make this a reality.

Thank you- support this Motion.

Senator Joe O'Toole, Congress President

Thank you very much

Inez McCormack, Congress Executive & UNISON

Inez McCormack, UNISON. Speaking as one whose face is not so young, I completely agree with the previous speaker, I'm just going to make a couple of points.

We have Conference decisions on equality audits and equality clauses, we have Conference decisions on positive action. We have them stretching over 23 years, we've repeated them ad nauseum. I saw the work yesterday at lunchtime of committed and serious women who want real change, and you passionately want this movement to be the voice of all those who are currently excluded, but it is not enough for them or for us to repeat the history of Motions and Motions to delay necessary change.

I think this work will be real if it's part of a culture of creating a difference, not in the next decade or decades, but within the next 12 months. Yesterday we received a commitment, because of a fuss about reserve seats, a commitment to a special conference at which Constitutional amendments could be put that could alter the nature and shape of this movement, and that we would come to the next meeting with women who can be elected in their own right. But it also needs at that conference, and I would suggest - I'm using, as I said yesterday, I'm a woman who's held every high office in this union and in this movement, but the high office is only of use if you recognise that you use it to take space for women who do not have it and who do not even know that you are there - right. And I would suggest with some cheek, because it's cheek that moves it onwards, that that special conference is used by the serious good women of yesterday lunchtime, and the good women of this movement, and the democratic men who want change to produce not only the amendments which will constitutionally change the face and shape of this movement, but the culture of this movement, and the results of those audits are brought to that conference with recommendations, targets and timetables with actions and results.

I don't want you to go through the last 20 years as the symbol of what might be. I want you to produce what can be. That's what you can do for me and the hundreds and thousands of women who had never a voice.

Thank you.,

Senator Joe O'Toole, Congress President

Thank you Inez

Larry Broderick, Congress Executive & IBOA General Secretary

Larry Broderick, General Secretary, Irish Bank Officials' Association, speaking in favour of this resolution.

Could I just say from the outset, if this movement is serious in relation to dealing with the issue of equality, it has to start at the very top of the organisation and permeate through. As a General Secretary in an organisation that represents over 70 per cent of women, it's imperative that Executive Committees and General Secretaries, all of which are predominantly male, take a lead and give the support and training needed for this resolution to be implemented. It's a sad reflection that we have had audits before as part of the Irish Congress of Trade Unions, and many unions have even failed to participate in the audit, never mind put the resources and structures in place.

Our union yesterday supported the resolution put forward by Congress given the commitments made by the Executive Committee to address this, but the Executive Committee is not just a faceless Executive Committee of the Irish Congress of Trade Unions. There is a commitment there, but that commitment has to be delivered by every union from the top down, and women and disabled and ethnic minorities have to be mobilised and given the support in order for this to happen.

I hope, Colleagues, that this will be the last time that we'll debate this audit or debate this resolution, and from this Conference I hope what we're looking at is real change.

I so support this Motion.

Thank you very much.

Senator Joe O'Toole, Congress President

Ok, thank you very much Larry, thank you.

I will now take the report from the Chair of Standing Orders, and then we'll go onto the next two Motions.

And could I also ask Robert Finan to come to the platform? I'll be calling him to address Conference shortly as well, thank you.

Dan Dan looking as smart as ever this morning, a credit to your tailor. Sorry about that. Dan.

Dan Millar, Chairperson Congress Standing Orders Committee, *Emergency Motions (Privatisation in the Public Transport and Aviation Sectors & Fire Brigades' Union's Emergency Motion on the Restoration of Devolution in Northern Ireland)*

Thank you President. We've two Emergency Motions.

Standing Orders has looked at these and the President's suggested that if the business is going to move on to where we'd be dealing with some of the issues from tomorrow morning, which would be around Motion 27, that emergency Motion on Privatisation of Public Transport and Aviation Sectors would be taken within a half an hour or so.

That emergency Motion - I suppose I'd better read it to you so that you know what you're getting into - Privatisation in the Public Transport and Aviation Sectors:

“Conference condemns the Minister for Transport's ideologically driven privatisation campaign in the public transport and aviation sectors which envisages dismantling CIE and privatisation of the Dublin Bus service, breaking up Aer Rianta into three separate companies, preventing Aer Rianta from developing an infrastructure at Dublin Airport and imposing a privatised terminal there, and notes that this is proceeding notwithstanding the absence of support for it in any independent analysis of public transport and aviation requirements, and in the flagrant contravention of the Government's commitments under *Sustaining Progress*.

Conference rejects the simplistic notion that the problems in these sectors, which are primarily due to under resourcing and inadequate planning, can be addressed by privatisation and replacing quality jobs with non-union employment. Conference fully supports the constituent unions in resisting it, insists that these issues require the most serious, thoughtful consultation and public debate to ensure high quality modern public infrastructure and service.

Conference also records its concern for the future of the Shannon gateway given the implications for regional developments in the West/South West and calls on the Government to withhold approval for any European/US aviation agreement unless equally favourable arrangements are put in place.”

That's sponsored by SIPTU, TEEU, MANDATE & IMPACT.

Tomorrow morning, at the period of time that Motions 30 to 34 to 36 will be discussed and debated, there is a Motion from the Fire Brigade Union proposed by the three fire brigade unions:

“This Conference calls upon the Executive Council to campaign for the early holding of elections to allow for the return of

devolution in Northern Ireland. Conference makes this call on behalf of its members, their families and all those who believe that this is the best way forward in developing a peaceful, prosperous and just society in Northern Ireland.

The restoration of devolution would return power to locally elected politicians who are best placed to deal with the interests and concerns of the people of Northern Ireland. Clearly those interests are best served by locally elected and accountable politicians.

At present, and as in the past, we see major decisions on the future of Northern Ireland being taken and implemented by direct rule Ministers who are wholly unaccountable to the Northern Ireland electorate. Decisions about issues such as water charges and vital public services which will affect all of our citizens, and in particular those in most need, are already being taken. These will undoubtedly have a long lasting impact on our people.

It is essential that democracy is restored in Northern Ireland immediately. Our people deserve their own parliament and local politicians to work with. To further prevaricate would endanger an already fragile peace process."

I commit these to you Chairman.

Senator Joe O'Toole, Congress President

Thank you Chair.

The two proposals from the Standing Orders Committee, sorry, the proposals that we take, these two Motions, one on privatisation and the transport service and the break-up of the transport service and the other on Northern Ireland elections. The proposal is that we add those to the agenda.

I'm happy to do that and I put it to you. All those in favour? Please show. I think that's well carried.

It's my intention therefore to take the one on transport at 12.30pm this morning.

We've input from Robert Finan and an input on racism and at 12.30pm, or as soon as thereafter, we'll take that Motion on transport.

Could I have the representative from the Rail, Maritime and Transport Workers' Union to propose Motion 25 now please?

Phil Anderson, RMTWU, *Motion 25 (Exploitation of Seafarers in the Irish Sea)*

Phil Anderson, Rail, Maritime and Transport Workers' Union. President, Chair, Congress, speaking on Motion 25 and accepting the amendments as well. If it's ok with the President I'll go through the two together.

Starting off with the Exploitation of Seafarers in the Irish Sea, as Congress are aware, we are both island nations. We both rely heavily on the maritime sector for our imports and exports. We're a thriving industry in the maritime sector of the Irish Sea with all indications pointing to an expanding fleet. As a transport union covering maritime issues we welcome this, but for the last two decades there has been a drastic decline in regards to British and Irish ratings. On our figures we've gone down from 50,000 to 9,000. This decline would be acceptable if the maritime sector was dying on its feet. Yet, as I have explained, it's thriving. So where is the problem?

The problem is the free market policies, as its termed. I would call it a social dumping from Europe. What we have had is British and Irish seafarers being made redundant, no sooner than they walk down the gangway they are replaced by cheaper crews from Spain or Portugal at the lower end of the price range in Europe. We also have had seafarers from Asia. This is the economics of the madhouse. There we have the British and Irish seafarers languishing on the dole, paid for by the State, yet if they were back in employment they would be back paying their taxes to the State, their wages would help the local communities, money going to the local banks, spent in the local shops and so on. But what we have here is the pittance that the poor exploited seafarer earns, being sent abroad. They're not unionised. They have to work extremely long hours, from 14 to 18 hours a day, sometimes 20 hours, and be exploited by unscrupulous ship owners.

I shall go onto the FOCs now if that's ok...In regards to the amendment, like the flags of convenience, a few years ago we had the Briar incidents in the Shetlands, while the recommendation at the time was that there was to be five salvage sugs based around the full coast. We now have major oilfields in the Irish Sea. Along with oil rigs, we also have gas rigs, we have oil tankers loading in the Liverpool bay and we have the Douglas oilfield off the coast of Holyhead. We recently had the grounding of the MVC Empress at Milford Haven. This turned out to be a pantomime and it took three days to get it settled. One of the problems, what they said, was a language barrier - this was the powers that be that were saying this, that they had to go to a Chinese chippie in Cardiff and borrow a chap from there to speak to the crew! What they never told anyone was that it was a brand new ship on its maiden voyage, full of British Petroleum, it was also a single hulled vessel. The recommendations from the Briar at the time was that, as I said, that there was five supply boats or salvage vessels to be stationed around the coast with a bollard pole. What we found out was that there was no salvage sug available at the time with a bollard pole.

We've had one FOC bulk carrier, or should I say we had one FOC bulk carrier, using a single hulled ship sinking every month, often with the loss of life of the full crew. The only time the vessels hits the headlines is when the oil hits the beaches - blood washes away faster than oil. No matter how old these vessels are, all single skinned tankers should not be allowed to transit the Irish Sea, and there should be at least a 20 mile exclusion zone for the rest of the coast.

I move.

Senator Joe O'Toole, Congress President

Ok, could I have a formal proposer and seconder of the Wexford amendment please? Could someone formally propose? You want to speak? Speakers.

Unidentified Speaker

Mr. President, fellow Delegates. I support Motion number 25 and I would ask you to support the amendment of that.

You've heard single hulled tankers mentioned, how dangerous they are. The American Government have for some years placed restrictions on single hulled tankers. There is no restriction in place by the Irish or any other EU government. Until such time that single hulled tankers are banned from our waters the Government should ensure that the Maritime Department increase inspections to cover flags of convenience. At the moment, only a very small percentage are inspected.

Mechanisms for preventing shipping abuse do exist. The problem is not lack of regulation but lack of compliance. The International Transport Federation have lobbied the United Nations to ensure that all 160 countries who are members of the International Maritime Organisation implement the regulations. This action would make the shipping industry more accountable.

To combat the shipping industry Congress must seek the support of the Government for the International Federation and other organisations within the EU to have all single hulled tankers and ships under flags of convenience banned from Irish waters. In 1958 flags of convenience accounted for 3.4 per cent of tonnage world-wide. Today that tonnage is 33.3 per cent.

Only a short time back a 26 year old single hulled ship called the Prestige, owned in Greece, registered in the Bahamas, chartered by a Swiss based Russian company with offices in London, crewed by Greek and Filipino seafarers, this ship went down off the Spanish coast, resulting in pollution from the 70,000 tonnes of oil on board. I would like to draw to the attention of the Conference that if this disaster had have happened four days later - the winds went out to the South East and stayed there for several weeks - all of that oil would have landed on the Irish Coast.

The Irish have not got the expertise nor the finance to deal with this kind of a disaster, so I'm asking Congress to do what they can to help to prevent any further disasters in the future.

Senator Joe O'Toole, Congress President

Thank you very much.

And on this very important Motion I draw people's attention to it re: the protection of our environment. It seems quite appalling, and as unions have pointed out time and again that half the ships of the world are registered in Liberia - a country that has no standards or regulations or safety standards at all - and the whole European environment is threatened by these things. I would support the Motion strongly.

The next issue is Motion 26.

After that then I will then put Motions 23, 24, 25 and 26.

So can I have a proposer for Motion 26, Combating Sectarianism and Racism, please?

David Bell, CWU, *Motion 26 (Combating Sectarianism and Racism)*

Thank you President, Conference. David Bell, Communications Workers' Union, to move Motion 26.

Colleagues, we live not only in a changing world, but also a smaller world, with the free movement of labour across national boundaries. And we are now witnessing the influx of immigrants into Ireland, in reversal of the historic trend of the mass export of its people. In consequence, we are ill prepared to deal with this change in the population.

In a comparative analysis of the incidents of racist attacks between Northern Ireland and Britain there were more racist attacks per head of population in Northern Ireland. In fact, the increase in racist attacks in the North has risen from 20 per year to 139 per year. It is perhaps ironic that at the beginning of the ceasefire in Northern Ireland, in one particular area of Belfast, a Chinese community of 50 residents was reduced to 19 as a result of a petrol bomb attack. And it seems that we do overcome our religious differences to attack ethnic minorities, but that these issues don't receive the same attention in the media.

To prevent the rise in racism, and racist attacks, it is incumbent on this movement to provide training in diversity. When one considers the fact that the trade union movement has a larger membership than all the political parties on the island, and that in the workplace one could say that we have a captive audience, it is clear that we have enormous potential to deliver training in the workplace which will positively contribute to a harmonious society. The workplace is an integral part of society and the potential exists to influence beyond the workplace into families, communities and community organisations. It is imperative for us as a movement to take up this challenge, and to quote from ICTU's own philosophy, "We organise to support. We do not combine to injure."

Undoubtedly, it is not necessary to reinvent the wheel to address the issues of racism, conflict, abuse of power and fear. We should use and build upon the experience of one of ICTU's own units, Counteract, which has been in existence for thirteen years dealing with those matters across all facets of society from trade unions, police, district councils, ex-prisoners and public and private bodies. Conference, sectarianism and racism is of the one family, and to quote Counteract in dealing with

minorities, "Irrespective of the label it attaches, we are dealing with the common elements of fear, feelings, lack of trust and the abuse of power." Counteract's experience also indicates that we have to train our people to address issues of a racist or sectarian nature to create a workplace that is welcoming to all, irrespective of race, religion, gender etc. In addition, we have to look not only at our internal structures, rulebooks and policies, but also at our tacit culture, which may not be welcoming to new members from ethnic communities.

In conclusion Colleagues, my union has taken the decision to make training in diversity and equal opportunities a mandatory requirement in branch officers' and branch officials' training courses, and we believe that Congress should seek to incorporate Counteract's programmes into shop stewards' and senior officers' in all appropriate courses.

Conference, please support.

Senator Joe O'Toole, Congress President

Thank you very much.

Could I just apologise to Conference please? Sorry, I should have called Robert Finan to address us just before that. I'm going to call Robert now if you don't mind, and then we'll continue with the debate, Robert.

Robert Finan, Congress Network of Centres for the Unemployed & Larkin Unemployed Centre

Thank you President, Delegates. I suppose really I expected to be called up at an earlier Motion which was really around about the cutbacks, but I suppose at this stage what I would like to do is give you an idea of where Government cutbacks are hurting the Centres, and Congress Centres' work around the country.

As you know, there are 37 Centres around the country that are providing information and advocacy services to unemployed people, to workers, to their families. They cut right across society as it stands today. The service is independent, it's confidential, and it also has a holistic approach in terms of dealing with people's problems. I'll give you an example - when people are coming in asking about social welfare benefits they also need to know about Rent Supplement, Family Income Supplement, these sort of things. When they go to other agencies, or to other State agencies, they will be just dealt with on the one issue that they're going in with. We try to approach it and look at it in a larger picture.

In terms of the actual cutbacks, last year the Centres dealt with over 325,000 people, so obviously the service is needed. The Centres have been well established, they've been trusted in their local communities, they've been going for 10 years or more in some cases. And Congress has supported us for many years, and we're now looking for the continued support at a time I suppose when those most in need of the services we offer are being targeted by Government cutbacks in Community Employment, in Job Initiative Schemes and in various Back to Work Schemes.

We see ourselves as a trade union arm for the delivery of services to the socially excluded, and we need the continued support of Congress, both at this level and in dealing with Government, in order to make sure that those services are maintained and that they are continued to be delivered - and by ourselves.

May we, just as I say going through this very quickly, but if I can just finish on this, one of this Conference's main themes is recruitment. I would see that the people that are working in CE are ideal for recruiting into membership, and I would look forward to the day where all CE participants are actually trade union members,. This is happening in the Centres at the moment, but I would like to see it spread up as you're talking 20,000 plus people out there.

So thank you very much.

Senator Joe O'Toole, Congress President

Thank you Robert.

Now could I have a seconder for Motion 26 please, Combating Sectarianism? Formally seconded. Ok speakers please.

Sumana Skillen, UNISON

President, Chairperson, Delegates. Sumana Skillen, UNISON, to support Motion 26.

For 13 weeks I was taunted and abused about the colour of my skin every day on my way to work and home from work. I won't repeat to you the terrible, demeaning insults that used the colour of my skin to say I was less than human.

I am a classroom assistant at Holycross in Belfast. Last night I attended a fringe meeting here about the twin evils of sectarianism and racism. I want to tell you that my experience is that the reality of that abuse is not tied up in a tidy package with labels.

Sectarianism, hatred, fear and prejudice, which I lived with every day, saw the colour of my skin as just another way of saying that I, and the children I worked for, are not human beings worthy of dignity and respect. Archbishop Tutu came to my place of work and made those connections. My union made those connections. But because this was a potential football about what was going on, many other leaders didn't and wouldn't.

My union and this movement said the right thing and did the right thing, and I thank them for that.

Please support this Motion.

Senator Joe O'Toole, Congress President

Thank you very much

Mohammed Samaana, UNISON

Mohammed Samaana, UNISON. Before I start I would like to, on behalf of myself, my colleagues in UNISON, nurses members and all UNISON members, to forward our condolences to the Irish Nurses' Organisation for the loss of their Chairperson, Claire Spillane.

Comrades, Colleagues, I would like to congratulate the people of Northern Ireland after research carried out by an international found that their attitude towards refugees and asylum seekers is better than the attitude of the people of Great Britain. However, by saying that I don't mean that every foreigner is an asylum seeker, and I don't mean that racism does not exist. For example, overseas doctors and nurses make the backbone of the NHS, and without them the NHS would collapse, yet right wing fervours with a strong ethnocentric agenda, and with the Government, are trying to deceive the public by claiming that patients' lives are at risk because foreign nurses don't understand or don't speak English well. Well the patients' lives are at risk not because of foreign workers, but because of chronic under investment in public services by successive Governments.

However, blaming outsiders for Government's and politicians' mismanagement is a tactic that has been used by numerous dictators like Adolf Hitler and Stalin, and it's a shame that such tactics are used by self proclaimed modern democracies like the New Labour Government led by Tony Blair.

Comrades, Colleagues, we all suffer institutional racism. I did my degree in nursing in Queen's University, Belfast, and I wanted to do a Master's as well. I was shocked when I found out that in the UK I have to pay average fees of £7,000, while any students from any EC country would have to pay roughly only about £2,000. I checked it out in the South as well, and the situation is not very different. Some of my colleagues who I work with, and I pay the same tax as them, are going to start their Master's course this September, and at the same time I am denied equal rights to education.

Comrades, Colleagues, since September 11th, and in the name of terror and in the name of the war on terror, racism has been legalised even before they legalised cannabis. If you are a Muslim or you came from the Middle East or you got the brown skin you will be detained without the charge, without the trial, in a breach of basic human rights. Not only that, but also the media has been active in inciting racism and Muslim hatred. On Monday a fortnight ago, the BBC showed a TV show in which a British Muslim teenager came out of a mosque and blew himself up in a children's playground in Birmingham in order to kill as many British children as possible. Well, such a thing never happened, and I don't think will happen, but what message is the BBC sending to non-Muslim children? and how will Muslim children will be treated by other children when approaching the playground?

Comrades, Colleagues, as trade unionists we have a duty to campaign against racism in the media, in the press, in institutions and everywhere.

Please support the Motion.

Senator Joe O'Toole, Congress President

Thank you Mohammed.

Joe Moore, CWU

President, Conference. Joe Moore, CWU, in support of Motion number 26, and also speaking to Chapter 7 in the Conference Report.

I'd like to speak briefly about maybe the most marginalised and discriminated against group of immigrants in this country, and that is asylum seekers. These are people who actually risk life and limb to penetrate Fortress Europe, to arrive here, fleeing from poverty, warfare etc. We all know of the case about a year and a half ago where eight people were found suffocated in a container in Waterford, and only as recently as Monday of this week you had another ship went down in the Mediterranean with numerous lives lost. Over the last year thousands of people have drowned in the Mediterranean trying to flee from Africa in particular. I mean these people are fleeing from poverty, from war, the results of 200 years of colonialism where you've countries that are billions of pounds in debt to the World Bank, where you have civil strife in artificially created States, and on top of that you have a massive AIDS epidemic, which is affecting tens of millions of people.

What happens when these people penetrate Fortress Europe and arrive here? They're put into direct provision. This means put into hostel accommodation and isn't a hotel style accommodation that is being portrayed in the media. These people are often put four to a room, people from different backgrounds, different languages, different cultures, etc. and they're paid the princely sum of just over €90 a week to live on.

And the point that I want to raise here is that these people do not have the right to work, and I think that we as a trade union movement should be campaigning on this issue. Not alone do they have skills that can be used by the Irish economy, but the fact that they are unable to work has a detrimental effect on their health, both mental and physical. Also, these people are being abused by unscrupulous employers who are using them as a pool of cheap labour, don't pay them the correct rate and are breaking every labour law that exists.

I think the only way to stop this exploitation is for the trade union movement to campaign for the right of asylum seekers to work.

Thanks Colleagues.

Senator Joe O'Toole, Congress President

Thank you very much Joe.

Mel Corry, ATGWU

President, Colleagues. Mel Corry, Amalgamated Transport and General Workers' Union supporting the Motion.

Colleagues, I live and work in the mid Ulster area of Northern Ireland, well known by some as a hotbed of bigotry, hatred and sectarian slaughter. At a very young age I encountered the most raw and naked sectarianism imaginable, and through most of my school life and early days at work I, and others, believed that there was no hope of a peaceful future for us and future generations.

I'm proud of the work done by those in the Labour movement to secure the paramilitary ceasefires, and the subsequent work done by Billy Robinson and Jim Quinn before him with Counteract. Tackling sectarianism by confronting our own personal prejudices, and we all have them, but Comrades, nothing unites Catholic and Protestant quicker than their inherent racism. With the large migrant population in mid Ulster we battled with our shop stewards to get them to identify the real enemy - the unscrupulous agencies which seek to undermine organised workers by exploiting shamelessly migrant workers.

The T&G recently won a claim at the Industrial Tribunals in Northern Ireland for a Portuguese worker who was sacked after nine weeks of employment for daring to seek advice from his trade union. Even his personal security was threatened by the employer, and the tribunal had no hesitation in awarding a combined sum amounting to £8,200. And since this case we've been recruiting Portuguese workers hand over fist. But Comrades, surely the onus must be placed on the host employer to prepare the workforce and local communities for the influxes of people from different ethnic backgrounds, because racism is borne out of ignorance and fear.

Oscar Wilde said that ignorance was like a delicate flower, touch it and it disappears. I know from experience that not being afraid to tackle the issue through trade union education can reap rewards. The shop stewards I talked of earlier are now at the forefront of defending the rights of migrant workers in the workplaces.

Colleagues, we need to recognise the immense importance of the work of Counteract and Citybridges in tackling societal prejudice. We must give the people working in the cold face on this issue our unreserved support. Colleagues, if we don't grab this opportunity, this hot potato, we will only encourage the rise of unqualified, incompetent, opportunist consultants who will leave us with a bigger challenge.

Support the Motion.

Senator Joe O'Toole, Congress President

Thank you Mel.

Mike Jennings, SIPTU

Mike Jennings, SIPTU, speaking to Chapter 7 of the Report and the Motion on racism.

Chairman, yesterday during the course of several contributions much remark was made regarding the beneficial effect of the Special Olympics, and I'd just like to drive attention to the other aspect of it. If you were driving around the country you couldn't help but be struck by the signs saying such and such town welcomes athletes from Puerto Rico, Sierre Leone, Nigeria and so on. And I think it was a wonderful offshoot of the Special Olympics that we had such a celebration of cultural diversity alongside a celebration of people with special needs. I participated and witnessed many events where children were queuing up to have their photos taken with athletes from North Africa, with athletes from Eastern Europe and so on. And you were conscious of the fact that maybe in that town only recently the reason they were queuing up was to protest against the opening of a hostel for perhaps citizens from those same countries, so I think it did have a wonderful beneficial effect, and I think the organisers should be praised for it.

Delegates, one of the frustrating things in dealing with the question of exploitation of immigrant workers for a trade union is despite all of our best efforts, and I think we have a very proud record of achievement defending workers, there are a number of workers, especially from Eastern Europe, who are very suspicious of and don't understand the role of an independent trade union in this country. And as one of my colleagues is fond of quoting a worker from Eastern Europe who said he didn't want a trade union, he didn't want credit union, the only union he remembered was the Soviet Union, and he didn't like that very much! There is a lack of understanding there about the position of free and independent trade unions.

My own union, SIPTU, has embarked on a programme to make contact with the trade union movement throughout Eastern Europe to try to get them to assist us to recruit, into our movement here, immigrant workers as soon as they come to Ireland because the reality is that, as Inez McCormack says, space isn't given, space has to be won. The reality is that we will only get rights for these workers when they become brothers and sisters in the trade union movement and we stand side by side with them in agitating on their behalf.

Now I wouldn't be comfortable leaving this platform unless I had my customary attack on the Department of Enterprise, Trade and Employment, and particularly, the Tanáiste's Department. And I think it's absolutely outrageous that still after years of debate on this thing we're still talking about a woefully inadequate number of inspectors to patrol the entire country to try to bring to book employers who are shamelessly in breach of legislation exploiting workers. And in fact, when I say bring to book, the attitude seems to be as well that if an employer agrees to mend his ways that the inspector will be satisfied with that. I think that we must be realistic about it. The only day that we will know that this Government is serious about combating the exploitation of immigrant workers and that we will know a strong message is being sent out is when we will see the first employer going to jail for such practices - and I look forward to seeing that day very, very soon.

And can I just say as well, and it's particularly appropriate coming into the summer and the tourist season, I think that we need, as a trade union movement, as well to be courageous. We need to say forthrightly and so on that we will combat any question of labour substitution where, local labour or European Union or Irish workers who have traditionally enjoyed say local casual work, their work is being substituted by people being brought in on work permits for no other reason than to create a pool of more easily exploitable workers. I think we need to be forthright about that because if we don't stand up against it the danger will be that people with racist motives will try to ferment dissatisfaction and will be pointing to workers, immigrant workers, and saying they are the cause of your unemployed.

And in a week when we have seen numerous Irish workers loose their jobs, I'm finishing on this Chairman, I think it's important that we have a straight line on this as a trade union movement - that we don't cede the ground to racists and that we say quite clearly we do not accept the right of employers to substitute cheap or exploitable labour for existing labour.

Thank you Chairman.

Jim Quinn, ATGWU

Chairperson, Delegates. Jim Quinn, Transport and General Workers' Union, supporting Motion 26.

Colleagues, racists and sectarian bigots very often depend upon misinformation, or maybe a better term is lies, and that's why I want to put some information in front of Conference to allow us to confront the racists and the bigots. Some information in relation to asylum seekers, for example, the cost of dealing with asylum seekers in 1998 was projected at £45 million. An awful lot of money you might say, yeah it is - it is the same we spend on cigarettes and alcohol every four days. That's how much money it is.

A recent survey showed that nearly half of all asylum seekers examined by a doctor in Dublin's main refugee medical unit had been tortured. Many Irish people have been referred to as refugees when they emigrated to other countries to escape racial or political persecution, or to flee war or famine or to find work.

One of the realities, Colleagues, is that Ireland doesn't have enough workers to sustain the Celtic tiger, or indeed maybe the Ulster tiger if it ever arrives. The reality is that migrant workers are used to do the dirty, dangerous, low-paid jobs in our economy. Those are the facts.

Turn to Travellers, the other issue that we like to avoid. As a result of living in unserviced sites and in bad conditions the Traveller and infant death rate is over two and a half times higher than the national rate. Colleagues, that's a disgrace, disgrace to our country and to our movement. Travellers are only now reaching the life expectancy for settled Irish people achieved in the 1940s - a mere 2 per cent of travellers are over 65.

Colleagues, the problem isn't Travellers or asylum seekers or migrant workers. The problem is racism. Let's smash it!

Support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much.

I now want to put the Motions 23 to 26 inclusive.

Motion 23, the first of the Equality Motions, all those in favour? Please show. Carried.

Motion 24, also on Equality and put by the CPSU, all those in favour? Please show. carried.

Motion 25 on the Exploitation of Seafarers with the amendment from Wexford, all those in favour? Please show. Carried.

And Motion 26 on Sectarianism and Racism? Carried.

We now go onto the final business, because we won't be able to go onto the other issue that I said earlier, and the final business is the consideration of the outcome of research and a conference on racism. It's a document which has been circulated from you which we hope will create discussion in the future. I would ask Inez to introduce the speaker for us please, Inez.

Just to remind people while we're waiting that first thing tomorrow morning in public session we will be dealing with the Public Realm and that special Motion that you agreed to some time ago.

Thank you Inez.

Inez McCormack, Congress Executive & UNISON, *Introduction to Report of the Anti-racism Taskforce*

I'm not using this, she is, because I would break it. Inez McCormack, Executive Council member and chair of the Anti-racism Taskforce.

The Report that I'm representing in my view represents the best behaviour that this movement is capable of, but that we need to see it expressed in structural change, dedication of resources and real results. It is and expresses the work of decent, committed, trade union activists at all levels in this movement puzzling how to accept the responsibilities to tackle racism in a quickly changing society and a quickly changing environment.

We've heard a number of the speakers. It is also the story of a dialogue with many representatives, of existing communities and new communities, trying and puzzling how to get their voices heard in a world that is very hostile to them, and a world that is very exploitative of them. And the important thing was to create a relationship that they understood, that the trade union movement was their home and was comfortable for them. Now it is only a start.

The Report itself contains many insights from that dialogue. It is based also on a survey carried out by Marie Clarke to show, if you like, the structural picture within the trade union movement. It's not a healthy one, but the mixture of that picture of what needs to be done, with the examples of what people are genuinely doing to try and tackle the problem, shows what this movement can do. It also shows what we need to do if we are going to be a social force to say that a diverse society is an exciting one, and that Ireland North and South is an Ireland capable of inclusion at all levels, in all ways, and that we are a movement that will make that happen.

Those are pious words. What I've seen as Chair of the Taskforce is many people in their daily lives trying to make that happen.

I would like you to give a warm welcome to Marie Clarke, partly because she's been sitting there for an hour and she's been getting more and more nervous as time goes on. I know you'll shout at me, but you'll never shout at her because I've told her you're a pussycat when it comes to Guests. I'd like you to welcome her, but more than the fact of courtesy to a Guest, she's someone who's done this survey and this work of this Report entirely voluntarily. She's done it to give us a tool to try and get change. And that's the standard of behaviour and participation of the kind of trade unions who can make a difference. But I will say this, the work is of a very high calibre. The participants were of a very high calibre. But this is only a tool to get a result. It's a good tool, but the result out there for those puzzled voices on either side is how this movement puts its resources and its action and its political will to make those connections work. I would ask you to give a very warm welcome to Marie Clarke

Marie Clarke, IFUT

Good afternoon. It's my first time at this, so I want to say I am very nervous, but I want to say it's a great pleasure to be addressing you this afternoon. And for me personally it was a great pleasure to serve as a member of the Taskforce on Anti-racism in the workplace, both in a personal capacity and as a representative of my union, the Irish Federation of University Teachers.

I suppose to start with this whole issue. The whole issue of ethnicity is one that has caused great debate, and indeed in terms of research McVeigh and Lenton have made the point that ethnicity is about constantly renegotiating and maintaining boundaries, and about inclusion and exclusion where inclusion always excludes and differentiates between who is allowed and who is not allowed to belong to the collectivity.

In terms of groups on the island, some groups have been on the island for a long time, others are more recent in origin due to developments in the area of migration and

increase in application for refugee and asylum seeker status. What is particularly striking is the actual lack of official data that pertains to ethnic minority groups on both parts of the island. This makes it very difficult to provide and meet the needs of these communities in any real or meaningful way without having that official information, and I suppose it represents a rather undeveloped position at official level in relation to the needs of these groups.

The experiences of migrant workers in securing employment and equal rights is also difficult on both parts of the island, and these are issues that the trade union movement is and must be cognisant of when seeking to develop a social justice orientation and, indeed, an intercultural workplace. This is also necessary when the issue of racism is part of the experience of ethnic minority groups.

In terms of different levels to which racism operates in any society, Gain argues that racism operates at four levels: a) the structural level in terms of nationally planned policies by key institutions of the State, and indeed in laws which regulate social behaviour; b) it operates at institutional level which concerns the practices engaged in within particular institutions themselves; c) it involves cultural racism which entails the degree of recognition and respect accorded to the cultures of minority ethnic groups; and d) is personal racism which operates at the level of the individual and the frame of reference used to form attitudes towards ethnic minority groups.

If we look at the position and treatment of the Travellers as a minority group on both parts of the island it's illustrative of the persistence of racism in Irish society that racism had many consequences for them. And while Travellers' ethnic identity is widely recognised in research literature, their position as an ethnic group, marked by experiences of racism, is not always acknowledged either in legislation or indeed policy documents.

Racism as experienced - there's been lots of research in terms of experience of racism in Northern Ireland, and indeed in the Republic of Ireland. That overhead there, taken from *Racism in Ireland* by Loyle and Mulcahy, shows the variety of places where people experience racism - on the street, over as far as religious organisations, and a lot of areas in between.

I suppose that I'm not saying that Ireland is racist, or that everybody in Ireland is a racist, but what is being said is that racism persists. And this from a policy and practical point of view presents the trade union view with serious challenges, not only in the place of work, but also in the context of workers who are trade union members providing services to members of the public.

The trade union movement has tackled this issue and started to deal with it. There are many examples of excellent practice that promote successful intercultural workplaces. The publication in 2001 of *Promoting an Intercultural Workplace: Examples of good practice*, highlighted the experiences and work of companies in Ireland trying to deal with this issue. All of these examples highlight the amount of work being done in a practical way, but the Report needs to be replicated in a wider context and research in this area suggests that much more work needs to be done.

If we look at the issue of equality and equality practices and at *Towards Workplace Equality Infrastructure*, which was published in 2002. The findings of this research in relation to written documentation about equality issues, the proportion of all organisations across the economy identifying either the ground of race or the Traveller ground in written policies was small. Overall, four in every five organisations reported that they had not taken any specific action apart from a general written equality policy and/or to avoid discrimination on the grounds of race. Again, this poses significant challenges to the trade union movement, particularly in the context of recruitment. It also requires members of trade unions to reflect upon their views and practices in relation to anti-racism in the workplace.

In relation to the methodology of this Report, a questionnaire was sent to 500 members and confidentiality was assured at all times. It elicited a response of 147 respondents which was a 29 per cent response rate. That response rate is too small to make massive generalisations about members of the trade union movement, therefore the detail that emerges from this is specific to that sample of 29 per cent. We also engaged in focus group interviews, reflections from Taskforce members and had a seminar discussion. The issues investigated in the questionnaire were as follows:

- gender and age group of respondents;
- profile of the Traveller community and non-national ethnic minority groups in the workplace as union members;
- recruitment strategies;
- facilitation of minority groups within the union;
- information re: migrant workers;
- procedures to express grievances against management, other workers and union officials;
- training and interculturalism;
- section on open responses.

The profile of responses were mainly shop stewards, 63 per cent of whom were male in a 35 – 54 year old age group. The largest response came from the combined sectors followed by manufacturing, wholesale and retail trades. In line with other research, the Travellers do not have a high visibility, as indicated in this chart, in terms of this particular sample in the workplace. Minority ethnic groups did have a high visibility in relation to this particular sample and many different countries were represented in it. So you can see the tables there in relation to that and a breakdown of countries from all over the world in relation to where they came from, and of course that poses many problems in many workplaces in terms of diversity and issues that present.

Aware of the rights to join the union - 77 respondents answered this question and 94 per cent of those replied that ethnic minority groups were aware of the right to join the union. The most favoured methods of recruitment into the union were in the workplace, 82 per cent followed by word of mouth socially, local community groups, local ethnic communities and use of statutory agencies.

Methods of facilitating participation focused on in-house advertising, union literature in different languages, specific items on agendas, work/group committees and reserve positions.

Satisfaction re: information on migrant workers' rights - people that answered this were unsatisfied that they had a high level of knowledge in relation to the rights of migrant workers. That's despite the work that has gone on in union level in relation to that.

Procedures for ethnic minority groups to express grievances against management or other workers and other union officials - this was a high non-response rate question and one has to ask is that significant in terms of knowledge, in terms of practice, in terms of what's going on for that particular sample of people?

Positions of responsibility in the union – 84 per cent of respondents indicated that these groups did not hold positions of responsibility within their union.

In relation to training courses, 51 per cent indicated that their union did not provide training courses, 25 per cent didn't answer the question and 24 per cent indicated that their union did provide courses but only a minority of that group had attended such courses. The helpful elements of the course for those who had attended included coming to terms with personal prejudice, being able to meet and mix with other races and nationalities and possible language barriers, the need to be inclusive.

Main issues identified by respondents in meeting the needs of ethnic minority groups included language, racism, difficulties in recruitment, cultural and social differences, ensuring equality for all workers, educating Irish workers, increased awareness of ethnic minority group needs and educating ethnic minority groups re: labour legislation and their rights.

Other comments were also offered:

- There's been too much placed on this subject and it's taken away from the importance of employees' rights across the board.
- Taking jobs off Irish workers.
- Taxpayers pay for ethnic minority accommodation and fares.
- Scarce resources in trade unions.
- Most don't stay in jobs long enough.
- Vigilance to ensure that non-nationals are not used to undercut existing wages because of their vulnerable position.

They're another selection of comments that were also made in relation to this.

The next part of this research focused on focus group interviews. They looked at people's experience of racism and awareness of the role of the trade union movement - which was not high among the focus group interviews. The focus group interviews, while limited in number, painted a very real picture of the very real situation facing ethnic minority groups in relation to securing jobs and participating in the workplace. It provided an opportunity for the trade union movement to directly interface with people who had many real and meaningful experiences to share and discuss. The fact

that the groups were unaware of the role of the trade union movement outside of the workplace merits reflection and should be investigated further.

We also had a seminar discussion where union officials presented their experiences in terms of organising ethnic minority groups into unions and the personal experiences of ethnic minority groups in the workplaces. The seminar, *Building Good Practice: organising strategies to tackle racism and promote equality* was held in May in MANDATE offices. Union officials who were working in the area had the opportunity to share their experience. Their presentations displayed a high level of commitment to the issue and served as a useful platform from which to develop these strategies in the context of the wider trade union movement. The experience of each of the individuals highlighted in a very real and practical way the difficulties encountered by people from ethnic minority backgrounds both seeking work and in the workplace. And to see some of the presenters breaking down in tears about the experiences they had in the workplace was a very sobering and a very humbling experience indeed, and would leave one with a degree of embarrassment and to be ashamed of what that experience was.

The open forum that followed that seminar discussion provided an opportunity for the trade union movement and individuals to interface and listen to one another. This type of open dialogue is crucial to the development of policy by trade unions in relation to this issue. It could be argued that the development of closer links between unions and these communities would generate more beneficial understandings informed by different points of view and methods of operating. And of course, this would require trade unions to take new directions and explore new avenues in terms of organisations of strategies, and that is not a challenge for the trade union movement if its history is anything to go by in terms of past issues.

Recommended approaches in relation to dealing with this issue – monitoring, I suppose, is one that emerges out of the Report. And any debate surrounding recruitment, the first challenge faced by the trade union movement, is to diagnose the reasons why ethnic minority groups do not feature prominently. The next step in that process is to examine existing policies and practices within unions to establish if they are a contributing factor to this situation. In this context, perceptions that it's not necessary to do this must be challenged, particularly where there's overwhelming evidence to suggest this is a real issue.

The visibility of the Traveller community is low in the workplace, and consequently this is reflected in union membership. All of this research in this area points to this fact - the issue of trust between Traveller workers and trade unions emerged in this Report, and efforts must be made to build trust between unions and ethnic minority groups, a point Mike Jennings made there earlier in the Motions.

Non-national ethnic minority groups are now prominent in Northern Ireland and the Republic of Ireland. The research both North and South of the border points clearly to the fact that non-national minority groups experience discrimination in society and in the workplace. This situation is unacceptable and the trade union movement must give it priority not just in policy documents, but in practical ways. This means that

unions will have to look beyond the workplace and into the wider community to establish a profile and a sense of trust with these groups.

Research was the second one in information gathering. Context is very important in relation to this, and to build up a profile in terms of what's going on, and that was the role of the survey, the focus group interviews and indeed, the seminar. It's another way of directly involving ethnic minority groups in the work of the trade union movement. They are participants in such research and can directly influence and inform decisions taken by unions in relation to recruitment strategies and the promotion of intercultural workplaces.

While the Irish Congress of Trade Unions has worked very hard to advocate and secure the rights of migrant workers, the results from the survey would indicate that there is a lack of clarity about migrant workers, particularly in the context of their rights and entitlements. This situation requires direct attention so that officials are fully au fait with the work being done.

From the survey, the response to the existence of procedures for ethnic minority groups to express grievances against management, against other workers and against union officials yielded interesting results. The results would seem to indicate unwillingness among that group of respondents to answer these questions, or a lack of awareness, or non-existence of procedures. This merits further reflection and investigation within the trade union movement.

The data indicated that ethnic minority groups do not hold positions of responsibility within the union. This can only be done by raising the profiles of ethnic minority groups within organisations and work towards involving them in an active way in the trade union movement, as in the examples offered by the trade union officials. Ethnic minority groups during the open forum raised the issue of ethnic minority representation at the highest level within the trade union movement, which is not the case at present. This, it was argued, would contribute to creating conditions for ethnic minority groups to participate fully in the trade union movement and at all levels.

Working strategies and practical approaches, meaningful mechanisms for consultation, requires planning and resources for them to be effective. The unions I presented during the seminar proceedings focused on the encouragement of ethnic groups to participate by electing their own representatives so that assumptions would not be made by the union membership about the issues that these workers faced.

The community dimension also featured prominently in these union approaches to recruitment and raising their profile, and finally in relation to training and education.

Understanding the dynamics of an intercultural society is a complex process that requires personal reflection on a deep level. This will only happen if people have the opportunity to be exposed to different ways of thinking.

In relation to incidents of racism in workplace experiences, the perceptions of the victim are central. This emerged quite clearly in this Report and in the interviews and

in the seminar discussion, so the issue of training, while it is currently going on, and the trade union movement is working to develop this, needs to be progressed. Within the union movement there's a necessity for promoting pro-active, targeted strategies that reduce existing inequalities and convince members that this is an important issue.

And I suppose I am going to conclude by saying the title of the Report is *The Same Right, the Same Obligation*, and that was one of the open responses by one of the members who filled out the questionnaire. And I think if we do firmly believe, in a real and meaningful way, that the people from ethnic minority backgrounds, be they national or non-national, have the same rights as the rest of us, then every organisation in this country, both North and South, every institution in this country, both North and South, then has the same obligation to those people.

Thank you very much for your attention

Senator Joe O'Toole, Congress President

Thank you very much Marie. That is certainly going to provide food for thought.

I would just like to point out to the Delegates that document is not before you for endorsement or for acceptance. It is the basis on which discussion will start that we hope unions will take. It's not intended to have a vote or an adoption of that here today, but there are two speaker offerings.

We're at the end of time, so I'm just going to give them a minute each to make the point you want to make. That's being generous now. If you're not happy with that, just stay where you are, right.

Aodh Mackay, NASUWT

If this is going to be a start of discussion then I have a problem, I have to cut what I was going to say down very quickly.

I have a problem with the idea of using anecdotal evidence and establishing it as evidence, as fact. In particular, on page 57 of this Report, I have a problem with two sentences. As the good teacher I am, I would like you to turn to page 57. Considering I'm under great pressure here on time, on page 57 you have the last sentence in paragraph two which reads, de facto, that 'a child from a Travelling community at secondary level education experiences racist bullying from his or her teachers.' The first sentence in paragraph three gives an anecdotal account of an anecdote. There's no room for this style of writing in a report of such a sensitive and serious issue as this. And I would like to congratulate the people who put this Report together otherwise, but if you're going to start a discussion on this then don't start it with anecdotal evidence. In this case, that first sentence in paragraph three, the town is named, the school is clearly identifiable, there's only one Mayo secondary school in the town, and consequently a fellow member of a trade union may be identified, open to castigation and condemnation, all without his or her rights being protected, especially a right to fair hearing.

That was quick.

The vast majority of teachers work very hard on inclusivity.

Senator Joe O'Toole, Congress President

Alright, time please. Thank you.

Mary Cahillane, INTO

Mary Cahillane, INTO. I would like to support what the speaker from the NASUWT had to say. Given that this evidence is purely anecdotal, without substance, and quite frankly actually, I think that the trade union movement should know better than to put already vulnerable teachers, or workers such as teachers, at risk by making them so clearly identifiable.

There are 1,400 Travelling pupils in Northern Ireland. The vast majority of those attend St. Mary's Primary School in West Belfast. This school has had three inspection reports in the past number of years which places it in the top cohort of primary schools in the North. In West Belfast, actually, it's a misnomer to speak of Travelling pupils without referring to the settled pupils as well, because in most schools both settled and Travelling pupils come from the same deprived, disadvantaged socio-economic group. Only recently, St. Mary's actually applied for funding to introduce cant or shelta into the classroom in recognition of the cultural imbalance that exists for the Travelling community in education.

We realise that there are problems at second level, but it is not the fault of hard pressed teachers that there are problems. It is the fault of a too rigid, subject based, exam driven curriculum. The curriculum is too inflexible, and it is too rigid. However, we as teachers have no choice but to implement that curriculum and work within its parameters.

Now we have heard an awful lot in the past two days about the participation of women, inclusion and interculturalism, and I would ask you to refer - I have no idea why these things are tabled if they're not going to be approved - however, I would ask you to refer this Report back to ensure that it is inclusive and that it does apply to all sectors of workers, and it does not identify or victimise teachers and schools who generally do a very good job in very difficult circumstances.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Mary.

Just to say that it was a view of the Executive Council that it was important that on-going research and discussion and the outcome of the seminar be brought to your attention. We feel that it is an important catalyst to discussion. This document will create that discussion we hope. We look forward to hearing the responses from

unions on it and then the outcome of the discussion will form the basis of policy, and that's the point at which it is adopted. It would be utterly inappropriate to ask you to accept the outcome of a seminar as policy without it even going through the normal, formal, stages. And I hope you'll appreciate that this is just an attempt to be more open in the way we do our business, to have inputs early on.

I'm very appreciative of what Marie has done in this, and I think it's very, very useful. It's not to say that I agree with every word in it, but that's not the intention at any stage. It's to become a catalyst for discussion, it's a vitally important piece of research Marie. We're very appreciative of the work that you have done. We look forward to it being the basis of future discussion.

Thank you all very much indeed.

9.30am tomorrow morning sharp.

Thank you.

Thursday 3rd July, 2003

The Public Realm
(Motions 27 – 33 & SIPTU Emergency Motion)
Principal EC Report reference: Chapter 4, *Maintaining a Strong and Efficient Public Service*
9.30 – 11.30

Senator Joe O'Toole, Congress President

Good morning. I hope you'd a very enjoyable afternoon and evening, that you didn't stay up too late, that you're concentrating on the issues of the week and that you're all prepared for a solid and hard day's work.

It's 9.31am and we're beginning with the Public Realm. The principal EC Report reference here is Chapter 4, *Maintaining a Strong and Efficient Public Service*. And to kick off the debate I'm going to ask Liam Berney of Congress staff to introduce the Section.

After he finishes we'll deal with the Emergency Motion which came through Standing Orders yesterday, and from then onto Motion 27.

Thank you Liam

Liam Berney, Congress Staff

Thanks President. Good morning President, Delegates. Liam Berney from the Congress Industrial Office introducing Chapter 4 of the Executive Council Report.

Delegates, Congress over the last two years has accorded particular priority to develop a strategy aimed at protecting those sectors of the economy which are under the control of the State, and provides important services to both citizens and workers.

In recent years Governments and authorities all over the world have been steadily seeking to present the private sector with opportunities to become involved in sectors that have traditionally been the domain of the State. This experiment has resulted in some significant failures. Particularly, in California the privatised electricity company had failed to keep the lights on, and we all know the disaster that has resulted from the privatisation of the railways in Britain.

The debate on the State's role in the economy has featured in discussions on the future of Europe. The Convention on the Future of Europe discussed at length the importance of maintaining strong and effective services of general interest, which is the European speak for public services. And the issues, I'm sure, will feature significantly in the forthcoming Inter-Governmental Conference on the reform of the Treaty which sets out the role of the European Union.

Delegates, it's worth noting that at European level the unions and the public sector employers are at one on this issue. The ETUC and SEP, the Public Sectors Employers Organisation, have produced a draft directive setting out how public services can be organised while maintaining a strong role for the State sector in both the provision and organisation of these important public services. During discussions on *Sustaining Progress* we sought a commitment from the Irish Government to the principles set out in this draft directive, and the now infamous letter from the Taoiseach to David Begg sets out a protocol in which we're given a commitment to a process of consultation on the issues facing the State sector in the future. It remains to be seen what attitude the Irish Government will adopt to the issue at the Inter-Governmental Conference. For our part we will continue to press the Government to support the principles set out in the draft directive I mentioned earlier, and to use its Presidency of the European Union to have this draft directive made the policy of the European Union.

As you will see from Section 4 of the Report, it also sets out the work that Congress has undertaken around the issue of regulation. As some people will know, the Department of the Taoiseach recently commenced a consultation process on the role that regulation plays in the economy. I have to remind Delegates that this consultation process and this opportunity was seized on by IBEC, amongst others, and they were very quick to point out that regulations present unnecessary burdens which stand in the way of business efficiency. However, Delegates, for us, the issue of regulation is of vital importance. Regulations provide basic protection for workers, and indeed for citizens; and for many people it is the only thing that stands between an employer's desire to maximise profits and people being exploited by those very same employers. We will continue to press for a strong body of regulation which is not only effective, but is also enforced.

You will also note, Delegates, from the Report, that Congress has been attempting to limit the role of public private partnerships in this economy. The framework agreement which people will be aware of, which we negotiated with the other social partners, in the use of public private partnerships has been a very useful tool in preventing the spread of public private partnerships. However, there have been some difficulties in some sectors of the economy. However, I would urge unions to study closely the provisions of the framework agreement and to ensure that they are observed. We have learnt the lessons from the disastrous private finance initiative in Britain, and we will continue to work towards ensuring that if the private sector is to be involved in the provision of services and infrastructure, they will do so on agreed terms.

Finally Conference, it would be remiss of me not to mention at this stage the proposals of the Minister for Transport to dismantle the State role in public transport and aviation sectors. His proposals to privatise the work of these companies is frankly not based on any sensible criteria, but rather an ideological bent in favour of private sector provision. Congress will continue to work with the unions in this sector to ensure a continued strong role for the State for these sectors of the economy.

President I commend Section 4 of the Executive Council Report to Conference.

Senator Joe O'Toole, Congress President

Thank you very much Liam.

And now just to remind you that we are now onto Motions from 27 onwards.

And before that the first Motion to be taken this morning is the Motion which was approved through Standing Orders yesterday in the name of SIPTU. So could I ask SIPTU to propose that Motion? What I intend doing then is taking a seconder to that Motion and then I will open the debate on that, and I will also call for a proposer from the ATG on the privatisation issue because they're linked debates and the two debates can run together for a while.

Rita Bergin, (SIPTU) *Emergency Motion*

Thank you President, Delegates, and thank you for taking this Motion in the name of SIPTU, TEEU, IMPACT and MANDATE.

Delegates, on the 26th March we decided in special conference to accept the terms of *Sustaining Progress*. The Government committed to a clear process on decisions affecting the Semi-State companies in that agreement. It did not concede the trade union position, but it did commit to early consultation, joint learning from international experience and discussions free of ideological prejudice in the context of producing the highest quality, efficient, public services.

It took Minister Seamus Brennan no more than nine days to sever that agreement, declaring in an interview in the *Irish Times* that CIE would be dismantled, Dublin Bus services would be privatised, Aer Rianta would be separated into three companies and a private terminal would be imposed at Dublin Airport - despite the fact that Aer Rianta had been prevented from developing infrastructure there. And he went on in that interview to practically invite confrontation from the trade unions. His initiatives are not supported by the Public Transport Forum, or by any of five separate, independent reports on aviation infrastructure or landing facilities here.

The quality and security of employment of thousands of workers are at stake here, and the decisions have the most far-reaching implications for our economy and society. Simplistic privatisation and scapegoating of our State companies and the people who work in them offers no solution to historic under funding and the absence of planning at the highest level. Nor does the imposition of restrictions on highly successful State companies like Aer Rianta, or, for that matter, replacing good employment with non-union jobs often entailing the liberal use of agency labour and fixed term contracts.

Indeed, the Minister's plans, promoted in the name of competition, could well result in the consolidation of monopolies in the hands of other interests in the fullness of time, and we should learn from the experience of other countries, such as New Zealand, where large scale privatisation has become an unmitigated disaster requiring the State to re-acquire several public utilities at considerable cost to the taxpayer.

No Delegates, these decisions require the most thorough research, consultation and publicly transparent debate. Some of them may be irreversible if implemented and could well be regarded in the fullness of time as a form of institutionalised vandalism. And it is not good either, Delegates, that the democratically elected Taoiseach of the Republic of Ireland, whatever our differences with him, should be subjected to a systematically heavy, highly funded campaign of advertised vilification to force him to break an agreement freely entered into by his Government with 40 per cent of the workers of this country as represented by this Congress of Trade Unions.

I regret to tell you as well Delegates, that Minister Brennan, only a month ago, effectively forfeited the Shannon gateway at the European Ministerial Council without any commitment or discernible plan to guarantee current or greater volumes of transatlantic traffic through Shannon Airport, despite its immense implications for regional development in this country. And he now intends to negotiate directly with the United States because it would take the EU process too long to give it away. We must oppose this Delegates, and insist on retention of the dual gateway in the absence of guaranteed arrangements for transatlantic traffic.

Delegates, even as we speak, thousands of workers in the services affected are preparing to mobilise in defence of their jobs and quality of employment, and in defence of national, coherent, transparent, decision making.

We hope the Government will comply with its obligations under the national agreement. We hope confrontation can be avoided, but if it is not, with your support Delegates, and that of your members, I believe that despite their superior numbers, despite their superior financial resources and despite their influence....(tape runs out)

Willie Clarke, (SIPTU) *Motion 31 (Public Transport)*

This is the start of an attack on our express services. These services are the flagships of Ulsterbus, and through these services it enables Ulsterbus to keep rural services where there are very few passengers, and certainly no profit, running. But it still gives a service to villages and hamlets throughout the province.

At present, we in Northern Ireland enjoy a road passenger service still within the Public Sector. It has proven to be a positive, adequate service, free from government controls, that has not only continued to service the needs of a public, but has done so within its remit of self-financing. Year in, year out, Ulsterbus returns large profits; this year around £1.5 million.

This service and the continued financial viability of the company have been achieved on a continuous basis against the background of the most savage and unremitting communal disorder that any public service in the UK has ever had to operate under. The viciousness of the attacks is well known. It still continues even in the middle of a so-called peace process. Even as I speak the attacks, the assaults, the robberies are still going on. Indeed, on Monday of this week, here in Tralee, I got a call from my own depot in Bangor, Co. Down that one of my members was shot at. The shot hit the bus and thanks be to God no one was injured.

It is against this background that we in the Bus Workers' Unions cannot believe, that after all we have been through, that this Government is starting to move to sell us off.

I would remind Congress that at this moment in time in Northern Ireland we do not have an Assembly. These Departments are being run by British Ministers, Labour Ministers. What with the proposed introduction of water rates, and now privatisation of public transport, is there any difference between new Labour and old Tory policies? I think not.

Privatisation and deregulation has been disastrous for the road passenger in the UK, so what is our Government playing at? Are they going impose on the travelling public of Northern Ireland the same shambles that has happened in the UK?

We must make the public aware what is in store for them - higher fares, infrequent services and safety goes to the wall. Services become product motivated and few passengers equals no service. If people do not have transport of their own they will become virtual prisoners within their own society. Is this what we want for the travelling public in Northern Ireland?

My union is quite clear. The message is no!

Chair, I support.

Senator Joe O'Toole, Congress President

Thank you very much indeed.

Donal O Braonain, NUJ, *Motion 33 (GATS and Public Services)*

Donal O Braonain, National Union of Journalists.

President, the NUJ supports Motion 33 on GATS, not just because GATS led competition has profound implications for media ownership and the free exchange of information, but because GATS will ultimately have real implications for the kind of information we receive, and, indeed, the platforms and outlets we receive it from.

I need only ask Conference to consider the Berlusconi incident yesterday. Berlusconi has a virtual monopoly in the Italian media and has substantially weakened the Italian public service broadcaster through a series of so-called competitive measures. I was thinking of my colleagues in Italy yesterday evening and this morning because it must have been very easy for them to give this story the welly it deserves if they're working on a Berlusconi title or a station.

The recent war in Iraq has also highlighted what competition has already achieved in the global media sector. All 140 or so of Rupert Murdoch's titles, that champion of competition of free markets, decided to independently of each other support the war and George W. Bush's commercial interests - which is also his byword for a foreign policy. Fox News and Sky News also got the message. You have to give it to the

neo-conservatives and right-wing ideologues - they may abhor collectives, and most of them won't recognise unions, but they do a nice line in solidarity when it suits them.

Mr. President, I know you've heard the expression 'Bi a gach De chuile scéal agus dhá leagan de chuile oireann.' Whether there are two tellings of every story, or indeed 12 versions of every song, that type of diversity may come to an end if the stories or indeed the songs don't accord with the commercial interests of the Silvio Berlusconi, the Rupert Murdochs and indeed the Dr. Sir Anthony Tony O' Reillys.

If competition in the media sector has provided a global platform for commercial interests the implications for other sectors are chilling. I work in RTÉ and I'm proud to say that we still have a strong public service broadcaster that isn't afraid of telling all sides to a story.

I would like to reassure our Colleagues, particularly in the transport sector, and indeed throughout the Semi-State sector, that Congress stood shoulder to shoulder with us in our struggle to protect public service broadcasting over the last two years, and particular thanks are due to the General Secretary, David Begg, in that regard.

Colleagues, we should support Motion 33, not just because we want to tell our story, but because we all need to keep singing those songs.

Senator Joe O'Toole, Congress President

Go rabid maith agat Donal agus táim ag togáil go bhfuil tu tachu leis an motion an uair sin.

I take that as a formal seconding.

Frank Gallagher, GPMU, *Motion 29 (Public Private Partnerships {PPPs})*

Frank Gallagher, GPMU, speaking in support of NIPSA's Motion 29.

A uachtarain, agus a cairde, any honest and objective examination of the concept of public private partnerships as they are operated can only come to one conclusion, and that is that PPSs as they are being operated amount to little more than privatisation by stealth, or privatisation by the back door.

Interestingly, this Motion calls on Congress to re-affirm its opposition to privatisations and re-affirm its belief that public services should be delivered by public servants, and using public owned assets. I say this is of interest, obviously, because there is a well founded belief abroad that whilst Congress may well have previously resolved to oppose privatisations, the belief is that this seems to have been little more than a paper exercise.

PPPs, or public private partnerships, are increasingly becoming a feature of our public services, and are being used and being abused as the very first step on the road to all out privatisations. The cynics and the sceptics may well say that this Motion is little

more than a re-run of an old movie, but, regrettably, we find it necessary to keep reminding ourselves of our own policy.

Here in the Republic we need look no further than our own local communities to see how all over the place domestic bin collections have been privatised, and very often been privatised with the co-operation and with the cahoots of trade unions who are affiliated to this body and who are represented here today. If we cannot keep local bin collections in public ownership and publicly operated, what chance is there for big State and Semi-State utilities?

A cairde, in commending this Motion to you can I remind you all that it's very easy here today in Conference to talk the talk, but it's all together a different matter to walk the anti-privatisations walk. Go raibh mile maith agaibh.

Please support the Motion.

Senator Joe O'Toole, Congress President

Thank you, thank you very much.

Seamus Dooley, NUJ General Secretary, *Motion 32 (Freedom of Information Act)*

Seamus Dooley, National Union of Journalists, proposing Motion number 32. In one sense Motion 32 may fit oddly with this agenda, in another sense it's at the heart of the debate because access to information is also the heart of the decision making process.

At the heart of this Motion is the way in which citizens are treated by their political masters. Freedom of information is not about empowering journalists, freedom of information is about empowering citizens. In using the Freedom of Information Act journalists, as workers, exercise professionally the rights conferred to every citizen. And in your regular spite swipes at media, Colleagues, would you also remember that media workers are also trade union members.

Our political culture has been a culture of secrecy based on the principle that access to information is a deadly and dangerous weapon in the hand of the electorate. The Freedom of Information Amendment Act was an attempt to move from the light into darkness.

President, Congress can be proud of the leadership role which you played in opposing this regressive piece of legislation. The NUJ, in our campaign, received enormous support from colleague unions for our opposition to the Act.

The original Act of 1997 was predicated on the principle that citizens own public information and have a legal right of access to that information. It was introduced following a detailed consultative process. In contrast, the Freedom of Information Amendment Act was pushed through the Oireachtas with indecent haste. Commitments to social partnership were cast aside, and, indeed, the assault on the rights of citizens to public information was planned and executed while at the same

time Mary and Bertie were planning their midnight rescue of national programmes. While the social partners were crafting words aimed at rescuing the partnership process, the Cheltenham two, Parlon and McCreevey, were plotting the castration of the Freedom of Information Act. The treatment of the Information Commissioner and the failure to consult with the trade unions, including the workers directly affected, is reflective of a style of government which has no place in a modern democracy, and basically makes a nonsense of the concept of social partnership.

Let me quote you a speech from the Minister for Justice: 'If a document is marked or stamped officially as a secret, and confidential, then that comes within the definition of official information which may not be disclosed without proper authority. Surely a Minister or Government is entitled to decide whether a thing is secret or confidential and mark it as such'. That's not a quote from Mad Dog MacDowell, but rather from Charles Haughey when he enacted the 1961 Official Secrets Act. As we reflect on Haughey's corrupt legacy it is worth noting that his utterances on the right of Government ruling finds an echo in the hearts and thoughts and minds of his great political adversaries, Harney and MacDowell, joined by the farmers' friend Parlon and a disgrace to Biffodom.

This Government has torn the heart and soul out of the FOI Act. They have reduced access to information, they have given sweeping powers to the Secretaries General to withhold information, and they have taken away conferred rights. And the ultimate insult, the insult perpetrated as we prepare to welcome the Taoiseach tomorrow, was the decision to impose punitive charges to deny, in particular, the right to appeal. There is no comfort in the assurance that access to personal records is still free. The Tanáiste would have us believe that few people are affected by these changes since personal records are not affected. Is there anything more insulting to citizens than to say 'you'll be all right, you'll have access to your personal records, let us look after the serious stuff.'?

Sustaining Progress contains explicit commitments to the involvement of the social partners in the decision-making process. It is not enough that we should pass this Motion and move on to the next item on the agenda.

President, we will have many things to say to the Taoiseach tomorrow, but I hope that he will use the opportunity, and every other opportunity, to explain why the Government have treated us with such contempt. But let us be loud and clear - freedom of information is not a marginal issue. We will not forget them, and we will never forgive them, for what they have done.

I propose the Motion.

Senator Joe O'Toole, Congress President

Thank you Seamus.

Could I have a seconder for that Motion please? Ok, formally seconded.

All the Motions have now been proposed and seconded. Any other speakers?

Eoin Ronayne, Congress Executive & CPSU

Eoin Ronayne, CPSU. I would like to support my colleague's Motion, and really I am delighted that the Standing Orders Committee, in drafting the Order Paper, realised that the Motion on Freedom of Information was in fact suitable to a section dealing with the Public Realm.

Freedom of information fits into this debate, into the debate about what's happening to the transport system, what's happening to the health service, what's happening to those areas that we've heard so much about in recent days. Freedom of information is about the public ownership of democracy. Freedom of information empowers the individual citizen to keep tabs and to monitor the progress of democracy as it is rolled out by the politicians who are elected, of course, by us the citizens.

We've heard during the last couple of days about a whole range of cuts, about swinging cuts by this Government, yet we are members of a social partnership which treats, at least in theory, all of us as equals. This piece of legislation, the amendment I'm talking about, and more particularly what scandalised me on my way down to Conference on Tuesday were the reports about the charges brought in.

The reason I want to speak about this as a member of another union, representing another union, not the journalists' union, is because it is important to understand that this is not about journalism only. This is about the rights of every citizen. Workers throughout the civil service, public service, local authorities, have been coming to terms with the cultural change brought about by the previous administration, Labour and Fine Gael.

I had the privilege of working with my colleagues in my union at that time, the NUJ, and with the AHCPs, the Association of Higher Civil and Public Servants, in drafting and put together the initial text that eventually became that legislation. It was to bring about a sweeping change in public life. Civil servants throughout the country have daily been embracing that and facing up to the challenges of it, but the reality is that the political masters who you elect, who we as a movement, remember how big we are - over 600,000 people, put into power, have decided to cut it off at the knees. They have decided that voluntary groups, community groups, small political entities will not have the power as citizens to challenge the decisions that they make.

Colleagues, I ask you to support this, not because the journalists needed to use the FOI Act, all that is valid in itself, but because you as citizens deserve and own that power to challenge the Administration to give access to the information that leads to the decisions that they take on your behalf.

Colleagues, I ask you to support.

Senator Joe O'Toole, Congress President

Thank you Eoin.

Patricia McKeown, Congress Executive & UNISON

President, Delegates. Patricia McKeown, UNISON, to speak in support of this Motion, and it is very appropriate....

Senator Joe O'Toole, Congress President

Sorry Patricia, you can only speak once to the section. I'm sorry, you've spoken already.

Patricia McKeown, Congress Executive & UNISON

No, no. I've moved a Motion. I'm speaking in support of this one.

Senator Joe O'Toole, Congress President

Yes, you can only speak once to this section.

Patricia McKeown, Congress Executive & UNISON

No, I'm speaking in support of this Motion.

Senator Joe O'Toole, Congress President

I'm sorry, you can only speak once to the whole section. I said all those to be proposed and seconded and people can speak to any of the Motions.

Patricia McKeown, Congress Executive & UNISON

Chair, you can't deny a union the right to get up and speak on a Motion.

Senator Joe O'Toole, Congress President

I'm sorry, I'm not denying a union anything else, there's a very simple....

Patricia McKeown, Congress Executive & UNISON

Freedom of information?

Senator Joe O'Toole, Congress President

Thank you.

I'd just like people to understand that I made this very clear at the beginning. This is a section, and I said people could speak to the particular Motion, or to the section, or to the sections of the Report. It is just absolutely impossible to consider the idea that people can speak on each individual Motion. We'd be here till tomorrow morning.

Could I ask the General Secretary to respond to the debate?

Thank you.

David Begg, Congress General Secretary

Colleagues, it cannot have escaped your attention, I'm sure, that the designation of this debate has been about the concept of the Public Realm which is in itself significant.

We didn't characterise the debate as being about the privatisation of the public services, or separately about freedom of information, or separately about PPPs, because, frankly speaking, all of these issues are inter-related and are inter-connected; and they have to do with the idea of the type of society which is built on the concept of civil republicanism involving an activist State and an active citizenry with special rights and responsibilities for citizens, as against the concept of liberal democracy which is extremely strong in the world at the moment, and which involves effectively a minimalist form of democracy and the creation of societies run more as economies than as, broadly, as societies responsible to the interests of the democratic will of the peoples. And it is entirely appropriate, therefore, that all of those issues should be taken together and related in that context.

I want to just take a minute, if I may, to explain to you a little bit about the *Sustaining Progress* negotiations as they related to this particular topic, because we introduced at a very early stage in the negotiations the need to establish some parameters on the involvement of the State in the running of this country, and we had tried to establish where the Government's intentions were, what they intended should be the parameters of the Public Realm. This was not an easy point to put because it logically followed that from that debate it might transpire that there were areas of that public activity which they would not see continuing, and we would have to get to grips with that. But Government would not deal with the issue in that way in the negotiations, and the negotiations formally concluded without reaching any agreement at all. And subsequent to that we had to have a meeting directly with the Taoiseach to try and deal with this issue specifically, out of which came the protocol recorded in his letter to us, dated 10th February. And the protocol involves that in the future discussions, in relation to the Public Sector, would be based on five principles which roughly encapsulates the three main points I suppose: it would be based on consultation, on the experience internationally on the cost of the provision of public services, and generally speaking, the defence of the public interest.

Now issues of ownership and regulation are entirely interconnected, and as has been pointed out by a number of speakers, you know they are not issues which are separate to this Republic, or to the United Kingdom, or indeed even to Europe. They are of a world-wide nature.

But just focusing for a minute on some of the particulars which have arisen here, in relation to CIE and the other areas, that all of these are in one sense complex and they are inter-related. And the difficulty that I have seen in Congress is that, really, we have tended to try to deal with things on a case by case basis, and deal with them solely on the basis of the interests of workers in those particular enterprises, and that,

I think, is not enough. Because after all, if you think about it, the quality of our public transport is not solely a matter for the employees of CIE, it is hugely a matter for all citizens of the country, and all workers, and particularly people at the lower income level who can't afford private transport in the first place. The matter of what happens to Aer Rianta is not simply a matter for the workers in Aer Rianta. It's a matter for us all because it is so crucial to the further development of our economy, in the same way as what happens to Aer Lingus is crucial. What happens to the VHI is not simply a matter for the people in the VHI, or for the VHI as a company. It is a matter of importance to us all because it crucially affects the future provision and delivery of health services in the country and how they are funded. What happens to the ESB is crucially important because without power we can't have economic development. What happens in terms of public private partnerships is extremely important because in the longer term, while these things may appear attractive at the moment for Government, we are building up indebtedness and a level of exposure for the public finances which will have implications in future generations. And it surely matters that the two principal examples of PPPs that we have here in the Republic, the two bridges over which you enter into Dublin City, that all of those people who try to travel that route every morning are delayed for 20 minutes, and if you multiply that by all the time and all the people that are involved the total loss of productivity in the economy is extremely important.

You see there are a number of factors at play here. It is true that there are external influences involving the European Union and the policy it has followed. And we have publicly argued, both at the European Forum and elsewhere, and on every opportunity we got the idea and chance to do so, that applying a policy of one shoe fits all, leaving aside even the broader philosophical issues involved, is not sensible because what works with a population of 60 million will not necessarily work with a population of four or five million. And really, the slavish adaptation of other models has been foolish and wrong; and of course what has happened in Europe is that Europe effectively has been captured by the British experience of regulation which is essentially based on national interest alone, and is not working particularly in a European context. And as a number of speakers have been kind enough to say, I have pointed that out in some detail in the article in the *Independent* this morning. There are issues of the public finances, and the fact that we know from the news here this morning that the income tax revenues are lower than expected therefore the budget, when we face into it next year, will be a more difficult one, and the temptation for the Government to raise more money in this way, of course, will be strong. The question is, though, what do you do when you've sold off all the family silver?

You see, the problem we're dealing with here is in many ways one of our own making. We're working under limits which are entirely false in this economy - failing to borrow, when we believe it would do long-term damage, at a time when we have one of the lowest debt to GDP ratios in Europe and have considerable scope to engage in further borrowing if we want to without doing any serious damage to our economy.

And the third point is one of ideological experimentation, and that what is being proposed in a number of areas that have been discussed this morning is actually high risk. There is no guarantee that it will work, and the one thing that transpires through

all of the issues which are under active consideration by Government at the moment is, almost without exception, that the Government's policies, if introduced, will mean higher costs to those using those services. This is a matter which I think is not seriously contested, actually, anywhere. It is suppressed certainly, as an issue, but contested it is not. And the other point is that the risk cannot be transferred, ultimately, by Government. And the experience of Railtrack in Britain has shown that, and the experience of the railways in the Netherlands, the airlines in New Zealand have also shown that. There are numerous examples around the world where, at the end of the day, if there is a market failure resulting from deregulation and privatisation the Government cannot ultimately escape that risk - because public opinion will not let it.

Now in the last several weeks we have been, by we I mean Congress, have been attacked strongly by a number of interests in the private sector. The person owning a bus company was attacking us last week, the business commentators do it on a regular basis. It's one of the reasons I've given up reading the Sunday papers by the way - because they only put me in bad humour. But apart from that, you know others, like Mr. Carney was attacking us recently, the President of the Chamber of Commerce in Ireland. And they seem to work on the basis that the only people entitled to express a view on these things are people who themselves have something to gain as a result of Government decisions, that nobody else is entitled to say anything. Well I can tell them one thing - that they may rest assured that Congress will continue to articulate its case morning, noon and night. That is our democratic right in a free society to express our opinions, and we will not be suppressed in doing that by any of these people who stand to gain from the changes which are being contemplated.

The Congress objective, quite simply, and what really created such an incredible furore, was because we had the temerity to write to the Taoiseach pointing out to him that we had a contract with him as represented by his letter of the 10th February, and that required the Government to do certain things in terms of framing the public policy context. That was a reasonable thing to do. And I would say to Colleagues who, in the course of the remarks here this morning, poured a bit of scorn on the Partnership model and all of that, that if we didn't have that particular framework, if we didn't have that protocol, we would have no basis at all in fact to conduct this dialogue with Government, and it is worth remembering that.

40 years ago there was a very good book written by John Kenneth Galbraith which has powerfully influenced me, in which he talked about the society at that time, as he saw it emerging, being one in which private affluence would co-exist side by side with public squalor. And two or three years ago the United Nations Development Programme asked him if he would again review that book, and review what he had written all those forty years ago, and he did. And effectively what he said was this - that when he first drew attention to that situation it seemed almost to be happening by accident, but today it was happening by design; and it was happening against an environment where anybody who contested it and contested the changes in society reducing the role of the State in the Public Sector and so on were accused effectively of being luddites, and people would know nothing to defend except vested interests. But he made a powerful argument which is still valid all of these forty years later, and

it is our job to try to prevent that scenario from developing in the way that he set it out there.

I would say one thing to Colleagues, Colleagues who have suggested that we follow, you know, the model of the farmers and so on - don't follow a failed model, because that effectively is what it is. I remember the day we went in to Government Buildings, to commence the negotiations on *Sustaining Progress*, that the farmers had 3,000 tractors out on Merrion Square. And it is a sad fact for them that three months later they had to come back into the *Sustaining Progress* model because they'd made absolutely no progress. There is a solitary lesson in all of that.

While the trade union movement must always husband its economic power and use it as ultimately we deem it necessary to do so, doing that in isolation from public opinion is a total failure. It was something that Larkin had to take account of in 1913 - public opinion cannot be dismissed. And the challenge for us, frankly, is to articulate the case for the defence of the Public Realm so that we can take the citizens of Europe with us in this particular argument, and we should have no reservations or hesitations about that because, quite frankly, we are right.

Senator Joe O'Toole, Congress President

Thank you David.

I now want to put the Motions on that section.

First of all, the Emergency Motion proposed by SIPTU? Please show. Carried.

Second, the Motion on the Privatisation of State and Semi-State Services, Motion 27 in the name of the Amalgamated Transport and General Workers' Union. All those in favour? Please show. Carried.

Motion 28, Public Private Partnerships in the name of the TEEU, all those in favour? Please show. Carried.

Motion 29, Public Private Partnerships from NIPSA, all those in favour? Please show. carried.

Motion 30, ESB Public Utilities from the ESBOA, all those in favour? Please show. Carried.

Motion 31, Public Transport from the TSSA, all those in favour? Please show. Carried.

Motion 33, GATS and Public Services from UNISON, all those in favour? Please show. Thank you very much indeed.

We are now going to the next section on Northern Ireland and Motions 34...sorry, did I miss one, did I? Which one did I miss? Oh sorry - I'm sorry NUJ.

Motion 32, Freedom of Information Act, all those in favour? Please show. Just checking you were all awake there you know! Thank you.

Northern Ireland
(Motions 34 – 36 & FBU Emergency Motion)
Principal EC Report reference: Chapter 9, *Maximising Economic*
and Social Synergy in Northern Ireland
11.30 – 13.00

Senator Joe O'Toole, Congress President

We now move onto the section on Northern Ireland. But before that I just have a couple of announcements to make.

First of all, if I could just have your attention please for a second. First of all, yesterday afternoon here a solid silver biro of great sentimental value was left in the conference hall by somebody who really values it highly. If anybody's found that, or knows anything about it, could they please hand it into reception or to ourselves here?

Also, just to bring to your attention, the Labour History Society are celebrating an important year this year and would appreciate your talking to them and considering joining up in their stall, in the bookstall outside. So I'd ask you to take special note of that please.

Also to say to you the polling station will be open at 1pm. It's located on the first floor outside of the conference hall. Could you also encourage Principal Delegates to vote early?

Now the way I intend taking this section is to begin with the presentation from Peter Bunting, just to open it. Then the first Motion will be proposed by the Vice-President on behalf of the Executive Council, and then I'm going to take the second Emergency Motion, the one in the name of the Fire Brigades' Union that you cleared yesterday afternoon, that'll be taken then, followed by Motions 35 and 36. So we've Motion 34, the Emergency Motion, then Motions 35 and 36, and as we're going through them Peter may speak once on that section.

Thank you very much.

Can I call on Peter Bunting to open up the debate? Thank you Peter.

Peter Bunting, Congress Assistant General Secretary
President, Delegates, Conference.

As so often in the past, Northern Ireland today is a society riven by political instability. We in this movement are engaged in a quest to achieve a society underpinned by equity, diversity and solidarity, a society where economic success can be attained within the parameters of inclusiveness and real social partnership.

Central to the realisation of political stability, crucial to building a plural society, is the eradication of sectarianism in our community. To pursue, through directional resources, a better economy, improved public services, equality of education and fairer access to these just demands, while ignoring sectarianism, would be futile. It would be a misguided waste of resources, comparable to building a house on quicksand.

Sectarianism is an evil that permeates all sections of our community. Left unchallenged it has the potential to create widespread civil unrest which has already undermined working class unity, economic investment, the social fabric of our community, especially in disadvantaged areas, and contributes daily to political instability. It bestows a legitimacy on paramilitary organisations. It blights neighbourhoods, creating areas as territorial fiefdoms where anti-social behaviour thrives, culminating in a violent culture perpetrated not just on local residents, but on those delivering public services such as ambulance, fire, hospital, DHSS and public transport staff.

The notion of two communities, two cultures, two traditions, two identities or two tribes dominates perceptions, practices and processes. Far from class tensions working themselves out in a normal left/right political divide, they feed on a refractive through sectarian and paramilitary cultures. We dwell in a divided society where the inequality, dominance and tolerance and hatred thrive, creating that space for paramilitarism to flourish, thus enslaving communities and eroding the opportunity of working class solidarity essential to the attainment of social justice for all.

It is in this context that I quote the analysis of Geller and Wilson: "The trade unions represent the most robust repository, at a mass level of a civil culture, stemming from their commitment to social solidarity." To that end we have and will continue to be in the vanguard of striving towards the creation of an electable, inclusive and pluralist Northern Ireland.

This is an opportune moment for me, on behalf of Congress and the trade unions throughout these islands, to pay tribute to all who have, over the past 33 years, taken great risks to pursue the peace, reconciliation and justice. I specifically refer to Terry Carlin who lies seriously ill in hospital today; we extend our best wishes to his wife Una and his family members.

That overt sectarianism in the workplace is all but eliminated is a credit to the Northern Ireland trade union movement. The establishment of Counteract by Congress, and the subsequent role played by Counteract, is acclaimed by all who have witnessed its worth. The regeneration of trades councils throughout Northern Ireland, the City Bridges project, the Belfast Unemployed Resource Centre have equally made significant contributions across community activities and cross-border activities.

The pursuit of a peaceful and progressive society is severely hampered by the absence of the democratically elected assembly. Our social and economic problems, exacerbated by an infrastructural deficit, are compounded by a democratic

accountability deficit. The erosion of that accountability has provided an opportunity for direct rule Ministers to engage in the imposition of policies which threaten the livelihood of many workers in Northern Ireland.

The Northern Ireland Committee will continue to oppose, by whatever means necessary, the implementation of water charges and the extension of public private partnerships in the public sector. We acknowledge the assistance of our colleagues in the TUC and the STUC in our continuing campaign to influence the Labour Government - not to be confused with the Labour Party - in respect of strategies on socio-economic issues, and that the East/West relationship incorporated in strand three of the Good Friday Agreement is of major benefit to all the workers on these islands.

Conference, I commend our Report to you.

Senator Joe O'Toole, Congress President

Thank you Peter.

And now the Vice-President to propose Motion 34.

Brendan Mackin, Congress Vice-President, *Motion 34 (Northern Ireland)*

Brendan Mackin, Vice-President, moving on Executive Motion 34.

Delegates, Colleagues and other Guests, the ceasefires of 1994 which were the catalyst for the move towards finding a political solution based on inclusive peace talks were announced almost nine years ago. They created the stepping stone to a political agreement as defined and voted for in the Good Friday Agreement in 1998 by 84 per cent of the people on this island.

It's important again to remind Delegates of what was contained in the Good Friday Agreement. It centred the framework for a devolved government in Northern Ireland that all sections of the community could participate in. It also provided for the establishment of a Human Rights and Equality Commission, the early release of political prisoners, the reforms of criminal justice and policing. The Agreement was premised on three inter-connecting strands. Strand one deals with the relationships within Northern Ireland and created the Northern Ireland Assembly, its Executive and Civic Forum. Strand two deals with the relationship between Northern Ireland and the Republic of Ireland and created a North/South Ministerial Council which oversees the work of six cross-border implementation bodies. Strand three deals with the East/West relationship, the establishment of a British/Irish Inter-Governmental Conference to report bilateral co-operation, and a new British/Irish Council was also established. There has been progress in all three strands, although it could be argued that greater progress could have and should have been made.

To support the Good Friday Agreement, the ICTU, through the Northern Ireland Committee, revoked its traditional neutrality on political and constitutional matters. We campaigned for the Good Friday Agreement, and our decision and our support

hasn't changed. We fully support the establishment of Human Rights and Equality Commissions, and are at present supporting the campaign for extra resources to both these bodies to fulfil and develop a human rights and equality agenda in Northern Ireland. Also, we have called for the full implementation of the Patten Report on the issue of policing and reform of the criminal justice system. We objected to the two suspensions of the Northern Ireland Assembly on the issue of decommissioning, even though the trade union movement supported decommissioning. We publicly opposed the recent suspension of the electoral process to a new Assembly and called for elections to be re-instated as soon as possible. Predictably, the political vacuum has been filled with violence, growing polarisation and sectarian reaction.

The trade union movement has been active in seeking to combat the violence and sectarianism. We are pro-active in our engagement with the political parties, the paramilitary organisations and local communities, especially those most affected by sectarian violence. At these meetings we articulated our support for the political process, we expressed our opposition to those engaged in violence and fostering of sectarian division. We told the paramilitaries to decommission and to turn their influence into supporting their communities' social and economic needs.

At these meetings we also listened. We heard first hand the internal difficulties relating to paramilitary control over activities, but the clearest voice that we heard was from those communities on the interfaces whose daily lives are scarred by violence, intimidation and sectarianism. In those communities the physical violence is but an extension of the socio-economic deprivation that blights their everyday life. In those communities the peace process is either deemed to be failing or irrelevant, and in many of the Protestant areas there was the opinion that the peace process was on- sided and they were excluded.

For the Good Friday Agreement to succeed, for the political and peace processes to be relevant, they must be built upon a strategic and comprehensive investment programme into the areas most affected by the conflict. This investment programme should be focussed on the needs of the communities, its planning process, implementation and focus should be with the full consultation and involvement of the local communities. Without this investment in health, education, housing, job creation and infrastructure these communities will be marginalised, exposed to paramilitary influences and continue as sources of unrest, violence and polarisation.

The following are some statistics of a divided society in which our trade union movement functions:

- More than 70 per cent of housing in Northern Ireland is segregated.
- Public housing estates are more than 90 per cent Protestant or more than 90 per cent Catholic.
- Around 95 per cent of children attend separate schools which are either Protestant or Catholic.
- Approximately 80 per cent of small to medium enterprises have distinct religious imbalances within their workforces.

Community division also plays a part in the choices that people make, about where they work, how they access public services, where they socialise, use leisure facilities and even who they meet.

Sectarianism, in common with racism, is a cancer on our society. It offers political and sectarian advocates the opportunity to offer simple solutions to complex problems. It provides cannon fodder for those paramilitaries who are premised on, and exist to perpetuate, sectarianism. It divides and destroys communities, excludes people and perpetuates poverty within those communities most affected by violence.

Sectarianism is not only a trade union issue. It is a political issue. It is a social issue. And it is an economic issue. Moreover, it is a community issue that has to be addressed at all levels.

The Irish Congress of Trade Unions is one of the few organisations within civic society that has deep roots within all communities, North and South. It's an organisation representing all traditions and all religions, and we have a key role to play in exposing and combating sectarianism.

In conclusion, we must be quite clear about our short, medium and long-term objectives. Within the context of this, we in the ICTU must campaign for the implementation and development of the issues that face us. We call for the full implementation of the Good Friday Agreement. We call for the re-instatement of the Northern Ireland Assembly and the electoral process. We call for a fully resourced Human Rights and Equality Commission to benchmark rights to an international standard. We call for the reform of the criminal justice system and the full implementation of the Patten Report. We call for full support to excluded communities who are blighted with communal violence and socio-economic deprivation. We totally oppose sectarianism and all of those who foster sectarianism within the trade union movement and outside the trade union movement. We also want, for our people, to create a prosperous, inclusive and peaceful Northern Ireland, and I think these are tasks from which we as a movement must now strike.

Thank you.

Jim Barber, FBU, *Emergency Motion*

President, Conference. Jim Barber, Fire Brigades' Union moving this Emergency Resolution and calling for early elections to be held to the Northern Ireland Assembly.

Delegates will no doubt already be well aware that some weeks ago the Blair Government decided not to proceed with elections to the Northern Ireland Assembly. That decision was widely condemned within Northern Ireland by parties across the Northern Ireland political spectrum, by the trade union movement, by the Northern Committee of the ICTU, by local communities, by the Northern Ireland public and indeed by the Irish Government.

Conference, we in the Fire Brigades' Union have supported the notion of a locally elected and accountable Assembly for all of our people right from the very start. We know that it's not perfect, and we know that it would be easy to stand here and criticise the failings of individual parties or individual politicians, or indeed of the Assembly itself. But what is the point? We can leave that for another day.

The priority now must be the restoration of local democracy in Northern Ireland, for we also know that the Good Friday Agreement, the Assembly and the Institutions which underpin it offer us the best hope of securing a just and lasting peace in Northern Ireland. Quite simply, it is the only game in town.

Conference, we must never forget that the ordinary working class people have been the losers throughout the thirty years of the Troubles, with thousands killed, maimed, injured. No one wants to go back to that. No one wants to lose the opportunities we have at the minute.

Now, of course we welcome the positive noises coming from the talks between the two Prime Ministers the other day, but I have to say, Conference, that democracy is not a tap that can be turned off at the whim of Tony Blair. The idea that the British Government, or indeed that any Government can withhold that most basic and fundamental democratic right, the right to cast your vote, simply because they might not welcome the likely outcomes, is not only bizarre, it's untenable, it's unsustainable and quite simply it's wrong and they shouldn't be allowed to get away with it. In Northern Ireland the inevitable outcomes have been a dangerous political vacuum, a growing uncertainty among our people, and, indeed, an unwelcome return to direct rule.

Conference, it is essential that we in the trade union movement give a clear lead on this vital issue, not just for the reasons of political stability as well. We must have locally elected, accountable, politicians to whom we can make our cases on a vast range of bread and butter issues that are out there. Not least among them being the health service, the public sector, education, PFIs, PPPs, water charges - and I know that's just the tip of the iceberg, literally. The present situation where major decisions on the future within Northern Ireland are being taken and implemented by direct rule Ministers who are wholly unaccountable to the Northern Ireland electorate is intolerable.

Democracy must be restored within Northern Ireland. Implement the Agreement in full. Further prevarication will prove to be folly.

Conference, I move.

Senator Joe O'Toole, Congress President

Thank you very much. Can I have a seconder to the Motion please?

Patricia McKeown, Congress Executive & UNISON

President, Delegates, Patricia MacKeown, UNISON, to second the Emergency Motion from the FBU.

On the 29th May I shared a platform in Belfast with the CBI, and with representatives of the community and voluntary sector and with local political parties to protest at the fact that on that day we should have been at the polls, but democracy had been denied. And in the place of democracy is one of the most dangerous political vacuums we've ever experienced.

The roll back of promises made in the Good Friday Agreement is extremely serious, and the area most intensively being rolled back is the commitment to equality of opportunity and human rights. In the last number of months decisions which had been taken by a Government we elected are being reversed. For example, the former Minister for Education removed from the privatisation of schools workers, they were taken outside the frame and kept in the public sector. Under suspension, that decision has been reversed and hundreds of our members now face wholesale privatisation. The Minister for Health issued a Directive, and Ministerial Directives are not things to be ignored. That Directive would have brought back into the public service hundreds of privatised health workers. Under suspension, that decision too has been reversed.

In 1998, the lay structures of my union took a risk and did a very brave thing and decided to openly and publicly back the Good Friday Agreement, and in doing so produced the information that they sent directly to every single one of our members, and went onto the streets as well. And the promises we made, arising out of the Good Friday Agreement, was that life would be different, that there were commitments to equality, to human rights, to transparency, to openness, to protecting the public sector, to basically challenging the injustices in our society. And all of that is being rolled back. And can it be any surprise that we are again in a spiral of sectarianism and violence?

We live in a profoundly discriminatory society. The only way we can combat sectarianism is to challenge its root causes, and that is to challenge outright discrimination, and to give serious commitment and attention to promoting equality of opportunity. We are being denied the right to do that, and this situation is certainly one of the most disturbing that I've heard experienced in my life.

On a personal note, as a woman, at the turn of the last century, women died, women went on a hunger strike, women went to jail in the thousands to get me and women like me a vote, and no man, British Prime Minister or otherwise, will ever deny me that again.

Senator Joe O'Toole, Congress President

Thank you Patricia.

Could I have a proposer for Motion 35 in the name of the Rail, Maritime and Transport Workers' Union please? Speaker there? No?

Could I have a proposer then from the Fermanagh Council of Trade Unions on Counteract? Thank you.

And when this Motion is proposed and seconded I'd just take the speakers in order then. Is that ok?

Thank you.

Davy Kettles, Fermanagh Council of Trade Unions, *Motion 36 (Counteract)*

Davy Kettles, Fermanagh Council of Trade Unions. In putting forward this Motion Fermanagh Council of Trade Unions wishes to record our appreciation for Counteract and the work that it has undertaken in the past, and challenges affiliated trade unions and Trade Councils to review the way they interact with Counteract.

Counteract after all, was established by the Irish Congress of Trade Unions back in 1990. Over the last 13 years it has played a valuable, important, pioneering role in challenging sectarianism in the workplace, and helped to establish many intimidation-free environments for thousands of workers. Counteract has a vision of a pluralist and inclusive society, underpinned by mutual respect and understanding, where everyone is valued and where diversity is enhanced and embraced. This vision is a cornerstone for a truly peaceful, vibrant, civil society.

Peace must not simply be the absence of violence. For a lasting peace this vision of Counteract, which is shared by millions on this island, must come to pass. However, this will be no easy journey. Sectarianism, tribalism, has never been more entrenched. Respect for diversity and tolerance has decreased. Violence at the interfaces has increased. The levels of racial prejudice in Northern Ireland are on the march. We still send 95 per cent of our school children to single identity schools. 80 per cent of us live in single identity housing estates. The favourite sport in the North, the blame game where the contestant tries to lay the blame solely at the opposite door of the opposite tribe, engenders greater mistrust and fear of the other side and undermines genuine dialogue and progress.

In short, Northern Ireland is a deeply sectarian society and the members that make up our unions in the North are from that society, and many still reflect their tribe's long held bigotry and prejudice in and out of the workplace. It is therefore incumbent upon all affiliated trade unions and Trade Councils to work towards the implementation of anti-sectarian and anti-racist training programmes that will help them promote cultural diversity and mutual respect among the members.

Our unions and trades councils should work directly with Counteract to pursue this strategy as part of the on-going fight against the twin evils of sectarianism and racism that pollute the atmosphere of our society.

Thank you. I move the Motion.

Senator Joe O'Toole, Congress President

Thank you very much. Have I seconder for that Motion? Formally seconded? Are you seconding? Thank you.

Jim Quinn, TGWU

President, Conference, Jim Quinn, Transport and General Workers' Union seconding Motion 36 on the work of Counteract, the trade union movement's anti-sectarian unit.

Sisters and brothers, while many unions and their representatives have made a major contribution to Counteract by bringing its work into their unions and their workplaces over the last decade and more, many more took the view, and still do, that they don't have a problem with sectarianism. Being from a rural area like Fermanagh I have heard the claim which goes something like this: "There's no problem here. We live happily with our neighbours - not like them Belfast ones." Colleagues, that's rubbish. It was rubbish then and it's rubbish now.

In rural areas like Fermanagh 95 per cent of children still attend segregated schools. 70 per cent of housing estates are either more than 90 per cent Protestant or more than 90 per cent Roman Catholic. Like in urban areas, people's lives continue to be dictated to by sectarianism which decides for many of them where they'll live, where they work, where they'll shop, where they socialise, where they spend their leisure time, or indeed whom they socialise with.

I'm certain that it's much worse in cities, and I'm certain that it reflects into the workplaces, even so, in the trade union movement we still hear the refrain 'we have no problem in our union or in our workplace.' And again Colleagues, it's nonsense. Listen to the reaction in your workplace when a non-national comes into it and gets a bit of overtime or a promotion. The distrust, the jealousy, the resentment and the prejudice appear which so many people deny is there.

I'm sorry to have to say it folks, but after more than a decade the twin monsters of sectarianism and racism are still feeding off each other, after 13 years of Counteract's work. Colleagues, I think it's time for the Irish trade union movement and its representatives, lay and full-time, to re-dedicate themselves to the work of Counteract. And this time around it needs to be every union and every council of trade unions, not just the usual suspects. How about putting the work of Counteract on your agenda once a quarter for the next year? That would be a good start. Or maybe each union here could give Counteract £1000. That would be a big help to Counteract in the next year.

Colleagues, we all have a responsibility to defeat sectarianism and racism for the sake of generations to come. And we have that responsibility in both parts of Ireland. These two masters of racism and sectarianism know no borders. Don't do what many people have done for the last 13 years and leave it to others.

Support Counteract, the trade union movement's anti-sectarian unit.

Senator Joe O'Toole, Congress President

Thank you very much.

I am still looking for a proposer from the Rail, Maritime and Transport Workers' Union for Motion 35? Not there? No?

Ok, well I will take speakers then. Thank you.

While you're coming to the platform might I just also draw your attention and welcome John Monks to the platform. We'll be hearing from him shortly.

Thank you.

Pamela Dooley, UNISON

Chairperson, President, Delegates. Pamela Dooley, UNISON, supporting Motion 34.

The rush to invest in Northern Ireland following the Good Friday Agreement did not happen. The few new jobs becoming available are through the community sector, all short-term contracts depending on funding from lottery money and from Peace II. When this funding dries up we lose excellent, innovative schemes, and our members lose their essential services for their area.

We must not fall into the trap of using these schemes to take away from the vital role of the public services in Northern Ireland. This is just not good enough. Government must recognise that if we are to sustain peace they must keep their promises to the people in these communities, and fight for inward investment and put their money where their mouth is.

They should address the clear link between social inclusion, poverty, sectarianism and violence. A return to devolution is essential, but Tony Blair seems to have suspended democracy in Northern Ireland. The current vacuum is causing major destabilisation, is undermining the Good Friday Agreement and is putting further pressure on their jobs. Massive investment in disadvantaged areas is necessary. Funding for the community and voluntary sector is essential.

Please support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much.

John Corey, NIPSA

John Corey, on behalf of NIPSA, to speak particularly to the Emergency Motion.

NIPSA supports the Emergency Motion, but there are four points that we want to make, two of which include an element of qualification. First, I want to clarify that as a trade union representing Northern Ireland civil service staff and public service staff,

NIPSA is non-party political and consequently, we didn't have a policy position on the Good Friday Agreement. However, NIPSA accepts and supports the underlying principles in the Motion that Northern Ireland should have a devolved administration which was the expressed will of the people in the 1998 referendum. And I believe the failure to sustain the Assembly and the Executive unquestionably is to the detriment of trade union members and all of the people of Northern Ireland.

Second, we support the Executive Council, and I assume that this will also mean the Northern Ireland Committee, campaigning generally for a return of the devolved administration, but we do feel a deficiency in the wording of the Emergency Motion. And one of our qualifications is that it imposes no requirements or expectation that the locally elected politicians will take full and proper account of the aims and objectives of the trade union movement.

Third, as the FBU Motion states, we do have major problems with many of the policies being pursued by the so-called direct rule Ministers. And if I could regress here for a moment and put our difficulties with these Ministers and contacts for all Delegates. These are Ministers of the same Government that deliberately intervened to prolong the UK fire service dispute, and in speaking to this Motion from the Fire Brigades' Union I think it would be remiss of me, I believe, not to acknowledge here and applaud the magnificent stand taken by the FBU in defence of their members, in defence of the fire service and in defence of public services generally. As I said, we have problems with direct rule Ministers certainly, but our second qualification is that we do not believe all of our problems will be resolved by the return of power to locally elected politicians, as the Motion to a degree implies. I could give a list of issues in which we have major difficulties with the Assembly Ministers and Executive. High on that list was a willingness of Northern Ireland politicians to support widespread implementation of public private partnerships which we have just been debating; and on the specific issue of water charges, which is the major issue facing us as a public service trade union in Northern Ireland, Northern Ireland politicians, with a few exceptions, have been remarkably silent - which is some feat for them I can tell you.

My fourth and final point is one that I think David Begg may not particularly welcome. We have seen that a devolved Assembly and Executive in place generates very significant additional work for the Northern Ireland Office of Congress. In my view, work that could not be reasonably expected to be undertaken in full by the small number of staff there. When we secure a return of the devolved administration I believe it is important that Congress has the necessary resources to engage fully with the Assembly Ministers and the Executive in the interests of trade union members and working people. This was one of the factors that prompted NIPSA to table Motion 6 for this Conference to review the deployment of resources.

Having had the opportunity to make these points, NIPSA will be supporting the Emergency Motion.

Thank you

Senator Joe O'Toole, Congress President

Thank you very much indeed.

Tom McKee, NASWUT

Mr. President, Colleagues, Tom McKee, NASWUT. I would strongly congratulate the FBU for bringing the Emergency Motion.

It is timely, and as previous speakers have said, there's a real risk now in Northern Ireland that we move back into the political vacuum of direct rule. I've been a union official for 25 years, 20 of those were under direct rule. I know that the MLAs in Northern Ireland are as much of a mixed bag as your TDs in Dublin, but at least they're our own, and my experience of direct rule is that it is much easier to get access to a Minister that's got a home base than a Minister that's a direct rule appointee. In direct rule it would have taken on average two to three months to get a meeting with an NIO Minister, but in Stormont that period reduced very quickly to two to three weeks. It's been a stop-go experience, it's been frustrating, but it has shown that Stormont can work, it can deliver the goods.

In supporting the comments that the previous speakers have made, I would point to three distinct advantages for the return of a Stormont Administration. One is the legal process for enacting statute, the second is accessibility to the politicians and the third is the whole question of electoral accountability. Under direct rule, the statutes for Northern Ireland will be determined by a process called orders and counsel. They go through Westminster with no debate whatever, there's no local input and we feel quite honestly as if we are or that we have it enforced on us. Under the Stormont Administration at least there's a facility for debate; there is a facility to influence local MLAs who will then take responsibility for those decisions. The accessibility question I think is important. I'll not repeat that. The third one which is the need to have politicians who are conscious of the electoral consequences in the area where any decisions they take is of supreme importance. If you go to a Minister whose seat is somewhere in England or Scotland or Wales their interest in the Northern Ireland problems understandably must go down. If it's a Minister who has got a seat in Northern Ireland, whose colleagues have seats in Northern Ireland, you are more likely to get a receptive ear.

For all those reasons colleagues, I would urge you strongly to support this Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Tom.

Paddy Mackel, NIPSA

Uachtarain agus a cairde, Paddy Mackel, NIPSA, to speak in support of Motion 34.

For many people who've had the misfortune of growing up in the North, the Belfast agreement offered for the first time an opportunity to move away from a society torn apart by two traditions, two nationalities, trapped in a State controlled by a British Government which was anything but a benign caretaker; evidenced once again by the European Court decision this week, by 92 per cent of people on this island, 70 per cent of citizens in the North voting for the compromise which the Belfast agreement represented. Hopes were raised that the sick counties would finally be allowed to heal.

A slower than anticipated move by Republicans to put the war totally behind them, an inability of Loyalists to cease a sectarian murder campaign, stumbling from one crisis to another by some political parties and a lack of vision and commitment to the institutions by the British Government have all contributed to the current difficulties. History has taught us that vacuums are always filled by others.

The call on this Motion for a massive regeneration investment programme is well timed. For the second year in succession, £350 million sterling has been returned to the British Exchequer, money which could be used in areas of disadvantage, and in this case, areas to tackle social exclusion and marginalisation. In the words of the great Kerry academic and writer, 'There are no social barriers between children. They are taught these by insensitive parents.'

Conference, we cannot allow sectarianism and suspicion of those with a different identity to continue to grow where another generation of little bigots are moulded and let loose on the community. Sectarianism is nurtured, it is not something you are born with. It knows no class barriers. We need to focus our attention on the young people of our communities and direct resources to clearly demonstrate to them that there is indeed an alternative. We need to develop a society where being Irish is welcomed and encouraged, where being British is respected and tolerated, where a neutral environment is replaced with a community which embraces diversity and feels secure enough to accept those differences.

The regeneration programme outlined in this Motion should be led by the community, not dictated by Government or clueless officials. Conference, we have an opportunity to drag ourselves out of this mire. With the active support of the trade union movement, we might just manage it.

Support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much, thank you.

Bob Gourley, Congress Executive & USDAW

Conference, Bob Gourley, USDAW, and current Chair of the Northern Ireland Committee Irish Congress of Trade Unions speaking to Motion 34.

Conference, all the previous Delegates who have been speaking on this Motion have covered the thing quite adequately, and I don't want to repeat anything that they've said, except to say that I totally support everything that all the previous speakers have said.

There is only one peace process in town. There's going to be no re-negotiations no matter what all the strands of Unionism say. The current peace process is a peace process totally, completely, without reservation, supported by the Northern Ireland Committee of the Irish Congress of Trade Unions. We call on the British Government to re-establish the Assembly, to bring democracy back to Northern Ireland and let me say this to you, as (inaudible) says, 'Success is not a destination, it's a journey.'

We in the Northern Ireland Committee of Congress are on the road to that journey. We call upon you to join the journey with us to a successful conclusion to have a democratic society, a pluralist society, in Northern Ireland where peace can only be the main outcome.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you Bob, well said.

Ray Calvin, UTU

Mr. President, Secretary, I'm Ray Calvin. I'm General Secretary of the Ulster Teachers' Union, a relatively small organisation. We represent mainly teachers in the controlled sector in Northern Ireland's State sector and therefore, mainly because we do not recruit against and are friendly with the INTO, mostly Protestant, though not all Protestant.

The only difficulty that I've experienced over the last number of years in relation to the Good Friday Agreement is in the perceptions of some of the population in Northern Ireland in relation to human rights. There is a worry amongst certain members of the Protestant part of the population that it's a sort of one-sided thing, that somehow or other the Protestants got it wrong, and that they're under attack, and because of that they adopt defensive mechanisms.

The main purpose of me coming up to this podium today is to congratulate the Executive on putting forward Resolution 34. I think it is something that reiterates the long-standing and very important support that the ICTU has given against sectarianism in Northern Ireland. And certainly UTU and INTO, back in the 1970s, got together and we made a policy statement that has stood with us all through the years, that we would try to keep the party politics out of the classroom. I think we've achieved it right up until the last time that the Assembly was stood down. Since then what has been happening in North Belfast is the nearest we have come, I believe, to that whole problem of sectarianism being introduced into the classroom. So,

therefore, I just want to say that the UTU will be supporting fully Resolution 34, the Resolution by the Fire Brigades' Union.

The Emergency Resolution is one which the UTU will be supporting as well. We have the same reservations about it as John Corey mentioned earlier, in that the union has in its Constitution a clause that restricts us completely from being involved in party political issues, and therefore making direct comment on the Assembly. However, I will say this, that there is no doubt in my mind that the standing down of the Assembly has been to the detriment of the betterment of the conditions of service of teachers in Northern Ireland.

I ask you to support these Resolutions.

Senator Joe O'Toole, Congress President

Thank you Ray, thank you very much.

Just at the conclusion of that debate, before we, I, put it, I think it is appropriate for me on behalf of all of us to convey to Peter Bunting and the staff of the Northern Office, and to the Vice-President Brendan, and to all of the Northern Committee, our sincere appreciation for the extraordinary work, much of which has gone unseen, in this whole area the last number of years. Thank you very much.

And I do sympathise fully with the points that were made about resources in the Northern Office. Whether we can bring that to fruition or not is another question.

I will now put the Motions.

Motion number 34, the Executive Motion, all those in favour? Please show. Thank you. All those against? Carried.

The Emergency Motion from the Fire Brigades' Union, all those in favour? Please show. All those against? Carried.

And Motion 35 wasn't proposed.

Motion 36, Counteract, from the Fermanagh Council of Trade Unions, all those in favour? Please show. All those against? Carried. Thank you very much indeed.

I now want to move on. Just to explain to you we now have two speakers, and after the two speakers I am going to move on to the afternoon's business in the hope that we can all get away much earlier this afternoon, with your full co-operation.

In the first place, can I ask for your full attention please for the contribution of Jerry, I can never pronounce your name properly Jerry, Jerry Zellhoefer, from the AFL-CIO who is the European representative and long time friend of the movement. He has been with us on many occasions. Could I ask you, Jerry, to address Conference? Thank you.

Jerry Zellhoefer, AFL-CIO, *Fraternal Address*

President, I would like to point out that the Standing Orders Committee report number 1 has me listed as speaking not only for the AFL-CIO but also the ICFTU. Given that, I must request double time.

Senator Joe O'Toole, Congress President

I thought you were going to say it was the CIA rather than the CIO. That's alright, you've put me at my ease there you know.

Jerry Zellhoefer, AFL-CIO

I also see according to the agenda that I am due to speak shortly before John Monks, and that is quite a challenge. I will think of this as a warm-up act for him, perhaps better before than after.

President O'Toole, General Secretary Begg, Sister and Brother Delegates, Friends of the Congress, it is again an honour and pleasure to bring you the warm greetings of solidarity from President John Sweeney, Secretary Treasurer Richard Tremca, Executive Vice-President Linda Chavez Thompson, the Executive Council and the thirteen million members of the American Labour movement's the AFL-CIO. We have had over the many years, and continue today, to keep a close working relationship based on our shared values of solidarity and dignity and justice for working families on both sides of the Atlantic, indeed all around the world.

First of all, I want to express our profound thanks to you, the ICTU. This is the first time the AFL-CIO addresses you directly since September 11th 2001. Two years ago on that date Joe O'Toole, Peter Bunting, Penny Shantz, my wife and I were having lunch together just outside the TUC Congress Hall. In fact, we were talking about the Good Friday Agreement. When we returned to the opening of the Congress afternoon session we were all stunned to hear Congress president Bill Morris announce the breaking news of the unimaginable attacks on the World Trade Centre. In the days and weeks that followed the AFL-CIO received letters by the thousands from trade unions and individual union members from all around the world expressing shock and condolences. Your messages of sympathy and solidarity were indeed moving and inspiring. In the months and now years that have passed the scars, especially those borne by the families and loved ones of those heroes and heroines like the union fire fighters, police officers and flight crew who lost their lives, may never be fully healed, but they are consoled by the compassion and solidarity you and your families have expressed. Again, thank you.

These past two years have been difficult ones, especially for trade unionists in many parts of the world. Just two weeks ago the ICFTU released its annual survey of violations of trade union rights: Columbia tops the list, for the killings, abductions and threats of violence continue against trade unions, and for the perpetrators, there is virtual impunity; Burma with its slave labour; Zimbabwe, Venezuela and Belarus are

not far behind in their ruthless authoritarianism and efforts to stamp out any independent democratic trade unionism, and any democracy itself. These are some of the worst, and there are all too many others.

But violations of trade union rights are not limited to only developing and transition countries. Complaints have been filed not long ago in the ILO's Committee on Freedom of Association against the Governments of, for example, Japan, Canada, Spain and Sweden. The AFL-CIO recently filed a complaint against the US Government because of a Supreme Court decision concerning migrant workers. Indeed, your own union, MANDATE, has very recently filed a complaint with the Committee on Freedom of Association concerning the abuse of rights of Irish nationals working in the South African Embassy in Dublin. As a member of that Committee I look forward to taking up that case, hopefully this coming November.

In the US we have a President, Administration and majority in Congress that clearly favour the powerful and wealthy. The recession that began in 2001 has not ended. Two million workers have lost their jobs since the recovery was proclaimed. Poverty and inequality are on the rise and wages are again stagnating. The lowest interest rates in more than a generation and the abrupt turn of US fiscal policy from record surplus to record deficits have thus far failed to get the economy moving.

One reason that the US is still suffering after the aftershocks of the largest stock market collapse in our history, a staggering \$7 trillion dollars, that is 7 followed by 12 zeros, is wealth has vanished from the US stock market. At the AFL-CIO we estimate that a trillion dollars has been lost from workers' pension funds in the companies that have failed as a result of corporate abuse.

At the centre of the collapse is the worst corporate crime wave in a century. Corporate executives were caught literally plundering their own companies for personal profit. The breakdown of accountability was total by Company Boards of Directors, CEOs, auditors, bankers, executives, lawyers. The US, long the vital engine of world growth, is now burdened by the largest trade deficits on record. We must now import \$1.3 billion in capital a day, yes that's a day, to cover the difference between what we sell and what we buy. Our net national foreign debt is now at 25 per cent of GDP and rising rapidly.

As for benefiting the wealthy, the president and his administration have been solid advocates. The tax reductions proposed by President Bush for fiscal year 2004 would benefit the most rich. Pat Rabbitte's address Monday included noting that the Government here has allocated resources six times more to the top 30 per cent income of the population, well under President Bush that has been outdone. Bush's proposal: US millionaires would get a tax reduction of more than \$300,000, but the typical taxpayer in the US would save less than \$300! And the tax reductions will clearly have negative impacts and result in cuts in important programmes for the poor and working American families like Medicare and Medicaid, education, low income housing and transportation. Many of the states are already in fiscal crises with working people and the poor suffering the most. Under President Clinton there was a budget surplus. Now, according to the House Budget Committee, the 2003 federal

budget will result in a deficit of \$400 billion if the Bush tax cuts go into effect, and the war with Iraq costing in the tens of billions of dollars!

President Joe O'Toole said Monday that one can't have Texas levels of taxes and Scandinavian levels of services. Very true. That reminds me of the Motion you adopted two years ago titled 'Closer to Brussels than Boston.' Well Sisters and Brothers, in the last two years you are indeed closer to Brussels than you are to Dallas. We need, however, to strengthen the transatlantic labour dialogue in the meantime.

September 11th 2001 remains a crime without justification, but that horrendous crime cannot be isolated from a global economy that fosters growing inequality within and between countries. Poverty, corruption and desperation are the breeding grounds from which terrorists can recruit. Global stagnation worsens that depression. The ILO reports 20 million more unemployed across the world in the past two years. The developing countries are still so indebted that they are net exporters of capital. The global system, the global economy, must be made to work for working people. Our first priority must be co-ordinated, sustained, efforts by Japan, Europe and the US to get the global economy going. The US can no longer be the sole engine of global expansion. To restore confidence fundamental reforms must go forward on corporate governance and accountability. The US experience serves not as a model, but as a caution for strengthening the laws and institutions that hold corporations accountable, not only to their shareholders, but to their stakeholders and to the global community.

While global growth is essential, it is not sufficient. The repeated commitments of Governments to address poverty and desperation in the developing countries must finally be turned into action, both as a matter of basic decency and as a matter of global security. It is vital that the industrialised countries fulfil the pledges to devote seven tenths of one per cent of their national income to developmental systems. It is time to stop promising and to start delivering real and significant debt relief, and globally we need to co-ordinate efforts to build a more just and sustainable trading system. Progress on trade and investment agreements can take place if and only if negotiations lead to a more just and sustainable global economy. Fundamental to this is the right of workers everywhere, without distinction whatsoever, to join and form trade unions of their own choosing, to freely bargain collectively, and as well through legislation to achieve a sustainable redistribution of wealth and secure human dignity.

Lastly, we are doing our part in the United States, in spite of the adversities. We are organising in greater numbers as a priority, and we note with great interest the Motion you adopted Monday on Recruitment and Organising. We are also preparing, well in advance, for the critically important elections across the country in 2004.

Since John Sweeney became president of the AFL-CIO in 1995 the Federation has made organising the top priority. US labour laws have historically been weak, and organising requires commitment and resources necessary to expand our base and change the direction of priorities of the American Government to benefit working families, the poor, and defend workers' rights to organise everywhere. This coming Labour Day in the US, Monday September 1st, we will be doing much more than observing a holiday. We will use that day, indeed the whole weekend, to organise

town hall meetings, labour in the pulpits, teach-ins, media events, marches and planning nation-wide workers' freedom rides to support immigrant workers' rights. All with the theme that *millions of more American workers want to have the opportunity to have a voice at work and join a union.*

I will close with a quote from former Senator Robert Francis Kennedy who worked with Caesar Chavez in the Farm Workers' Union for justice for farm workers, and who was on the verge of capturing the democratic nomination for President in 1968 when he was felled by an assassin's bullet. He said, and I quote, 'Others look around and see things as they are and ask why. I dream of things that have never yet been and ask why not?'

Thank you Sisters and Brothers.

Senator Joe O'Toole, Congress President

Thank you Jerry, and on the basis that four minutes ago it became Independence Day in New Zealand, we'll wish you happy Independence Day.

David Begg, Congress General Secretary

President, Colleagues, I just want to thank Jerry very much for his contribution here this morning, and for visiting us here again.

You quite rightly recall that fateful day in September of 2001 when you and Penny, Peter, Joe and myself had lunch together just before the awful news of what happened in the United States. I think that there was a huge outpouring of sympathy in this country for the American people as a result of that, in terms of public demonstrations and people going to church services and so on.

And I just want to avail of this opportunity to say something to you which is quite important from our point of view. You will probably have known, I am sure, that we in the past year or so have taken strong opposition to the United States position on the war in Iraq. We have campaigned strongly also for the European social model and against the liberal democratic model which has come from the United States, and we have criticised strongly the project for the New American Century to which the current administration is so wedded. But I want you to know that on behalf of Congress and the Irish working people, that none of that diminishes...(tape ends)

Senator Joe O'Toole, Congress President

...Since taking up that onerous position we wish him well, and we welcome him this morning and look forward to hearing what he has to say. Mr. John Monks

John Monks, ETUC General Secretary, *Fraternal Address*

Monsieur le President, c'est avec plaisir que je suis venu a Tralee audjordhui pour

adresse votre Congres.

As you can see, I am working on my French. My wife, who is Dutch, said after hearing me trying to speak it, 'I never knew you had such a strong Lancashire accent'.

I have enrolled on a French course and told the new team at the TUC that by Christmas we should all be reasonably proficient at both English and French. When I told my wife that, she said 'which Christmas?' Watch this space....

Anyway, after 34 years at the TUC I have taken up the job as General Secretary of the ETUC, and am relishing both the privilege and the challenge.

In my view, trade unionism is at a crossroads: can we go forward? or do we reel under the pressures? And these pressures are not just confined to these shores, but affect workers in almost every land and continent.

Mass manufacturing and now all centre work is ebbing away from relatively high cost locations. At the same time, migration flows from poor and troubled countries are on a huge scale, and most naturally want to come to the European Union or North America where, though no one in the Third World believes the streets are paved with gold, they know there is a better life.

The next challenge is that the right wing politics are stronger than at any time since the Second World War. We have a President in the White House in whom most European citizens have little confidence, and whose closest advisers seem to regard unions as part of the axis of evil.

They are out to get us and their weapons of our mass destruction are familiar to you. They include privatisation, de-regulation, derecognition and demonisation, and maximising shareholder value. In their American, conservative world, collective bargaining is a threat, unions are an obstacle to be crushed and public services an area to capture for the profit motive. In their world, welfare states are expensive handouts to the lazy and undeserving. In their world, the entrepreneur is king, with huge salaries and pensions. The rest of us count no more than serfs. But the pressures are not just from the American neo-conservatives.

There are storm clouds in the skies of Europe, with huge disputes in Austria, Germany, France, Italy and Belgium as unions seek to protect hard-won gains on pensions, retirement ages and labour standards. Governments of the left as well as of the right want to boost employment and cut public spending. The slowdown in economic growth and the rising costs of pensions in particular are themselves creating huge pressures on the post war settlements, and so major challenges for Europe's unions. Do we fight to the last for the status quo? Or do we show flexibility and negotiate? These are the major questions for unions, and they are not just questions for each country, but for unions everywhere.

And this is where the European Union comes in. As your Executive Council's Report says of the Republic, there is a great ambivalence about whether you see

yourselves as an outpost of the US in Europe, or whether to be a regional European economy. Nonetheless, you have seized the European opportunities and done magnificently over the last 15 years.

In the UK we don't always get the point of Europe. We are never sure whether we want to be wholehearted Europeans or maintain an exaggerated sense of our own separateness and uniqueness. Yet the inescapable fact is that our destiny is intertwined with those of our near neighbours. The Euro sceptics cannot escape from these geographical, political and economic realities as they take refuge in a nostalgic dream for the pomp and circumstance of the British Empire.

And there are still too many in the trade union movement who miss the point. They ignore the facts which are:

- Where in the world has the best health services open to all, not just the rich? The EU;
- Where in the world are trade unions the strongest and best regarded? The EU;
- Where in the world are high living standards the most evenly spread? The EU;
- Where in the world are labour standards the highest? The EU.

This was true in 1988 before the collapse of communism and the Berlin Wall, and it is true today.

And the EU has been a great energising force for equality. Look at Italy, Spain, Portugal. Never mind Ireland - they have exploded economically as they have enthusiastically committed themselves to Europe. Not for them a semi-detached mentality. Ireland, despite the slowdown now, has higher GDP per head than the UK. That's shut up the comedians with their Irish jokes. The fact is that the EU has helped the poor to close the gap with the rich countries of our continent. It's been a massive engine for equality and solidarity. And its now on the verge of another adventure – to embrace the countries of Central and Eastern Europe as full members of the Union, and to see if they can accelerate in the Irish way and close the gap on the richer West. Yet even the Left can be blind to these achievements.

I, of course, recognise that many of the founders of the European Movement were far from being socialists, but, inescapably, it has been a force for equality and for a balance between economic and social progress. Alone it has the economic weight to stand up to America and set out a different path for the world, a path where welfare states and public services are central to society, where unions are respected social partners, where the aim of shareholders' value is balanced by obligations to workers, the environment and communities.

I would like us in the UK to embrace that way too. We should not teeter on the edge of every major European development, waiting and seeing, like the shivering child at its first swimming lesson. The more we put in, the more we will get out. The greater the commitment, the greater the rewards.

I have been very impressed with what you have done over the past 18 or so years, culminating in the vote in March on *Sustaining Progress*. I followed that debate closely and I understand the critics' position, though I appreciated more the leadership of your Executive Committee. My own view is that you are doing the right thing.

We in the UK, especially in Britain, made a historic mistake in 1978 when we went for free collective bargaining instead of the Social Contract. Some groups have done well, but most lost out, losing, for example, national level bargaining in many sectors during the years of high unemployment that followed 1979 and the Thatcher election victory. After that decision of ours, and the strife that followed, we became exposed to Thatcherism and all that went with it. We would, I suppose, have never been able to keep a TUC/Government deal going through the Thatcher era, but who knows - we might have avoided the Thatcher era.

Your pacts have coincided with the period of marvellous Irish economic performance. You are part of the national success. That's the best defence against the Right, and the best advert for trade unionism that you can have.

You've also taken to the European social partnership way. Again, I know it's not unanimously supported in this hall, but I believe it's easily the best way. I happen to believe that the best societies are those which reconcile a lively market economy with a strong sense of public service, which balance entrepreneurship with social partnership systems which do not limit companies' obligations so that they are only responsible first, second and last to shareholders. Those are all characteristics of the European social market system as it was defined by Jacques Delors.

These are what mark out European Union systems from the American/British ones, yet they are under threat. Those European economies with slow growth, struggling with their own economic and unemployment problems, are attracted by that American way. So are some of the applicant countries. It's true of Governments of the Left as well as the Right, and you can see the results in current disputes in Germany, France and Austria and the tensions between New Labour and the TUC over labour law and public services. So, I am taking over at the ETUC when Social Europe is under unprecedented threat.

Corporate Europe should not, though, lick its lips. There's plenty of support for the European social model. The Report of the Convention on the Future of Europe sets out social dialogue as a central principle of the new, shortly to be enlarged, European Union. There are current exercises in the social dialogue procedures on agency workers and corporate restructuring which will come to fruition in due course. Social Europe has plenty of life in it, and I shall be promoting it. I will need all your support.

These have been good times for Ireland and Irish trade unionism. And all trade unionists on both sides of the Irish Sea look forward to good, peaceful times in the North.

It is obviously a matter of great concern that the peace process is becalmed, that is

probably the wrong word – stopped is better, and I hope that it can be re-started soon on the basis of an end to the war and to terrorism. Our fervent hope must be that Northern Ireland can, like South Africa, set an example of reconciliation to the world's other troubled, divided regions, and instead of tribalism, embrace tolerance and mutual respect.

These are the values that the ICTU, its Northern Ireland Committee, and the TUC have espoused through the Troubles. We have stuck together, looking to bridge the divides and divisions. I pay special thanks to many in this Congress for our close comradeships, including Donal Nevin, Peter Cassels, Bill Attley, Terry Carlin, Billy Blease through to David Begg and Peter Bunting today. Under their influence, the stock TUC answer to the question “what is your position on Northern Ireland?” has been “the same as that of the Irish Congress and its Northern Ireland Committee”. We said that even when we were not wholly clear what your policy was!

So, it is with great pleasure I address you today and come to pay tribute to a great trade union movement. May you grow and prosper and punch your full weight across Europe and the world, as well as champion the cause of opportunity, fairness, justice and peace in the whole of Ireland.

Thanks very much.

Senator Joe O'Toole, Congress President

Well, all I can say is Je parle un peu français. Très bien, Monsieur Monks. Bon voyage General Secretary of ETUC.

David.

David Begg, Congress General Secretary

I must say, I feel very deprived. I obviously didn't have a classical education like these two gentlemen before me! Sufficient difficulty with the second official language of the Constitution, but we'll move beyond that!

John I want to thank you for a really wonderful, visionary, speech. I want to thank you also for your great friendship to the Congress over many years, and in a personal sense to my predecessor Peter, and in the short time that you and I both interfaced, to myself, I really appreciated it.

I think that we are very fortunate in having now at the leadership of the ETUC somebody of your calibre at the time of such profound challenge as you outlined in your speech there. I detect from speaking to you in recent times at ETUC Executive Council meetings that it's very fortunate that you have the background that you've had in the TUC, because I think the political challenges of the TUC and the ICTU fade into insignificance by comparison to the political challenges of the trade union movement in Europe. But as was very clear at the meeting in Prague, you have taken them by the scruff of the neck and you've established, I think, a firm, commanding, leadership role at the ETUC.

You mentioned towards the end of your remarks that the TUC and the Congress had retained strong bonds of friendship in good times and in bad. And I think it's not without significance maybe just to recall that this is the ninetieth anniversary of the Lockout, and that was a time of huge difficulty; a seminal time I suppose for the Irish trade union movement. And the long struggle that was maintained at that time could not have been maintained without the support of the TUC. And that support was given continuously, despite what might have been seen, I think, as considerable ingratitude on our part at the time, which I suppose could perhaps be excused by the severity of the struggle which was being faced. But really, the solidarity of that period was enormous and has been continued in all the years since then.

And on this occasion John, of your taking over your new role, I'd like to make you a small presentation. It's the formal record of the Lockout of 1913, written by Pairic Yeats, who has come down for the occasion. Pairic's at the back of the hall here. Personally, I take the view that it's one of the best books of Labour history that I have ever read, and what might make it particularly valuable to you is that it contains a personal message of solidarity from Pairic the author to you. And that it's small, it's insignificant, I suppose in value terms, but in terms of our feelings to you, I hope you will receive it as being something of considerable value.

Senator Joe O'Toole, Congress President

Thank you very much. Thanks to both of our speakers. And just to say the book is on sale out the back - I'm on a 10 per cent on that one!

Pay, Conditions and Employment Rights (Motions 37 - 60)

**Principal EC Report references: Chapters 1 & 2, Reducing Inequality in Society Through the Elimination of Discrimination and a Fairer Distribution of Wealth and Achieving Pay and Conditions on a Par With the Best in Europe
(14.30 - 17.30 session brought forward from the afternoon)**

Senator Joe O'Toole, Congress President

Ok, so we're moving on for the next 30 to 35 minutes to Pay, Conditions and Employment Rights. That's the EC Report Chapters 2 and Chapter 1: *Achieving Pay and Conditions on a Par with the Best in Europe*; and Chapter 1 *Reducing Inequality in Society*.

I'm asking Tom Wall to introduce the section, and then I'll be calling on MANDATE to propose Motion 37. Thank you Tom.

I really would ask for a bit of attention. This is the most crucial of the pay issues that we're going to be dealing with, the whole commitment on low pay, and I would ask for your attention and support on this one.

Tom Wall, Congress Assistant General Secretary

Thank you President, Delegates.

Delegates, compared to our last biennial conference in Bundoran two years ago, we face a difficult and uncertain future. John Monks has more eloquently than I described the challenge faced internationally as a result of the downturn in the world economy, and as a consequence of globalisation.

Here, in the Republic, redundancy levels are running at more than twice the rate as of three years ago, and unfortunately the trend shows no sign of moderating. As we know, the public finances have gone from significant surplus to deficit, and the public services are under threat in a manner we haven't experienced since the early '80s.

There's been a perceptible shift to the right within the Government, and it was against that background that the negotiations that led to *Sustaining Progress* took place early this year and late last year. The fact that we could only agree on an interim pay settlement reflects both the difficulties in reaching agreement, and the level of uncertainty by all concerning the economy over the next few years.

In a situation where there are threats and uncertainties there may be an inclination on our side to batten down the hatches, and to focus on protecting our own differing,

sectoral, interests. This Delegates, I believe, would be an error that could have ruinous consequences for our movement, and indeed for the country.

We should have regard in these difficult times for other mistakes, and our achievements in the past, particularly in the last quarter century which I have a little more experience of than some of you. In the 1970s we in the Republic congratulated ourselves for achieving double digit, in fact up to 20 per cent in one year, pay increases, to see it all lost within a matter of months as a consequence of rising inflation and taxation. Although we on the trade union side enjoyed higher levels of membership coverage than we do now, our membership numbers went down significantly, and went into long-term decline as thousands of young workers fled the country.

The transformation that occurred since 1987 was not simply fortuitous. The primary credit for the formula that contributed to the recovery came from this movement. And it should not be forgotten that Congress at that time, and as it still does, faces great opposition in both political and business circles for its proposals to work through a consensus and partnership approach. And that opposition hasn't gone away, and it seeks to have us marginalised and ignored at the national and the industrial levels.

The gains made over the past decade and a half are of historic proportions, and go far beyond the dreams of even the most optimistic at that time. And as John Monks has said, we should be prepared to speak about our achievements as well as our mistakes. We have seen the scourges of unemployment and emigration largely eliminated. Average real pay increases, when account is taken of inflation and taxes, have increased at a higher level than any other country in the European Union. Living standards have moved from less than two thirds to exceed those of the EU on average, as John Monks has reminded us.

However, some people would say this is purely a consequence of growth, growing economy, wages, living standards rise. That's not necessarily the case, as Tom Woodruff told us yesterday. During the height of the Reagan boom, and for quite sometime after, for the vast majority of workers, other than those at the highest earning bracket, average wage increases were below inflation. In other words, there was a real fall in living standards in a period of record growth in the United States. Happily that didn't happen here, and it didn't happen here because we took a different approach, and that approach was largely guided by our strategy.

Of course huge issues of inequality remain to be addressed, but even here there are some indications of progress. ESRI surveys are now showing that the gap between the highest paid workers and the lowest paid are narrowing significantly after a decade of widening. Of course there are downsides, and our economy and society is still held back by class privilege, by inequality and injustice, and it's natural at conferences such as this that we should concentrate on these evils. But there's always a danger that in highlighting problems like this, problems that we haven't been able to sufficiently resolve, that the message that goes out is one of failure and helplessness. Nothing, Delegates, could be further from the truth.

Through our unity and self-discipline we have in the past helped to achieve what no-one thought possible. More than ever, now, that unity and solidarity is needed. Our ability to change things derives from the membership of working people in unions. And it is from their commitment and the unity generated by unions working together within Congress that our strength resides.

In the difficult times ahead we need more than ever to preserve and enhance this unity.

Thank you President

Senator Joe O'Toole, Congress President

Thank you Tom.

Now I ask for a proposer for Motion 37 in the name of MANDATE.

John Douglas, Congress Executive & MANDATE, *Motion 37 (Low Pay)*

Mr. President, John Douglas, MANDATE trade union, proposing Motion 37.

Brother Tom Woodruff yesterday from the USA described in very stark detail the unequal society which the USA now is. Unfortunately, we here in Ireland, in this island, can take no solace in the fact that that's thousands of miles away because our society is unequal as well.

The argument is not closer to Berlin or closer to Boston, but Dublin versus Delhi. That is, unfortunately, an everyday fact for our members. Ireland is one of the most unequal societies in the world.

Irish CEOs, like their partners in the USA, have also exercised massive stock options, invested offshore and consistently lined the pockets of those in power. MANDATE trade union, as a union which organises, we've what, 16,000 members in 1994, we've 40,000 members today, we organise low paid workers, part-time workers and young workers. But despite all those years and a so-called Partnership, the poor are getting poorer.

We have a two tier system in almost every sector of the social economy. My members, their children, their fathers, their mothers will be left waiting or dying on hospital waiting lists while others who can afford to pay will get immediate treatment in public hospitals by private consultants. My members' children will attend schools in rat infested prefabs, while those who can afford to pay will seek out private, fee paying schools. My members will wait on local authority housing lists while those who can afford to pay and invest continue to push house prices ever upwards.

The trade union movement needs to seriously re-focus its priorities, and not only for the next two years to the next Conference. Congress needs to commit to action in the support of low-paid workers. There needs to be a serious attempt to re-distribute wealth; and those who have done well in the TU movement, be they private or public

sector workers, must now put their own self-interest aside and fight for low-paid workers. Unless the leadership of the trade union movement adopts such an approach the movement will continue to be alienated from vast swathes of the working class.

My members are no longer prepared to fund the trade union movement which has forgotten them. There is no partnership in exploitation. There is no partnership in inequality.

Do the trade union movement a favour and drop the word partnership, and let's start delivering, as a united trade union movement, for low paid workers. Actions speak loud than word Brothers!

I move Motion 37.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much John.

Seconder?

Brendan Archibald, MANDATE

Brendan Archibald, MANDATE. President, I want to formally second the Motion before Conference, and I just want to refer briefly, if I may, to the debate that took place in MANDATE around *Sustaining Progress*, just by way of explaining briefly the union's position.

In the absence of a number of elements, particularly minimum flat rate increases, some people within the union concluded that because MANDATE was probably going to vote against the proposals anyway that our items would be dropped from the negotiating agenda. Other people within the union questioned the benefits of affiliating to Congress. Now I disagreed with both of those positions, as a number of our delegation here today did, and we argued within the union that we were not being shafted in relation to *Sustaining Progress* and that we should stay within Congress, and that was the view I'm happy to say prevailed. However, I think it's important to understand the frustrations of people who feel let down by the process.

Now tomorrow, President, with your permission, I hope to move Motion 73 on Global Solidarity. But right now I'd like to talk about, briefly, our domestic or our internal solidarity, and I'd like Congress negotiators to make it easier for us to promote the partnership approach within the union.

I expect national agreements negotiated by Congress to reflect the concern for low paid workers that John Douglas referred to. It's not an ideological opposition that we have to the process, it's just a dissatisfaction with the terms, and we're asking basically for Congress solidarity in relation to the terms of these agreements,

particularly for low paid workers, and particularly in relation to flat rate minimum increase.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Brendan.

Speakers to the Motion? Thank you

Thomas MAhaffey, UNISON

President, Delegates, Thomas Mahaffee, UNISON, supporting Motion 37 on Low Pay, with a particular focus on the minimum wage in Northern Ireland.

Low pay is inherently linked to poverty, social and economic inequality and poor health. £4.20 per hour doesn't tackle this inequality, or the humiliation and exclusion faced by tens of thousands of low paid workers, mostly women and young people. These kind of sweatshop wages aren't paid because employers can't afford to pay more, but because they are exploiting groups in society who have no power to ask for more.

UNISON is calling for £6 an hour and over to lift workers out of the poverty trap. There must no longer be age discrimination in this. It is not that the country can't afford to pay more.

The message to such workers who come from areas and groups of greatest disadvantage is that the Government doesn't think they are worth it. The end to low pay, and the implementation of a decent minimum wage, would help the peace process and lead to social cohesion. Local people would see a real change in their circumstance and young people would actually feel they are stakeholders.

This movement has to keep the pressure up and keep reminding Government that the minimum wage is not a bargaining chip for elections, it's about real people and their survival.

Please support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much. Thank you.

Connie Milligan, UNISON

Chairperson, President, Delegates. Connie Milligan, UNISON, supporting Motion 37 on Low Pay.

When UNISON gave evidence to the Low Pay Commission in Northern Ireland we did it in conjunction with community groups and anti-poverty groups. We felt that this followed through with all of our work enabling the most disadvantaged to speak for themselves.

I come from an area that has known the worst of poverty, and families that have known the worst of damage. I am sick to death of them being seen as the problem. I have seen how people from my area have jumped at any chance for a real job to make a real difference in their lives. They have problems, but they are not the problem. They have potential. They have capacity. And like me, if they are given the opportunity they will use it.

Our job is to stop the scandal of low pay, but the most powerful campaign is to give communities the chance to speak for themselves, to organise for themselves and to support themselves.

Please support this Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you.

Any other speaker to that Motion?

In that case, I will put the Motion. All those in favour of Motion 37 on Low Pay? Please show. All those against? Carried unanimously.

At this stage I want to invite for five minutes Francisco Ramirez, the President of the Colombian Mineworkers' Union, to address Conference. Francisco is addressing a meeting at lunchtime upstairs, organised by the Global Solidarity Group, in the Park View Room at one o'clock. Francisco is President of the Colombian Mineworkers' Union and he's been a member of that and of the Human Rights Commission of the Colombian Congress of Trade Unions for years. He's an expert in all that area, and I would ask Francisco to come to the platform now please.

Francisco Ramirez, President Columbian Mineworkers' Union

I'd like to thank you, I'd like to thank the General Secretary and I'd like to thank Alisa from the Solidarity Committee of Congress for inviting me here. And also from the trade union movement in Columbia I'd like to thank you for your solidarity, for your commitment to workers' rights in Columbia. I'd like to invite you to the meeting afterwards that's organised jointly with Amnesty International where we will explain the grave situation facing our trade union movement in Columbia.

Historically, from 1928, when the workers from United Fruits went on strike and 3,000 of them were murdered, the US multinationals have carried out this policy, and in recent years have again murdered 3,500 trade unionists. From 1986, when the

Congress of Trade Unions was set up in Columbia, one trade union leader has been murdered every three or four days. In the year 2000 over 240 trade unionists were murdered, last year 184 were murdered, and so far this year 44 trade unionists have been murdered.

Those who are responsible for the majority of these murders are foreign multinationals, against which we have issued lawsuits, such as Coca-Cola who we are suing for the murder of 8 Colombian trade unionists. We've also issued a lawsuit against Drum and Co. for the murder of 7 trade unionists. We've also issued a lawsuit against Occidental Petroleum for its use of mercenaries who ordered the aerial bombardment of the small town of Santo Domingo where 17 people were killed, six of those under the age of eight years.

That is why the International Confederation of Free Trade Unions says that Columbia is the most dangerous country in which to exercise trade union activity. It's because of our opposition to the economic model. 18 per cent of our population live on less than €1 a day. What happens in our country can have consequences here in Ireland, as has happened in the past where it's had consequences for workers in the United States and also in England. That's why I ask you from my heart for your solidarity for the Colombian trade union movement.

I've come to say to you that we will survive in this struggle of resistance only if you show class solidarity with your brothers and sisters in Columbia.

Thank you for listening to me and I hope to see you at the event at 1pm.

Senator Joe O'Toole, Congress President

Delegates, could I just say sorry. The sound is gone, the sound is gone.

Just to say this, Francisco has survived four attempts on his life in the last two years. He still struggles on, fighting for the rights of trade unionists world-wide, and I'm delighted that you showed such appreciation for him and to him. And just to say that that meeting and his discussion will continue upstairs in the Park View Room at 1pm, and there's lunch provided, so any of you who are interested you might look in there.

Thank you very much indeed.

We'll be back at half two with the FUGE Motion.

LUNCH

Senator Joe O'Toole, Congress President

Can I just call you to order? We're a bit thin on the ground as we stand at the moment.

There's a lot of Motions to be taken this afternoon, and this morning we opened the section on Pay, Conditions and Employment Rights, and we took the first Motion on Low Pay, that was the MANDATE Motion. And we also took the report from Tom, so that Motion was proposed, seconded, spoken to and it was adopted.

We're now continuing on to the next Motion there, Motion 38 in the name of the Federated Union of Government Employees. So could I have a proposer on that one please? Thank you.

Mick Coffey, FUGE, *Motion 38 (Low Pay)*

The perception, in general, on public servants is that they are well paid and have secure employment. This is a complete misconception in regard to the people I represent who are paid an average of €300 each week, before taxation and PRSI, just a couple of euros above the minimum wage.

After 15 years of speaking at this Conference on low pay very little has changed for low paid grades in the civil service. In fact, sometimes I wonder what more I can say about it, meaning low pay.

The inequalities are many for the grades I represent. There's discrimination on promotional opportunities, discrimination regarding holiday entitlements and even discrimination against them when they travel, when they're forced in some situations to stay in inferior accommodation and actually eat different food than other high paid civil servants. Long incremental further compounds the problems of low paid grades, placing many in a position where they must rely on local authority housing, and that's a bit of a joke at the moment because there is no local authority housing to avail of.

Many of these workers never reach the top of their pay scale before retirement and are subject to low pay for half of their working life. The people concerned feel trapped, threatened and disillusioned with the inadequate pay system that still exists in the civil service. The inequality continues when they reach pensionable age, as low pay means low pensions.

Across the board pay increases have not worked in this present form. This must be addressed in the future. I'm not going to bore you with statistics today, because it's coming near the end of the Conference and I'm sure you understand what low pay means. My members certainly do.

The recent benchmarking award demonstrated once again the policy of rewarding the less well off with the least amount of money. The families are further compromised, as mentioned with John Douglas this morning, in regard to the health system and equal opportunities for their children.

There is much talk about partnership in the civil service at the moment, and I can tell you that my members do not feel equal partners to this present Government. During the so-called good times and economic boom - what boom? - I heard nothing and I didn't see anything. The low paid were forgotten about when there was opportunity

to rectify the huge gaps in living standards and social structure. I'm afraid the ICTU missed the opportunity in those days.

To conclude Delegates, the new millennium must bring change, and must change the inequality for low paid workers in the public sector.

I urge you to support Motion number 38.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Mick.

Have I got a seconder for that? Formally seconded. Any speakers to that Motion?

Well then, I'll put that Motion. All those in favour? Please show. All those against? Carried unanimously.

Motion number 39 in the name of the TEEU, National Bargaining. Can I have a proposer on that?

Owen Wills, Congress Executive & TEEU General Secretary, *Motion 39 (National Bargaining)*

President, Delegates, Owen Wills, TEEU, moving Motion number 39 on National Bargaining.

The TEEU accepts and does not seek to change the current protocol for determining if Congress should enter into discussions on any future national agreement, and that this decision could only be taken at a special delegate conference convened for that purpose. Our Motion is not to determine whether we should or should not enter national agreements, but sets out a strategy for the conduct of such negotiations, having in the first instance determined at the special conference to enter these negotiations. This Motion facilitates all affiliated unions with the opportunity to influence and strengthen their ability to secure the best possible and appropriate terms for its members in any future national negotiations.

To do that, we are asking this Conference to mandate the Executive Council to structure a negotiating team that ensures 1) that a representative group from the Congress Public Services Committee engage directly with the public services employers, and 2) that a representative group from the Congress Private Sector Committee engage directly with private sector employers on all issues under negotiation, including pay.

Delegates, the manner in which the negotiations have been conducted during these talks have been a matter of concern, debate and, I would say, acrimony within the Executive Council members of the Republic during the last number of national agreements. To ignore the potential damage and consequences to the solidarity of the

trade union movement, should this process continue, in my opinion would be a very grave mistake.

Delegates, this Motion, if carried, does not seek to establish or promote a pro or anti stance on national agreements, nor does it undermine the existing procedures or authority of affiliates to determine if we should enter negotiations or if we should accept or otherwise the outcome of such negotiations. The single purpose of this Motion would be to change the existing syndrome of smoking mirrors, of drip feeding vital information to the Executive Council, and the appalling circumstances that arise where proposals seem to emerge and have been agreed without the Executive Council having seen or discussed them.

Delegates, I know you would agree with me that the talks on national agreements are of vital importance to your members. Surely they deserve that we conduct those negotiations in a transparent and effective manner.

Delegates, if you want your union, its members' interests, to be protected and advanced, would it not be better that representatives of the Congress Public Services Committee and the Congress Private Sector Committee would engage directly with the respective employers and progress their respective interests under the aegis of the Congress Executive?

Martin Luther King once said that the character and ethos of an organisation or individual is not determined in times of comfort, but in times of challenge. The future challenge for this Congress will be its ability to sustain solidarity while accommodating the differences within its affiliates.

We believe that this Motion will help to retain both, and we urge you to vote in favour.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Owen.

Could I have a seconder for the Motion?

Eoin Ronayne, Congress Executive & CPSU

Colleagues, Eoin Ronayne, CPSU, happy to support the Motion.

As an outgoing member of the Executive, and having been on the previous one that agreed the *PPF*, there has been a considerable amount of concern at times amongst Executive members about the process in which the final deal emerges on the table. And I think the last deal, it's no great secret, was very difficult for the Executive Committee to come to a consensus on.

There's no doubt that, after the years of national agreements, that we have reached at long last the often mentioned crossroads we talk about at these Conferences fairly regularly. We've come to a point where there has to be a fundamental review. We have a breathing space in a sense. We have an interim review of this particular programme and every chance must be taken to use that, to build on the rather unfortunate experiences during the *Sustaining Progress* debate at Executive level.

The CPSU has, for a long time, allied itself to the cause to deal with low pay. And there's a great feeling amongst the membership of the CPSU, and indeed of all low paid workers, that the process of national bargaining, especially the most recent experience, does not work in their interests. There is a fundamental challenge facing this organisation to face up to the reality that there are many, many, many countless workers who do not join trade unions because they don't see a value to it. And I would suggest to you that the value of the trade union movement to most people is in the area of pay.

We have a challenge to deliver a model for the future in the interim review of pay and conditions, but also in the model that we develop for the future to address low paid workers. And it may be that the mantra that we have trotted out from time to time, which is the weighting towards the lower pay, may not be the way. We need to address it in a fundamental debate, within the movement, as to how we manage to redistribute wealth towards those on the lower points.

From our perspective we could look at models which involve a form of localised bargaining in the private sector, because there are clearly employments who make massive sums of money but are restrained, in effect, by the fixed award. For us in the public service, from our point of view, benchmarking has been a failed experience that did not deliver to the lower paid.

And there is an argument that says we could look at taxation, because, if you remember, the previous programmes were based on a mixture of fixed award and taxation reform, but the taxation reform on a number of occasions went primarily with those on the higher wages, on the higher scales. There is a need to re-direct taxation benefit to those on the lower paid wage brackets.

And our union would suggest to Congress that the Executive needs to look now, in preparation for the interim review, at how we can develop a pay strategy, as part of *Sustaining Progress* and onwards, which leads to a fundamental redistribution of wealth towards people on lower pay rates, on the lower pay structures.

I ask you to support this Motion.

Thank you.

Senator Joe O'Toole, Congress President
Thank you very much Eoin.

Peter McLoone, Congress Executive & IMPACT General Secretary

President, Delegates, Peter McLoone from the IMPACT trade union proposing that the Motion would be remitted.

This trade union movement has many problems, it faces many difficulties and confronts many challenges. It's also a movement with many strengths. Chief among them, and indeed fundamental to our success, is unity. And Colleagues, unity is not a slogan, it's our lifeblood, and reflecting on the contributions that were made by Sally Anne and the speakers from SIEU and the TUC, and again on what John Monks had to say this morning, our trade union movement here in Ireland is one of the most successful in Europe and clearly boxes well above its weight on the global stage. And can I suggest that central to our main achievements and successes has been our capacity to develop and deliver individual adherence to a collective strategy over the last 15 years, both in our dealings with employers and Governments North and South of the border.

The 32 Delegates that are here from IMPACT are not here simply as public sector workers. They are here as fully fledged trade unionists, and are as strongly committed and interested as anyone else in the hall to the issues we have debated over the last three days. And when we leave Tralee tomorrow our resolve to support, resource and work with David, Congress and the Secretariat to pursue the entire implementation of the resolutions and policies will be total.

We don't like labels - 'private sector', 'public sector', 'voluntary sector' - when it comes to defining trade unionists or trade unionism in a Congress context. I don't believe it's good for the movement, it is proving divisive and it's certainly represented by certain sections of the media in recent months as evidence of a divided movement.

Now this Motion is unnecessary and does not reflect the reality of what happens on the national stage when it comes to central negotiations. The reality from somebody who chairs the Public Services Committee of Congress is that Government will not sit down and talk to the public service unions about pay until the rate is agreed by IBEC and the private sector and Congress. That's the reality of what happens.

Now we're due to review the total process of what went on in *Sustaining Progress* in the autumn, and I suggest that the appropriate thing to do with this Motion, with respect to the TEEU, is to agree a reference back and let's deal with problems in the process when we come to review this with the Executive Council.

Thanks very much.

Senator Joe O'Toole, Congress President

Can I have a seconder for the proposal to remit it? Formally seconded. Thank you.

Can I just ask the mover of the Motion, Owen, is he formally accepting the proposal to remit?

Owen Wills, Congress Executive & TEEU General Secretary

President, Delegates, the TEEU Motion is not about disunity, it's not about disharmony. It's about recognition of reality, and it's about confronting reality and dealing with reality and understanding that there are differences within our organisation and we should best structure the negotiations to accommodate those.

Notwithstanding these comments President, and the comment about disunity, we would be very happy to remit the Motion on the basis that it forms a central part of our discussions in the autumn. And it is our intention to play a full part with every union and affiliate to go forward from there.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Owen. Thank you very much.

Before concluding this section can I ask the General Secretary, now that the Motion is remitted, I'm just asking the General Secretary to wind up that section.

David Begg, Congress General Secretary

President, I just wanted to say a word on this because I want to say I appreciate very much the sincerity of what has been said by Owen there, and I thank him for agreeing to remit the Motion.

And to say, from my point of view, that I recognise that the process that we engaged in in negotiating *Sustaining Progress* did reveal serious tensions between ourselves. I do know that after 15 years or so it is very hard to get the correct negotiating arrangements in order, to get the most effective engagement with the employers and Government. The proposals we've made about special meetings at the Executive Council in the autumn I think will be useful.

And I want to say, from my point of view, I recognise the strength of the feeling. I take it very seriously and it will be my ambition, as far as I can as General Secretary, to come out of that process in the autumn with a mechanism for engaging with Government and employers in the future which will be healing and bonding and will eliminate, in the future, some of the tensions with which we've had to deal in the last set of negotiations.

Senator Joe O'Toole, Congress President

Thank you very much David.

Just to remind people that there are still, believe it or not, some people who haven't collected their ballot papers. Maybe they don't need them, but you should collect them anyway, and as soon as you can please.

Motion 40 in the name of the Operative Plasterers' and Allied Trades' Society of Ireland. Do I have a proposer please?

Out of order? And the next one is the same?

Motion 42, Interim Agreements on Pay and Related Issues from AMICUS. Proposer? Thank you. No one to propose 42? Formally proposed. Formally seconded.

Put it to the house?

All those in favour? Please show. All those against? Carried. Now that's a bit dodgy now, but ok.

Motion 43, Teachers' Union of Ireland, Negotiation of Conditions of Service.

Paddy Healy, TUI, *Motion 43 (Negotiation of Conditions of Service)*

Paddy Healy, Teachers' Union of Ireland.

My union are concerned with another aspect of the process employed in dealing with *Sustaining Progress*, namely, the area of conditions of service. And by way of illustration, if we take the *Programme for Competitiveness in Work* that made provision for local bargaining and set out parameters and limits under which this would later take place, as a result, two sets of negotiations were initiated by my union. One on behalf of second level members and another on behalf of third level members.

The negotiation on behalf of second level members were, as usual, conducted together with the other teacher unions, and we ourselves conducted the negotiations on behalf of lecturers in the Institutes of Technology. Separate ballots took place on the offers negotiated, which involved pay rises and changes in duties and other work arrangements. Only the members in the Institutes of Technology voted on the third level deal, and only the members in schools voted on the second level deal. As it happened, both were voted down and we re-negotiated both, and as usual again, they were eventually carried.

In contrast, the arrangements for negotiations and decision making under *Sustaining Progress* were quite different. Now my union recognises that difficult circumstances were created by Government insistence that the new partnership agreement and the benchmarking awards be considered together, and their insistence that a single 'yes' or 'no' be given by all public service unions to the benchmarking awards as their precondition for paying the award to anyone. The matter was further complicated by the insistence by the benchmarking body that the catch up awards be made conditional on productivity concessions.

It was very difficult to reconcile all these requirements, and my union recognises that the Executive Council faced an unenviable task. Any solution was bound to have difficulties attached. For example, within my own union, members in each sector found themselves voting on detailed changes to the duties and conditions of service of

other members - which didn't affect themselves. And of course all members of ICTU found themselves voting on detailed changes to the duties and conditions of service of each public sector agreed. The changes went far beyond general principles, as in previous agreements, and far beyond guidelines, and included specific changes to the duties of each grade.

Sustaining Progress is now in place, the deal is done and will be honoured. And I suppose I should say at this time, when the Secretary of IBEC, the Director of IBEC, says in the *Irish Times* today that the Government should welch on it, we're not going to welch on it. And I know that any attempt by anyone else to welch on it will be resisted with the greatest possible determination, and I know that we will have allies throughout this movement if the Government lends an ear to the Turlough O'Sullivans of this world.

But the arrangements that led to the acceptance of *Sustaining Progress* cannot continue into the future. Such arrangements would allow the Government to target the conditions and services of specific grades in each successive agreement. Changes could be introduced which not only worsen the conditions of service of members, but also seriously damage the service given to the human beneficiaries - the pupils and the students in our case - by changes that were inappropriate for the service concerned.

My union believes that it is vital that these changes are avoided in future negotiations. The next set are to begin early next year. The complication, of course, of the *Benchmarking Report* will not arise on that occasion.

Our Motion is carefully worded in order not to preclude or impede the continuity of centralised bargaining, should the movement as a whole, democratically, decide to continue down that road. However, the Motion calls on the Executive Council to respect the integrity of each union or group of unions, in both the negotiations of the conditions of services of their members and in the decision making process relating to such negotiations.

I move.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Paddy, thank you. Could I have a seconder please? Formally seconded. Any speakers to that Motion?

Ok, I'll take then the next Motion to be proposed before I put the votes afterward.

Binding Arbitration, IBOA. Do we have any proposer?

**Larry Broderick, Congress Executive & General Secretary IBOA, Motion 44
(Binding Arbitration)**

President, Delegates, Conference.

As the Conference is fully aware, IBOA supports the concept of social partnership both at national industry and enterprise levels, but it's not a support that's unconditional. It's a support that's conditional on the issue of partnership being engaged on the basis of the definition of partnership, mutual respect, mutual equality, and above all, working for consensus.

It is IBOA's view that the recent concession by this movement, on the issue of binding arbitration, is a serious setback for this particular movement we identified right throughout the Conference when we debated on *Sustaining Progress*. It has huge implications for the movement going forward. Its inclusion effectively takes democracy out of industrial relations, and it restricts our ability to negotiating change by consensus, by agreement, and on the basis of what partnership is supposed to be about at national industry and enterprise levels.

And our sector, for example, an industry that has been criticised rightly so over the last number of days. We've looked at an industry that's creating €3 billion profit, and in terms of low paid bank officials who are faced on a daily basis by some of our employers outsourcing our work, trying to downgrade the pay and conditions of our members and threatening any claim will be rejected, and if referred to a third party will be found binding on us as a trade union going forward.

I suggest to this Conference it is not fair and reasonable that we should go into negotiations with our hands tied behind our back and let employers, on a daily basis, renege and breach all aspects of *Sustaining Progress*. And the position we're identifying in this Resolution is that we go into these negotiations, that will take place in the next number of months, and put down a very clear signal, and a signal to IBEC and a signal to Government, that binding arbitration cannot have a place in a new national wage agreement going forward.

I also say this to Colleagues, that we are all aware of the tremendous help and assistance sometimes that third parties give us when we go to them, and the concerns we have at the lack of consistency at some of those decisions that unfortunately seem to favour employers and Government. And now we're going to face into the future with a situation where our ability to mobilise our members going forward will be seriously undermined, going to two parties, and I think a clear message from this Conference has to be that this is an issue that needs to be revisited by the incoming Executive Committee.

I ask you for your support.

Thank you very much indeed.

Senator Joe O'Toole, Congress President

Thank you Larry

Tony Dunne, ESBOA

President, Delegates. Tony Dunne, ESBOA, supporting the Resolution, seconded formally.

My own union voted heavily against the terms of the last agreement or the current agreement. One of the reasons, not the only reason by any means, but one of the main reasons was the whole question of binding arbitration. And I have to say I agree with that. And I say this as somebody who's supported national agreements over many years, both now and in my former presence as an official in SIPTU where I fought for the people I represented at that time, who were people like contract cleaners and people like county council workers. I fought to ensure that it was a good deal, by and large, that we got, and I still stand by that, and I still support the concept of it.

But I believe that we got the balance wrong this time. Now that doesn't mean to say we abandon the concept. I fear that we're going to find it difficult, now that the employers have got their hands on this particular piece, to get it out of any future set of proposals. However, we've faced difficult situations before and I'm sure that we will succeed in this one. I think it is important that we get this piece out as quickly as we can. My members don't want a situation where their ultimate destiny is taken out of their hands. That is not acceptable to them.

I'll say one other thing on this, and it's this - that on the whole I think that we've done well on the concept of centralised agreements, and I think it's in line with the ethos and the morality of the trade union movement, where we not alone sought to increase wages and improve wages, but also to increase and improve the social and economic factors around our members' lives. So I think we should stay with the centralised pay agreement elements, but I think certainly it is going to be increasingly difficult, certainly for my members and I suspect for many others as well, if we do not get as quickly as possible the binding arbitration elements out of it.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you.

Paddy Behan, SIPTU

Mr. Chairman, Paddy Behan, SIPTU. I support Motion 44 from the Irish Bank Officials' Association.

I spent a long number of years as a bank porter in the Bank of Ireland. I understand where the IBOA is coming from, and the outsourcing of jobs we're having and so forth. As far as the banks are concerned, it's all about profit. It's not about people at the end of the day.

We have people who have retired on the old pension scheme. And Tom Wall will know about this because he was in negotiations when we did away with the one and a half times the single person's rate from the pension. And these people are out on very small pensions from the bank, who gave their loyal service, and as according as the old age pension goes up, their pension goes down.

And the irony of the whole thing is this - as people who use banks, you're queuing in the streets in the lashing rain to get your own money out, and you're paying for it! You're paying for it yourselves to get your own money out of the bank! The last thing about it is you've less people employed now in the banks than you've ever had. And if we're to allow binding arbitration to be part and parcel of any other national wage agreement we shouldn't talk about Larkin, we shouldn't talk about Connolly, we should only be talking about IBEC.

Thank you.

Senator Joe O'Toole, Congress President

Thanks Paddy. You always give us a lift, that's for sure!

Any other speakers to that Motion? Well done. There's another speaker, ok.

John Gibson, AMICUS

Conference, John Gibson, AMICUS - not too sure whether I'm AEEU or MSF, but AMICUS.

As a matter of interest you'll actually note that AMICUS has formally moved its own Resolution in relation to this. But in relation to binding arbitration, I think you should actually take on board what actually would be the AMICUS view in relation to binding arbitration.

You may not realise it, but it was mentioned by Gerry Shanahan at the special delegate conference that binding arbitration is also the nuclear weapon that the union actually has in a course of negotiations. You may have forgotten that. I want to bring that to your attention - that in any situation that where companies wish to move on something, we can invoke binding arbitration. You've forgotten that. Don't forget it.

In respect of where you're actually saying it's not for future agreements, certainly that is something to be applauded for, and considered, but where it actually is in at the moment you have to remember we too can use that option. It's not up to the employers as well. We too can use it. Just remember that as well.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

I'll now put Motion 43, the TUI Motion on Negotiation of Conditions of Service. All those in favour? Please show. All those against? Carried.

Motion 44, Binding Arbitration and the IBOA. All those in favour? Please show. All those against? Carried.

I'm now going to take Motions 45 and 46 before I call on our next guest speaker. So Motion 45 from the NASUWT.

Tom McKee, Irish Representative NASUWT, *Motion 45 (North-South Relationship: Transfer of Pensionable Service)*

Mr. President, Tom McKee, NASWUT, proposing the Motion.

Our union, Mr. President, was very pleased to see the content of the Executive Council Motion number 11 on pensions, and in particular to see the high profile that was given to this issue of pensions. We fully support the action campaign that was outlined in that Motion, and we hope that, if this Motion is passed this afternoon, that the issue involved will be one that will be added by the Executive Council to the programme for action. And that issue is the very important issue of portability in the pensions, and in particular, portability for pensions between the North and the South - in both directions.

It may seem strange that we have to ask for this particular issue. Portability is a well known concept in pensions. It is possible to get transfer values on pensionable service when you move between different jobs entirely, and it's also possible to get transfer values when you move from the United Kingdom, for example, to other parts of the world.

And yet, the amazing thing, Mr. President, is that in the teaching profession the problem is absolutely acute. Amazingly, since partition 80 years ago there has not been a single transfer value struck for any teacher, whether moving North-South or South-North. It's an absolutely scandalous state of affairs, and it's one that we believe extends to other parts of the public sector and needs to be examined urgently.

What does the individual lose if portability is denied him or her? Well, obviously, the convenience of a single pension at retirement age. It's awkward to have to deal with two pensions or three pensions from different sources. There's the problem of indexing. In the North of Ireland we're plagued with indexing of pensions being based on the retail prices index. In the Irish Republic I understand that unions have made more progress and have secured indexing against in-service increases. But if you leave behind service and move to a new jurisdiction and your pension is linked to the retail prices index, when you reach retirement age on that pension you will lose the value of in-service increases from the date you left the jurisdiction until your retirement; and all you will get for that period will be the lower retail prices index.

But if that is not persuasive enough, there is another reason why the individual loses heavily by being denied portability, and that relates to health breakdown. Because if you are unfortunate enough to have a breakdown in health, and have to negotiate

infirmary retirement within a short period of time of the transfer to the new jurisdiction, you will find yourself in the unenviable position of being considered for an infirmary pension on the basis of a very short service that you have in the new jurisdiction.

Portability is an extremely important concept. Yes, there are problems, of course there are. Even take the teachers' pension schemes: in the North the scheme, the contributions, are at 6 per cent; in the Irish Republic they are at 6.5 per cent. In the North the teachers' scheme is restricted to teachers, but one of the three education schemes in the Irish Republic extends to employees other than teachers. You have the currency problem as well, one that we've had to grapple with in Congress. But Mr. President, all of these problems can be sorted out by the mechanism of a transfer value. That is precisely what a transfer value is there to achieve.

The teachers' unions, since the Good Friday Agreement, have worked very hard to try to make progress in this area. We have raised the matter repeatedly with the Department in Derry, we've lobbied the political parties and we've got considerable support, and there was some progress being made in the cross border secretariat. Unfortunately, of course, the secretariat has run into the rails, just as effectively as Stormont has, and we're now at a very serious impasse. This is a scandal.

We need urgently, the strong weight of Congress behind us in this particular matter. And we would also ask Congress to extend their scrutiny to all parts of the public sector to ensure that all employees within the public sector, whether North or South, are guaranteed portability, an essential element of any pensions packages.

I urge you to support.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Tom.

Seconding?

Alan Longman, NASUWT

President, Delegates, Alan Longman, NASUWT, in seconding the Motion 45.

Delegates, it's ludicrous in a situation where closer financial, business and cultural ties between both parts of this island are actively being encouraged by both Government jurisdictions, particularly as a means of harmonising relationships between peoples on this island, that impose a barrier to the movement of public workers is in place. It's ludicrous Colleagues, that the removal of this barrier is being stubbornly resisted by Government Departments, even after repeated representations, both politically and within the pensions consultative meetings.

Why, Colleagues, should there be no difficulty in accessing full pension entitlement for public sector workers moving from France to Belgium, or indeed for that matter from France to the UK or Northern Ireland, and yet public sector workers moving within the boundaries of this island are effectively discriminated against? It's a barrier, Delegates, that legislates against the European Directive on the Freedom of Movement of all public sector workers.

I urge you to support the Motion.

Senator Joe O'Toole, Congress President

Thank you.

Any speaker on the Motion?

Shay Cody, Congress Executive & IMPACT

President, Shay Cody from IMPACT supporting the Motion.

In this day and age we should be encouraging the mobility of labour between North and South. Hopefully, two points I can make will be of assistance to the proposing union.

The Commission on Public Service Pensions formally recommended that there would be full transferability between public service workers throughout the entire UK and the Republic of Ireland. And that was accepted by the Irish Government and talks are underway to give effect to it.

The second one is that NIPSA, SIPTU and ourselves in IMPACT are involved in talks around the construction of a pension scheme for the North-South bodies; and the two Government Departments that are overseeing that have accepted that people will be able to transfer their service, either from the North or the South, where they have public service employment records, into the new North-South bodies. And obviously, that would be a useful precedent to use in the teachers' discussions.

Support the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Shay.

No other speaker to 45?

Ok then, I'll put Motion 45 in the name of the NASUWT. All those in favour? Please show. Carried.

Motion 46, also in the name of the NASUWT. A proposer, please. Thank you.

Fiona Mannion, NASUWT, *Motion 46 (Privatised Employment Agencies)*

Fiona Mannion, teacher, NASUWT member supporting Motion number 46.

I work as a supply teacher in primary schools in Belfast. Supply teachers in the North and in the South are vital to the smooth running of school life. We step in at a moment's notice to provide professional cover for colleagues. We provide an essential service for schools, and without us chaos would reign.

We provide continuity of education for our pupils, but I have no access to internal training courses. Instead, to update my skills I attend computer classes in my own time, and at my own expense, so I should be rewarded accordingly. A fair wage for a fair day's work.

It's beyond belief, in 2003, that we do not have parity of pay nor the same pension benefits as permanent colleagues when employed by the recruitment agencies. The existing salary scales and pension scheme for teachers have taken years of hard work, by the NASUWT and other teaching unions, to negotiate and build up. It is the lifetime work of my union to get the best deal for all teachers.

However, we are the Cinderella of the teaching force at present. It's a return to Victorian times for us: no guarantee of salary increments, no occupational pension scheme for us. Conditions for us are moving backward, not forward.

The recruitment agencies do not recognise teaching experience fully. These agencies, together with the schools, make profit at our hard-earned expense. Each agency operates in their own unique way. With one agency we'd all be paid £90 per day, regardless of teaching experience. If we compare this to the actual daily rate paid by the Department, I'm top of my scale, I earn £135 sterling per day, this would represent a staggering £45 sterling loss of earnings, or 34 per cent loss. This doesn't sound like equal opportunities to me. Instead, it is great value for principals looking to scrimp and save money from all corners of the budget. Good business for the recruitment agencies too. A top slice of my salary is cut off by the agencies. My experience, built up within my years as a full-time teacher, is not rewarded fully. Yet in reality, it is my experience and skills and classroom management which ensures smooth running of a class of pupils. A grossly unfair wage for a fair day's work rates.

Further, most of the supply teaching force is made up of female teachers. Specifically, women are drawn to this part-time work due to the flexibility of the work. They are struggling to juggle the pressures of family life, maybe with the responsibility for the care of sick relatives, around some kind of paid teaching work. This some kind of paid teaching work notion erodes the carefully built up employment rights of the teaching profession. These workers are vulnerable to both the coy nature of the recruitment agencies and to schools trying to buy cheap teachers. Taking this into consideration, you can see now who this has become a matter of direct discrimination against - female supply teachers.

Then to add insult to injury, we're not part of the teachers' superannuation scheme in Northern Ireland. The recruitment agencies have not signed up to any pension scheme for us...(tape ends)...one agency claims to have included £5 per day, sterling, in their salary package for teachers to arrange their own pension scheme. We are left to organise our own pensions from our ever-decreasing salary levels! This is a real headache and causes real hardship for individuals.

As women form a majority of pensioners, especially very elderly pensioners, the danger to pension and poverties are particularly acute for women. The idea of making every day's work pensionable, wherever and whenever it happens to be, must be actively promoted by Congress, especially amongst women supply teachers in order to ensure that supply work and greater longevity do not combine to increase pension and poverty for our female members in the future.

If the recruitment agencies are now my employers then they should act like employers. They have a responsibility to enter into the teachers' superannuation scheme. To maintain high standards in the quality of supply of teaching we have to demand dignity of treatment at every opportunity. Our employment rights, which we have lost with the introduction of recruitment agencies, need to be restored. If at one stage, not so long ago, all supply teachers were paid directly by the Department, with the correct incremental points and pension contributions, then why shouldn't we receive these same rights now?

We deserve to be treated on the same level playing field as permanent colleagues. These issues need to be addressed time and time again. They are ongoing concerns of teachers. We need to continue to put pressure on the Departments of Education, North and South, to recognise our service, and upon recruitment agencies to sign up to the teachers' pension scheme.

Equal opportunities for all teachers is our goal.

Colleagues, I ask you to support this Motion.

Senator Joe O'Toole, Congress President

Thank you very much indeed, thank you.

Seconding?

Philip Sheerin, NESUWT

Philip Sheerin, NESUWT, seconding the Motion.

President, Congress, you've heard all about what Fiona has said about teacher recruitment agencies. They are part of the creeping privatisation that is beginning to cover the land. These agencies purport to do a good job for the schools that they serve. They're like what we call the yellow pages, or down here the golden pages, phonebook where we're exhorted to 'let your fingers do the walking.' True they can

save a harassed school principal hours on the phone trying to locate a suitable substitute teacher for someone who's phoned in sick on a Monday morning at half past eight, but at what cost?

Who provides these parasites with the profit margins? The school doesn't pay them a fee. The education authority doesn't pay them a fee. Brothers, it is, as Fiona pointed out, the individual teacher who must pay the agency for the privilege of a day's work that that agency has got him or her.

But what precisely does that mean in monetary terms? Let me give you just a few figures. Select Recruitment Agency pays a flat rate fee of £90 to the teacher. However, they can charge the school anything from £112.50 plus VAT to £148.50 plus VAT. This gives them an approximate daily profit from each teacher of £60. Diamond Recruitment Agency will charge schools anything from £123 to £172. They're a little bit better in paying their teachers than Select - they will pay them from £93 up to £137, but they also have a potential profit margin of £79 per teacher.

The educational authorities in the North need to put in place a strategic plan on how to deal with cover arrangements for schools, and put in place a no-profit making scheme that protects the salary rights, and equally importantly, the pension rights of those teachers involved in the very necessary area of supply substitute teacher cover.

If I could ask you to use your imagination just a little bit, to move forward to the third Sunday in September. A nice family day in Croke park. Derry are at Dublin. Anthony Tohill has been pulled off in the last ten minutes. I've been brought on as a substitute. During the last ten minutes I might score the winning point. I might stop Jason Sherlock from scoring the winning goal, or I might even just fill up the numbers and get on the pitch for the last few minutes in order to get my medal. Game's over, Derry has won their second All Ireland. I go up to the Hogan stand. Everyone's being presented with their medal and it comes to my turn. Sorry, you're a substitute, you can only get a little bit of a medal.

So I ask you colleagues, support the Motion. End the exploitations of supply teachers, of substitute teachers. Support the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you. Mind you, it sounds like a speech that was written before last Sunday.

Unidentified Speaker

Chair, Conference, speaking in support of the Motion. I'm really going to take a different slant on it, and it's about the use of agencies, but more through migrant workers and the increase of migrant workers being brought in.

As a novice in the TGWU (?) I've personal experience in the vast use of migrant workers, specifically within the area that I work, Craigavon - Dungannon area.

There's approximately 2,400 to 3,000 migrant workers brought in through agencies. The main agencies are agencies based in Dublin.

We've had numerous meetings with the agencies, meetings with the employers. Those meetings are set out basically to set out a minimum standard. We've yet to achieve that. With the companies themselves they have a belief they can't recruit locally, with one specific company recruiting at least 600 employees.

Now no one in this conference room will believe that a local employer couldn't recruit at least some people out of that 600. All those employees that are brought in through agencies are on less standards, holiday pay, overtime rates, long hours, some people working 50 - 60 hours on a flat rate. We've tried to improve that though, with the TGWU.

And what we're really calling on is, Conference, the unions that know companies that use agencies, that you push forward and demand a minimum standard. And we also call on Congress themselves to set those minimum standards out, publicise them and put them around to the unions so we can have some guidance on that.

Some of the things that do happen with agency workers is that they're brought in, mainly from Portugal, they're left with no help of integration into the community, they've no itemised pay slips. When they do get a slip it does not state their hours and what the deductions were made for. Their pay, if they do any overtime, they're paid at a 62p premium. Their minimum rate is £3.62. Now that's taking into account that they've accommodation taken out of that, but that's still a very low standard. Not only that, when an individual is dismissed, which I've experienced, the agency takes nothing to do with them when they have to go home. There's no financial assistance. They actually claw back the money that brought them over here in the first place.

So I do, I call on the Members here, and I also call on Congress, to turn around and set out, and I think we should demand that they set out, some kind of minimum standards.

So I support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much indeed. Thank you.

Anton McCabe, SIPTU

Anton McCabe from SIPTU, supporting Motion 46. Again, this is probably repetitive from our last speaker.

The area I want to speak on is the issuing of work permits by the Department of Enterprise, Trade and Employment to recruitment agencies and contractors. These are people who traffic workers to Ireland from Eastern Europe, South America and many other countries, and charge them exorbitant fees for their services. These

agencies, in turn, and contractors, sub-let these vulnerable groups of workers off to employers who exploit them in many ways.

I believe that this system is creating a lower waged economy with the blessing of IBEC, may I say, where the minimum wage is now becoming the maximum in many industries, and the national rates are being just discounted. I also believe that job security is being undermined and the density of organised workers is also under threat.

If you look in the Republic of Ireland last year 40,000 work permits issued, and only a handful of these people organised in the trade union. Over the past number years the abuse of migrant workers by recruitment agencies has been highlighted and investigated by my union, SIPTU, and we have been successful in putting a number of them out of business where they will not get permits for Eastern Europeans or Brazilian workers.

Congress has to call on the Department of Enterprise, Trade and Employment to cease accommodating these merchants of slavery. We also have to insist that our Government establish effective legislation to control employment agencies.

I ask you to support this Motion.

Senator Joe O'Toole, Congress President

Thank you very much.

That's Motion 46, Privatised Employment Agencies, from the NASUWT. So I'd like to put it to you now. All those in favour? Please show. Carried.

It's now, at this stage, my great pleasure to introduce our guest speaker. Just to say to you in the nature of things over the last century or more, relations kind of solidified between the various groups. We heard this morning from our two great partners internationally in the US and based in London. The other great part of that triangle with whom we have the closest of relations for many, many years is the Scottish Trade Union Congress, and I've great pleasure now in introducing an old friend of ours, Sandy Boyle, the President of the STUC to address us.

Sandy.

Sandy Boyle, STUC President

Well, thanks Joe.

And first of all, can I just say a few words on a personal basis, because this is really a very special occasion for me. I first attended an ICTU Congress in 1987 in Cork, when I was then Deputy President of NECPS, one of the civil service unions in the UK, and I was fortunate enough to attend as an observer right through until Killarney in 1993. At the Conference, which was really quite a milestone, I think, for me and trade union activity and commitment, I attended a benefit evening for Nicaragua

where Eric Fleming and Gerry Shanahan, who are both present here today, were playing. And through that I met some really good comrades like Tom Geraghty and Paddy Coughlan, with whom I've developed lasting friendships. And in my trade union work I've also had the privilege of working very closely first with NIPSA and the PSEU when I was in the civil service; and since 1992 with the IBOA, with whom I've worked very closely with Ciaran Ryan, and now Larry Broderick, in the fight to protect our members in the banking industry from some of the worst ravages of global capitalism. So in many ways, speaking here today is like coming home, and I actually feel among friends, and I have done since I arrived here on Tuesday.

But equally, I shouldn't forget that I'm not here in a personal capacity. I'm here as President of the STUC, and on behalf of Bill Speers, our General Secretary who's also here today, and the STUC General Council, our warmest greetings for a successful Conference.

As Joe said in introducing me, the STUC has enjoyed an excellent working relationship with ICTU, and in a wide range of issues. In particular, from across the water we've looked on in admiration at the excellent work done by ICTU and its Northern Ireland Committee towards the peace process, and where appropriate we've also given tangible support. And on behalf of our General Council I'm happy to join with you today in calling on the Westminster Government to fix a date immediately for the Assembly elections, which are an essential prerequisite for getting the peace process back on track. And I can give you the commitment that when we return we will be doing everything possible, in terms of any influence we may have with the British Government, to try and secure a deal on that as soon as possible.

On 7th November last year I attended a meeting of the Trade Union Council of the Isles in Belfast. We met against the background of the fire fighters' dispute, and the now infamous Prescott debacle, when a deal struck by the FBU and employers was blocked by the Government. And at lunchtime that day representatives of ICTU, the TUC, the Wales TUC and the STUC adjourned our meeting and joined the Belfast fire fighters on the picket line. That was really, I think, quite a historic occasion where worker representatives from throughout Britain and Ireland, North, South, East and West stood together in a powerful demonstration of trade union solidarity, with fellow workers in struggle who were fighting for dignity in employment and quality of public services. And I can't think of a more potent indicator of the importance we all attach to developing these closer working relationships.

And on the fire fighters' dispute, can I just say this - the failure over the last eight months, until recent developments, lies firmly at the door of the British Government, and not in any way with the leadership or membership of the FBU. Tony Blair and others have gone on record arguing affordability but the cost of settling the fire fighters' dispute would be inflationary, and would undo the financial prudence of the previous four years. Well Congress, I find that utterly incomprehensible, and let me make the STUC's position quite clear. If the UK Government, at the drop of a hat, can find billions of pounds to fight an unjust, unwarranted, illegal war in Iraq, then it can find the money to pay the fire fighters, the health service workers, the teachers and other public services. And we demand that they do that to put dignity back into the work done by our public service workers.

I think, as you'll probably have gathered from that statement, it'll come as no surprise to find out that the STUC is implacably and unequivocally opposed to the war. And I'm proud to say that our Congress in April unanimously carried a General Council statement to that effect. But in doing so we also recognise that the long term and the long standing denial of justice for the Palestinian people lies at the heart of much of the instability and conflict in the Middle East. If any good can come out of this horrible war it must be that top priority is given to the establishment of an independent, viable, democratic, Palestinian State with Jerusalem as its capital, and led by a president who's the choice of the Palestinian people. The Palestinians have waited since 1948 for justice. They don't need any more promises and platitudes, and on their behalf, I think, we have a right to demand action, and to demand it now!

Congress, over two years ago both the STUC and the Irish people lost a great combatant friend with the untimely death of Yussef Alain who was the Palestinian representative in Ireland. And I really think the best testimony that we can give, to his memory, is to maximise the pressure on the UK and US, and any other Governments, to ensure that the road map becomes a reality which leads to international peace in that area.

As someone who now operates in the private sector, I very much agree with the points that were made by John Monks this morning. Increased globalisation has meant greater greed, and that really is a greed that is shareholder greed based, really on maximum return over the shortest possible period. Big business operates under the mantra of the three 'E's' which they call efficiency, effectiveness and economy. And I'm sure everybody here, whether in the public or private sector, would echo the right to work in efficient, and indeed effective workplaces, and we can understand arguments that relate to economy. But what we totally reject is that philosophy that dictates that you measure economy by how cheaply the job can be done, irrespective of the impact that that has on the morale and wellbeing of the workforce and the quality of services that they are there to provide. That short-termism must be challenged. The profit-before-people ethos must be defeated, and industry must be run to benefit all stakeholders, and that's customers, communities, staff and indeed, where appropriate, we must accept shareholder interest as well.

Congress, in looking at your agenda it's very evident that your agenda replicates ours: the key aspects of social policy, the pensions time bomb which is ticking away, the provision of quality public services in areas such as health, education, and transport, the threats of PPPs and PFI, the scourge of low pay, working hours, health and safety, trade union rights and recognition and global solidarity.

In Scotland we are now entering our second parliament in the post devolution era, and it was a mix, that first four years, but overall, far, far better than the Westminster model which preceded it. In the first two months we had more meetings with Government than in the 18 years of Tory rule under Thatcher and Major. There are other real benefits, some of them perhaps a bit flippant. We don't have to deal with Alistair Campbell, nor, and this is not flippant, this is actually deadly serious, nor do we have a First Minister who claims amongst his friends right wing reactionaries such as Bush, Aznar and Berlusconi. But more importantly, in Scotland we've had major

breakthroughs in areas like student loans, free care for the elderly, and also a settlement under McCrohan on teachers' pay, and these are only but three that I name in passing. We've also, I think, struck an excellent memorandum of understanding which we signed at our Congress in 2002 with the First Minister which commits the Scottish Executive to a far broader base of recognition of the STUC and its affiliates with the consultation process on Scottish legislation, and we look forward to developing that arrangement going forward.

In concluding, I just want to say a few words about the theme of this Congress: *People in Unions are Better Off*. We in the STUC have campaigned in recent years under the slogan *unions make a difference*. And, of course, in your opening session I think you very correctly identified the key challenges facing our movement, whether it be in Ireland, Scotland or indeed globally, i.e. the importance of not just recruitment, but recruitment, retention and organisation in the workforce. And certainly in the UK we've had a particular problem with a legacy of 18 years of Thatcher/Major Government that led an unprincipled assault on the trade union movement. But I think even more importantly than that, in terms of damage, they adopted an advocacy of the power of the individual over the power of collectivism, and with many of the youth of today who are our future, the major challenge that we have in taking further this movement is to actually get the message over to the youth that they are our future, but also that we are their future. That is a fundamental note that I believe that, within the STUC, ICTU, the Wales TUC and the TUC, that can unite us all in these islands in terms of the challenges going forward and facing us. I'm confident that together we'll build not just a successful, but we'll continue to develop a vibrant, trade union movement, based on the very principles that we treasure.

And I just want to thank you, as I said at the start, for the opportunity you have given me today to address you on behalf on the STUC.

Before I finish, the reason I brought the bag up here is I've a little thing I want to give to Joe. First of all, Joe, in this container here...

Senator Joe O'Toole, Congress President

This isn't advertising Sandy, is it?

Sandy Boyle, STUC President

It is alright! First of all, can I say the bottle is made by trade union labour, the wrapping is made by trade union labour, the label on the bottle is made by trade union labour and the contents in the bottle are not only made by trade unionists, but they're drunk by trade unionists in Scotland as well!

Senator Joe O'Toole, Congress President

Thank you Sandy, for your generosity and your style as ever. Thank you. I give you an absolute guarantee that it will be drunk by trade unionists only! Thank you. Ok Paddy, meet me afterwards!

Ok, we're moving on now to Motion number 47 isn't it? The Organisation of Working Time Act, in the name of PSEU.

Tom McKevitt, PSEU, *Motion 47 (Organisation of Working Time Act)*

Thank you President. Tom McKevitt, PSEU, moving Motion number 47.

The Motion calls, Chair, for an amendment to the Organisation of Working Time Act, to provide that an employee, rather than an employer, would have the choice whether to take additional pay or time off in respect of public holiday entitlements. Section 21 of the Act provides that in respect of a public holiday the employee is entitled to whichever of the following the employer determines:

- a paid day off on that day;
- a paid day off within a month of that day;
- an additional day of annual leave;
- or an additional day's pay.

Now, from the point of view that a lot of trade unionists share, it depends on how the employer treats that issue, and a lot of them nowadays in the public service are turning towards, believe it or not, turning towards pay, and forcing pay on the person in situations where they frequently want time off. It is a particularly difficult situation for part-time staff or work sharers because those people, almost by definition, have a high value on time off. And for the members concerned, who are almost exclusively female, what they really want is to be able to take time off in respect of those public holiday entitlements. They need it for the most part for childrearing. Now time off is a vital thing in that situation for part-time workers.

Now the situation prior to the Organisation of Working Time Act, believe it or not, was that in the public service when many work sharers opted for time off they were allowed to do so. So the Working Time Act, in this respect, has actually worsened things.

In their wisdom, some of the public services employers insist that you must take pay. It's hard to discredit employers that are insisting that you must take pay rather than time off if you want it. So there is, therefore, Chair, a beneficial loss of time off for the members concerned. Now, because of our commitment and the commitment of this movement, Chair, to part-time workers, and to assist part-time workers in any way that we can, I believe that this is the situation that we need to address.

There are now nine public holidays in the year, in the Republic that is, and it's an issue for the part-time workers every year one of those public holidays occurs. It's a situation where, in many situations now, they are being forced to take pay instead of the time off they value.

An amendment to the Act is required to allow a choice for employees in that situation, and I would therefore, Chair, ask Conference to adopt the Motion.

Thank you kindly.

Senator Joe O'Toole, Congress President

Thank you Tom.

Do we have a seconder? Formally seconded. Speakers?

Ok, I'll put the Motion then, Motion number 47. All those in favour? All those against? Carried.

Motion 48, Working Hours, from the INO.

Dave Hughes, INO, *Motion 48 (Working Hours)*

Dave Hughes, on behalf of the INO, proposing Motion 48 on Working Hours.

Delegates, it would be easy for this Motion to slip through Conference with everybody voting for good, but we're actually, in the same way as the people who proposed Motions on Low Pay, we're seeking a new direction in the negotiations on national programmes. We, in this Motion, are also seeking a new emphasis or a new direction because we're seeking that the reduction in the working week become a key objective of any new negotiations on any new programmes. And that is a big change because the current agreement and its predecessors didn't provide for a reduction in the working week, but in fact worse than that, it prevented unions who had claims for shorter working weeks doing anything about it.

And to demonstrate how frustrating the situation is, I can outline to you, briefly, the case of nurses. In May of 1980, 23 years ago now, nurses were before the Labour Court, in the context of a strike by psychiatric nurses, and part of the claim was for a reduction in the working week, for 35 hours. The Labour Court at that time, in a fairly detailed recommendation on a number of issues in relation to the working week, said of all of the groups of workers involved in working 40 hours, as it was at the time, nurses should be high priority for a phased reduction in the working week; and they said also in that recommendation that the fact that industrial action was happening had no influence one way or the other on their judgement. They had judged the case solely on the merits of the claim. Well, the same claim, when no progress was made on it, went back before the Labour Court on behalf of nurses in 1987, and they were less eloquent on this occasion because in a one line recommendation they said the claim was not conceded. There was no industrial action in 1987, the second time. We didn't stop then. This claim keeps on coming back as it is a key objective of INO, and our members see it as the key objective in improving their working life and their working arrangements.

So in 2002 when benchmarking was presented as being the method for processing all claims under the *PPF* we once again presented our claim for a 35 hour week, but the benchmarking body didn't say anything about it all. They decided that it didn't warrant any response at all, or they didn't indicate what they thought of the claim. So we considered that to be unfinished business, and in May of this year we went back

before the Court again. And on this occasion we outlined the history of the claim, in slightly more detail than I have now, outlining the lecture that we were given in the 1980s about the industrial action not having any influence, good, bad or indifferent, on what the Labour Court said, and we believe that, of course. And we outlined to them that the benchmarking was effectively a cul-de-sac because it didn't answer the question, because we said the Court was the body to hear it, but the Court last week issued its recommendation and it said to us - *the benchmarking body dealt with your claim, it was the only place that you could present it and even if they said nothing it's dealt with, it's over.*

I'm totally unimpressed, but it doesn't show in the recommendation, so that effectively leaves us in a situation where national agreements have prevented us processing the claim for a working week, even in a situation when the Court, 23 years ago, said we were justified in processing or getting a phased reduction in the working week. It's regarded as a cost increase in claim. That's been upheld by the Court ever since, and the Court in fact told us that they regard themselves as custodian of national wage agreements.

Now that wasn't my view of what they are, but that's the Chairman of the Labour Court's view as to their role in these matters. So we're now left in a situation where we've two choices: one is to pursue our claim for a 35 hour week through national agreements by making it a key objective, which we're seeking to do in this Motion; and the other is to do it through industrial action.

This is our attempt to do it through national agreements. I'll leave the rest to your imagination.

Thank you – support the Motion.

Senator Joe O'Toole, Congress President

Thank you very much Dave.

Can I have a seconder please? Formally seconded? Speakers?

Ok, then, next Motion is Fixed Term Working in the name of the AUT.

Reenie Prendergast, AUT, Motion 49 (Fixed Term Working)

A Chaithaorleach agus a chairde, Reenie Prendergast, Association of University Teachers, moving Motion 49 on Fixed Term Contracts.

My union, the Association of University Teachers, has a long history fighting the good fight on fixed term contracts. This is because large numbers of our members are engaged on fixed term contracts. Even larger numbers of our potential members are on fixed term contracts, and have always presented us with difficulty in their organisation.

Staff on fixed term contracts encounter a great number of difficulties. Traditionally, they have been excluded from entitlement to redundancy pay. They have often been excluded from protection against unfair dismissal. They have poorer access to training. Generally speaking, they have little or no career prospects, little or no access to mechanisms for career development, and as a result of these disabilities a lot of our members find that they have difficulty getting mortgage finance and so forth because they have not got long term employment.

Staff on fixed term contracts are both women and men, but predominantly, even in our sector, they're mainly women. Now the EU Directive on Fixed Term Workers has been a very important step forward. This outlaws discrimination against workers on fixed term contracts, and certainly in Northern Ireland its implementation has enabled us to negotiate improvements that should result in better prospects for people who have come into our sector on a fixed term contract in the first place. These people, in a few years' time, should move on, hopefully, to open ended contracts.

One of the weaknesses of the EU legislation has been that it's not retrospective. So you could have spent a large number of years on a fixed term contract, and you will still have to work a number of years before you are entitled to an open ended contract. It is deplorable that this piece of legislation, which could lead to improvements for some very vulnerable workers, has not been implemented by the Irish Government. And I note that the European Commission has warned the Irish Government for being in breach of its obligations.

I think it would be remiss of us here not to send a message to the Government. We think that this is unacceptable and that this legislation should be implemented forthwith.

While it's important to get this legislation in Irish law, our Motion actually warns that the legislation, of itself, is not enough, and doesn't provide us with any grounds for complacency. Pamela Dooley of UNISON earlier today spoke about the use of fixed term contracts, particularly in the community and voluntary sector in Northern Ireland where these fixed term contracts funded through grant income proliferate. Now, in my own sector large numbers of people are also funded through grants, and for years we've been saying that just because you are funded through grant income doesn't mean to say you have to have a fixed term contract. With proper management of income, with the use of re-deployment procedures, with the use of bridging funds and so forth it will be quite possible to provide people with proper contracts of employment, proper open ended contracts of employment.

The progress that we have been able to make, especially since the implementation of the European Directive in Northern Ireland, shows that we have been right all along. The challenges confronting us in other sectors of the economy, particularly in the voluntary and community sectors, I think, are probably much greater. The sectors are devolved, and people are often poorly organised, and we're not negotiating with a single employer, so the challenges for the trade union movement remain.

The challenge first of all is to have this legislation on fixed term contracts implemented in the South. The challenge then is to ensure that this legislation

becomes real and leads to an improvement for some of the more vulnerable workers of our sectors.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much Reenie

Joan Carmichael, Congress Assistant General Secretary

President, Delegates, just to update the Conference on where the legislation is in the Republic of Ireland. It went through the final stage in Dáil Eireann last night and will be before the Senate today, so the legislation is almost on the Statute Books.

Just to say briefly some of the concerns we have about it. The previous speaker, the proposer of the Motion, mentioned them in the context of Northern Ireland, and they would be similar in the Republic.

We are pleased that the legislation has passed - two years after it should have been in place, and only after Ireland was brought to the European Court of Justice and was before the Court early in May. But what has happened now is that the legislation has been rushed through, and we've been trying to address new pieces that were introduced on an ad-hoc basis by telephone with the Department officials. And it's really not an acceptable way of doing business because there were four years in which to have formal and detailed consultation, and to say that we are doing it by phone between Tralee and Enterprise, Trade and Employment yesterday is just not acceptable.

But there are two main concerns we have about legislation. One is that it introduces a 20 per cent threshold requirement for fixed term contract workers to qualify for access to and benefits from pension schemes, and we will be taking a formal complaint to the Commission that that is in breach of the provisions of the Directive. A similar provision is in the part-time legislation, and similarly we'll be making that complaint. The second one is that there are two different terms in relation to protection of the use of successive fixed term contracts. One for those who are currently on fixed term contracts, and while there's a limit to the final renewal of 12 months they may actually be on fixed term contracts for 10 or 11 years and wouldn't be eligible for the indefinite contract, while a new employee who comes on a fixed term contract after the legislation is in place will have a limit of four years and then be entitled to the indefinite contract. So we'll be arguing with the Commission that that's different treatment for employees. There was one new element that was introduced, which we learnt of only yesterday, and that is that the package of terms and conditions will be taken together. It's a kind of equivalence concept, and it's an entirely new concept in employment law, and despite the fact that there are detailed definitions of what same and similar work is in the legislation we now have, at the last moment, a new clause introduced which says that the package and conditions of employment may be judged to be equivalent even though they're different. And you

can see how that will complicate the employment relationship between the employee and the employer. So that is another concern that we have.

So what we propose to do Delegates is to make the formal complaint to the Commission, to organise a meeting of the affiliates in the Republic to brief them on the details of the new legislation and how it should be addressed and how it should be implemented, and to consult with our ETUC colleagues to ascertain from them their view of the implications of the legislation.

Thank you very much.

Senator Joe O'Toole, Congress President

Thank you Joan.

Ok, I want to put those two Motions, 48 and 49, to you.

First, Motion 48 on Working Hours, that's the INO Motion. All those in favour? Please show. Thank you. Carried.

Motion 49, Fixed Term Working from the AUT. All those in favour? Please show. Anyone against? Carried.

Thank you very much. Those have been carried.

We're on now to Motion 50.

Just before I ask the proposer to speak, could I just remind you once again that there are still ballot papers that haven't been handed in, so I'd advise people just to get that done. I'm not sure what the situation is if they start the count without them, and I think there may be some trades councils that have not collected their papers either. I'm not sure. You might check that out. They're just worried about it.

I just want to alert you to one point now - there's a huge amount of work tomorrow morning and people are always anxious to get the buckets and spades and stuff sorted and to head off. There's a strong possibility that we could be able to get on to do some of that this afternoon. And if that's the case we may, in about half an hour's time, or three quarters of an hour's time, we may do the session that was down for tomorrow morning on Trade Union Rights and Recognition, just to alert people to that. That's the Motions number 60, 61 and onwards. Just to be aware that we may well get to that this evening to save time tomorrow. Thank you very much.

Motion 50 in the name of the Irish Medical Organisation.

Fintan Hourihan, IMO, Motion 50 (Health Service Workers)

Thank you Delegates, Fintan Hourihan, the IMO.

This Motion calls for Congress to take appropriate steps, including campaigning for legislative change, as may be appropriate...(tape ends)...for doctors who've occupied temporary positions on long-term basis would have so far been deprived of remedies available in the Unfair Dismissals Acts.

We are challenging these through the courts. Obviously there's no guarantee as to the success or the outcome of those challenges, but in any event, that's something that needs to be clarified within amended legislation.

And I should explain to you, in the main, that the doctors who are affected are predominantly female and/or of non-European Union nationality. The particular obstacles in applying the Unfair Dismissals legislation relate to rules introduced back in the 1920s regarding the appointments of senior medical grades including consultant staff, and I'd be happy to elaborate further on the detail with the Congress secretariat in terms of how we can address those remedies, but I'd ask for your support for the Motion in the meantime.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Fintan.

Could I have a seconder please? Formally seconded. Thank you.

I think I'll just put the Motion then. All those in favour? Please show. Carried. Thank you.

We're now onto Motion 51, and I'll take proposals for Motions 51, 52 and 53 please. Motion 51 from IMPACT, thank you.

Marie Levis, IMPACT, *Motion 51 (Terms and Conditions of Employment)*

Marie Levis, IMPACT, proposing Motion 51.

Delegates, the Irish trade union movement has not taken an ideological approach to the provision of public services. Historically, we have had a mixed economy of service provision with, for example, religious and voluntary bodies playing a significant role in service provision. In recent years the voluntary and community sector has grown massively.

Mostly funded from the public purse, these organisations now provide a very wide range of core public services in areas like homelessness, drugs service, youth work and disability, and they're often highly innovative in the provision and development of services. This Motion does not seek to inhibit this innovation, but it does seek to protect the pay and conditions of the dedicated staff who work there. And it intends to tackle the parts of the non-statutory sector that represent public services on the cheap, run on a shoestring, and unable to attract or retain staff because of rip off pay.

Let me give you some examples. A Salvation Army project worker in Dublin earns up to €10,000 less than her counterpart in the Eastern Regional Health Authority. A clerical worker in Focus Ireland can earn much less than a person doing the same job in Dublin City Council. A school secretary or caretaker directly employed by a school has much poorer pay and conditions than those on the Department of Education pay roll. In most organisations, there are no incremental scales, let alone pension arrangements. Pay increases negotiated under national agreements are often ignored. Hostility towards trade unions and workers' rights is widespread.

This problem has implications for the pay and conditions of all public servants, and for the future range and quality of public services. For, if Governments continue to see the non-statutory sector as public servants on the cheap, these practices will be encouraged at the expense of the mainstream public service. Already the range of non-statutory provision is stunning. There are a wide range of health and social services, support services in schools, including secretaries and caretakers, disowned by the Department and exploited by schools, commercial firms starting up in childcare and nursing homes, and now we have public private partnerships threatening a new, two tier, workforce.

Again, this movement has not taken an ideological stand against PPPs, but we will not accept arrangements that see staff in the same building, doing exactly the same job on different pay and conditions, as is being proposed in one area. We will walk away from PPPs if they mean the introduction of a two tier workforce.

Motion 51 proposes a practical solution to this growing problem. It would retain the innovation and independence of the non-statutory sector while protecting the living standards of people who work there. It calls on the Government in the Republic to adopt a similar approach to that developed by British unions, and agreed with the British Government, to ensure that pay and conditions do not vary widely between the statutory and non-statutory sectors.

Delegates, I urge you to protect pay and conditions, protect our public services. Support Motion 51.

Senator Joe O'Toole, Congress President

Thank you very much.

Seconder? Formally seconded.

Ok, can I have a proposer on Motion 52 please, Guinness Staff Union on the Erosion of Employment Rights. Thank you.

Seán Mackell, Guinness Staff Union General Secretary, *Motion 52 (Erosion of Employment Rights)*

Mr. President, Colleagues, Seán Mackell, Guinness Staff Union, to move Motion 52 on the Erosion of Employment Rights.

Ten years ago this movement had one of its better successes when the Unfair Dismissals Act in the Republic was amended to provide additional protection for marginalised groups of workers, namely those employed through employment agencies and those on repeated fixed term contracts. These workers were given the right, in law, to be protected from unfair dismissal by unscrupulous employers. This was something that our union, and many other unions in this hall, had campaigned for over many years and we were delighted.

Improvement for these folks was immediate. For example, our union took one of the first cases under the amended Act when one of our members on a so-called fixed term contract was let go. By the way, letting someone go is the swanky way of sacking someone in the Guinness Empire. Well, we responded by challenging the dismissal and the Employment Appeals Tribunal agreed with us. Our member was re-instated and paid substantial compensation. The knock-on effect of this victory was significant elsewhere in the company. We secured permanent employment for approximately 50 so-called temporary staff, and I'm pleased to tell you that most of them have done well and progressed within the Guinness group of companies.

Now, sadly, Irish employers did not stand still. And in the years since then they, and their paid henchmen in the legal industry and their bed mates in this rotten Government, have worked to undermine the gains of the Act. Indeed, they've undermined it so successfully that the time is right to have a complete overhaul of this piece of legislation. We may not have as many temporary staff as previously, but we're not short of tripping over contractors, consultants, sole traders, one person businesses and, indeed, any other species that employers can come up with so that they can avoid liability under the Act.

The reality is that our employers are worse today than they were ten years ago. They still don't want people in secure, well-paid jobs. Instead, they want to hire and fire at will, and that is something we should never accept. An important sanction that is available to us when a second occurs is of course a reference to the Employment Appeals Tribunal. Sadly, the sheer weight of unfair dismissal cases has resulted in unacceptable delays for those wishing to seek redress. For example, in Dublin at the minute, it's taking up to eight months or longer to have a case heard at Tribunal. This is not reasonable. I want to say that I am not criticising our colleagues who work in the tribunal system, rather, I am supporting them by calling for more resources for them.

Indeed, the situation is due to get worse because under the new Transfer of Undertakings Directive, staff transferred from one company to another will have the right to complain to the EIT. The relevant Government Departments have told me that no additional resources have been allocated for this additional work. All this means is that the queues will get longer and longer. This is appalling.

Having your job stolen from you is a crime. Delaying you from seeking justice is an equal crime. It is time to stop this practice, and that is why we are asking you and asking Congress to press ahead with rigour on this Motion.

Please support, and thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

Can I have a seconder please? Formally seconded. Thank you.

Motion number 53, from the Galway Council of Trade Unions, Conditions of Employment.

John Carthy, Galway Council of Trade Unions, *Motion 53 (Conditions of Employment)*

Mr. President, Executive Council, fraternal Guests, fellow Delegates, John Carthy, Galway Council of Trade Unions proposing Motion number 53.

The ILO report in 1974 on termination of employment observed that in legislation that protects workers with some form of job security there must be a deterrent. The Report states that where the amount of compensation is limited to the amount of loss that the worker can show, a question may arise as to whether such compensation would be sufficient to afford the protection required. It is that very question that this Motion wishes to address.

According to the EAT Annual Report in 2001, only ten workers who were unfairly dismissed were awarded some form of re-employment, four of them were awarded reinstatement and the other six were awarded re-engagement. For all the other successful claimants the average award in compensation was just over €5,000. The figures in the previous year's Report were even worse: only six people were awarded some form of re-employment, for the other so-called successful claimants the average award and compensation was less than €5,000. Accepting that some employees deliberately opt for compensation, the fact remains that the level of compensation is far too low. It certainly could not be described as a deterrent for employers.

So it appears that our unfair dismissals legislation, as worded or as interpreted, is in breach of minimum international standards. The 1993 amendment of the legislation allows the Tribunal now to make a basic award for compensation of up to four weeks' pay if an employee has suffered no financial loss.

The Galway Council of Trade Unions does not accept that four weeks' pay for the loss of one's livelihood is a sufficient deterrent. As this 1993 amendment, as worded, is flawed in that it only applies to a worker that has suffered no financial loss, in other words it does not cover employees who incur one or two weeks' loss of wages, to the extent that they may be awarded the full four weeks.

It is welcome that the EAT now has to regard any social welfare payments received by a particular worker. This amendment removes the previous practice where the taxpayer, i.e. other workers, subsidised the employer who unfairly dismissed the worker. But even this present wording of the Act needs to be changed. An employer who unfairly dismisses a worker, and that worker claims social welfare, that's putting

a financial burden on the State, and the employers should be forced to reimburse the State for that cost.

In closing, this Motion calls for an enacting of legislation that would force employers to think twice, and maybe even three times, before they consider taking someone's job.

Give workers the job security they require.

Thank you Conference, support this Motion.

Senator Joe O'Toole, Congress President

Thank you very much.

Could I have a formal seconder please? Formally seconded. Thank you.

Ok, I'll now put those three Motions.

Motion 51 from IMPACT on Terms and Conditions of Employment, all in favour? Please show. Carried.

Motion number 52 from the Guinness Staff Union on the Erosion of Employment Rights, all those in favour? Please show. Carried.

Motion 53, Conditions of Employment, proposed by the Galway Council of Trade Unions. All those in favour? Please show. Carried.

We're now moving onto Motion 54 in the name of the ESBOA on Paid Parental Leave. A proposer please. Thank you.

Fiona Dunne, ESBOA, Motion 54 (*Paid Parental Leave*)

Chair, Delegates, Fiona Dunne, Electricity Supply Board Officers' Association moving Motion number 54.

Since the '70s we've seen the introduction of a number of pieces of labour legislation from Europe to combat discrimination and promote equality, mainly on the gender ground. Maternity Leave was introduced in the early '80s, swiftly followed, a mere 17 years later, by the Parental Leave Act. Again, as a result of a European Directive. Why, one might ask, does it take so long for a Government to recognise and acknowledge the roles and difficulties faced by all working parents? And even with this legislation we still haven't recognised that.

The objectives of the Directive which gave us the Parental Leave was to allow both women and men to reconcile work and family life, promote equal opportunities between women and men, and to encourage more men to take up a more equal and active role in the responsibilities of family. So let us look at the evidence: have these objectives been achieved? A recent survey conducted in 2002 found that of the 6.74

per cent of the Irish workforce eligible to take the Leave, only 20 per cent of those had actually used it; 84 per cent of those were women. Between 1998 and 2001 only 1.35 per cent of the Irish workforce had taken the Leave, with 2 per cent taking Force Majeure, and this hasn't exactly been a rush.

So what has been the reason for the slow uptake? Both Congress and the affiliates have campaigned on this issue for many years and maintain it is crucial to the achievement of equality in the workplace. But did we all get it wrong? Well, absolutely not Delegates. The reason for the low uptake is, obviously, that it is unpaid.

Paid leave was what Congress and unions have already pursued. Figures taken from an ICTU survey reveal that 63 per cent of respondents cited the Leave being unpaid as prohibitive to those availing of it. So I suppose we should probably blame Europe again for forcing us to introduce restrictive legislation that doesn't provide or allow us to get a payment, and again that's incorrect. The Directive clearly states that the measures proposed are minimum standards, and therefore provides member states with the right to afford greater protection for their citizens in this area.

Unless the Leave is paid it will continue to be prohibitive and restrictive to ordinary workers. All evidence shows that unless it's paid, women will continue to take the burden of childcare, and it's least likely to encourage parental equality. In the private sector employers are allowing their employees to take the Leave, which obviously proves they recognise the need, as parents, and acknowledge their family responsibilities, so much so, they're insisting they take all of this Leave all in one block. Now, I ask, who in this country can afford to take three months' leave with no salary, except perhaps in the case of the CEOs that Tom Woodruff spoke of?

So now we have this Directive from Europe. Do they have the same problems in Europe of this Leave? How do our European brothers and sisters fare? In one word, better. In Finland, for example, employees get 26 weeks, up to the age of 3, with social security payment 66 per cent of salary. The Swedes get 80 per cent of income as social security payment for the first 12 months and a flat rate for the following six. Italy have ten months' leave up to the age of 9 of the child, with a State payment of 30 per cent of salary plus 20 per cent of salary from employers. And I could go on and on. Most European countries have a form of paid Parental Leave, with some of the Scandinavian countries going so far as to incentivise males to take up their entitlements with further payments.

With more women continuing to enter the labour force, there's a very real and immediate need to address this issue. Time and again it's been noted that women's continuing absence in the workforce is a contributory factor to the pay gap. The continuation of unpaid Parental Leave only assists in widening this gap as women continue to avail of this leave in higher percentages to men.

But the arguments for Paid Parental Leave are not only for women and two parent families. Ireland has the highest rate of lone parents in the European Union, at approximately 11 per cent – 2 per cent headed by fathers, 9 per cent by mothers. The

Combat Poverty Agency has established that it is lone parents who are at greatest risk of poverty, so unpaid Parental Leave for them is not an option.

I commend Congress on their tireless efforts to improve on the legislation from day one, when they took the complaint to Europe on its implementation, to their input into the review last year and to then achieving legislative change in the Act to enable more flexibility and how it can be taken this year. But there needs to be more action.

The essence of this Motion is to step up the campaign to achieve payment for Parental Leave. All affiliates need to come together to exert pressure on both Government and employers to deliver paid leave. Affiliated unions need to undertake action co-ordinated by Congress, and that these actions need to include making this Government aware that workers won't settle for anything less.

Please support the Motion.

Thank you.

Senator Joe O'Toole, Congress President

Thank you Fiona.

Could I have a seconder please? Formally seconded. Thank you.

I'll now put the Motion. All those in favour? Please show.

Oh sorry, speakers. I'm sorry, my fault.

Trish Tobin, PSEU

President, Delegates, Trish Tobin, PSEU, speaking in support of Motion 54 on Paid Parental Leave.

The introduction of Parental Leave in 1998 was a very welcome development, as it instituted for the first time an entitlement for both parents to take time off work to care for their children. And I take this opportunity to congratulate the Executive Council on securing subsequent improvements, in particular, the raising of the age of the qualified child to eight years and 16 years in the case of a disabled child as provided for in *Sustaining Progress*, while we await the legislation brining these changes into effect.

The provision of a leave entitlement which is equally applicable to both parents in some way demonstrates the commitment of the social partners to promoting family friendly policies, in particular, policies that focus on the role of both men and women within the context of the family. The sharing of the caring role within the family is central to the promotion of equality between men and women, both in society and in the workplace.

However, while we can acknowledge the benefits of Parental Leave, its very existence is irrelevant in the lives of most working parents. The reason for this is that very few working parents can afford to take unpaid leave. Research has shown that only 20 per cent of eligible employees have taken Parental Leave. This percentage is not spread evenly across the workforce, as it is the experience in the private sector has been that employers will only allow their employees to take this Leave in blocks of 14 weeks. Consequently, the public sector accounts for a high number of those availing of the Leave. For example, 43 per cent of those eligible in the civil service availed of some form or some level of Parental Leave. It has also been show that women account for 84 per cent of leave taken overall. This reinforces the position of women as the primary carers of the children.

The purpose of Parental Leave is to facilitate women who have responsibility for young children and work commitments outside the home. It's intended to be mutually beneficial to the children and the working parents. It is generally accepted that children benefit from a situation where both parents play an active role in their nurturing and development. The evidence of the Parental Leave Act, to date, is that children are not benefiting in this way.

If the Government and employers are committed to promoting family friendly policies then they must make them meaningful and accessible to all working parents. It will only be possible for parents to exercise their entitlement to avail of Parental Leave if there is some form of financial support during the period of leave from work.

I urge you, therefore, to support this Motion for the sake of working parents and their children.

Thank you.

Senator Joe O'Toole, Congress President

Thank you very much.

Now I'll put the Motion. All those in favour? Please show. Carried. Thank you very much indeed.

Now a proposer from USDAW for the Stop Christmas Day Trading, Motion 55. A proposer please.

Tim Murphy, USDAW, *Motion 55 (Stop Christmas Day Trading)*

Mr. Chair, Conference, Tim Murphy, USDAW, moving Motion 55.

Conference calls upon the incoming Executive Council to press the Irish Government to introduce legislation to prevent large stores trading on Christmas day. The UK Government is supporting USDAW's campaign, and in fact the British Prime Minister, Tony Blair, is personally backing legislation to ensure shop workers get the protection we have all been campaigning for.

Currently, legislation in England and Wales prohibits large stores over 3,000 square feet from trading on Christmas day when it falls on a Sunday, but not when it falls on other days in the week. Conference, for shop workers and their families Christmas day is the one day of the year which stands out from others, a special day when the family should be together.

Also, we further call upon the Northern Ireland Committee to press the First Minister, the Deputy First Minister and any incoming Northern Ireland Executive to support the Stop Christmas Day Trading campaign. We believe the opening of large stores on Christmas day seriously undermines the special nature of Christmas day, as well as having an adverse effect on employees and their families.

Please support, I move, go raibh maith agat.

Brendan Mackin, Congress Vice-President

Have we a seconder? Formally? Speakers? Any other speakers can you please come up and sit here at the front so that I can see you?

Unidentified Speaker, MANDATE

President, Delegates. Supporting Motion 55.

While welcoming the principles expressed in this Motion, we in MANDATE feel that a shop area of 3,000 square feet is too large. Employers are constantly pushing the boundaries of trading hours, and if the 3,000 square feet is used as a benchmark they will use this loophole and build units under 3,000 square feet in order to trade on Christmas day.

With Sunday trading and extended hours our members in the retail sector are already under the pressure on a daily basis. Balancing their home lives is almost impossible. Many of our members do not have the luxury of a 9 to 5 job, their working hours change on a weekly basis. For the months of November and December they are asked, and expected, to work all the overtime their employer offers.

We need to protect Christmas day as a day off for all retail workers, whatever size the unit they work in, and we would ask the Executive Council to bear this in mind when acting on this Motion.

Delegates, I ask you to support the Motion.

Thank you.

Steven Edwards, BFAWU

Steven Edwards, Bakers', Food and Allied Workers' Union. I'd also like to ask you to support this Motion.

This is coming from a union that represents not just bakers, but people who actually manufacture the food that is sold. And what the colleague from MANDATE says, we have all experienced.

Our workers are working 24 hours, and whilst what has been said in the Motion, our members have not yet been asked to work on Christmas day. Obviously, what happens from the retail sector, the pressures from the large multinational supermarkets, are put onto our members as well.

So I'd like to ask you and those people who'd have the luxury, and not just Christmas day off, but St. Stephen's day, and perhaps lucky enough to have a week off, just remember those people that are out there making and selling the food that helps you enjoy Christmas.

Please support, thank you.

Brendan Mackin, Congress Vice-President

No more speakers?

I'll ask Conference to vote for the Motion. Those against? Carried unanimous.

We now move to Motion 56 which is BATU. Paddy, Paddy, before you start, just to say we have five Motions left and we're actually running ahead of time. So as the President previously said, we will be moving onto sections of the morning session which is around trade union recognition, so any unions make sure they get their speakers.

Ok, carry on.

Paddy O'Shaughnessy, Congress Executive & General Secretary BATU, *Motion 56 (Safety in the Construction Industry)*

Thank you Vice-President. Paddy O'Shaughnessy, BATU, speaking on moving Motion 56 on Corporate Manslaughter [sic – title of Motion 58].

Vice-President, Delegates, in the past five years 110 Irish building workers have been killed at their place of work in the Republic of Ireland. By Irish, I mean building workers who've been working in the Republic of Ireland, regardless of their place of origin. In the year 2000 there were 24 deaths, in the year 2001 there were 23, and last year, in the year 2002, there were 22 deaths. Since January of this year nine more lives have been added to this death toll.

So in February of this year thousands of building workers took to the streets of Dublin to protest at the deaths of 22 of their fellow workers in the year 2002. A shocking and avoidable loss of life, particularly in view of the energy and the resources that have been invested in safety in the building industry over the past few years by the Irish building unions, by progressive employers in the industry, and they do exist, and by the Health and Safety Authority. This has resulted in more training,

more initiatives and more programmes to make Irish building sites safer to work on, and when the day's work is finished, to leave, alive.

But I'm afraid a lot of this hasn't been to much avail, because unless the commitment to safety in the workplace is backed up by law, in the most rigorous way, it will not fully succeed. I believe that this is the lesson of the 22 deaths in 2002, and it is a lesson of the 110 deaths of the past five years.

When Irish building workers marched to the Dáil in their thousands earlier this year the Government was quick to promise an amendment to the Health and Safety Act, 1994. The derisory fines provided for under the Act would go; we were told they would be replaced with massive fines, guilty builders might even go to jail and the new legislation will be published within a matter of weeks. The promises have been rather hollow I'm afraid. We'll be lucky to see the shape of any new bill before the end of this year, and even luckier to see its enactment in the lifetime of this Government.

So we now have to ask ourselves - does this Government really believe that Irish building workers have the right to the safest working environment possible? And will the eventual bill be worth the paper it's written on?

Back in February we demanded fundamental change to the law. We wanted the Health and Safety Bill to incorporate not just increased penalties for those who flout safety on building sites, we want the introduction of a new penalty points system for building companies whose sites have systematic safety breaches. We want the law to act as a preventative measure, before lives are lost or at the risk of being lost. We want those employers and contractors who accumulate a certain level of penalty points to have their place of business closed down for specified periods of time until all the safety defects have been rectified. We want the enforcing of safety to carry a punitive economic cost for those who put profit before the lives of Irish building workers. But unless we're prepared to fight for it, and demand this change with a strong and unified voice, we stand to be gravely disappointed.

When it comes to the introduction of the crime of corporate manslaughter we have a Minister, I'm afraid, who claims that examination of such flaws worldwide have led him to conclude that this is not successful in other countries. The Minister's concept of worldwide is rather narrow, and seems to be confined to the UK entirely. He also neglects to point out that the law in Britain is about to be amended.

I believe that the case for the introduction of the crime of corporate manslaughter, or corporate killing if we want to get technical, has nothing to do with the number of prosecutions, successful or otherwise. It's about making those who are responsible for the deaths of Irish building workers, by cutting corners on the safe operation of building sites in order to make a profit, accountable for their crimes. The measures they take to save time or money might seem, to the uninitiated, not to be important, but they have cost lives. Such actions must be seen for what they are, criminal and deserving of the ultimate sanction that society can impose.

I'll conclude on this Chairman, over 30 years ago a British politician speaking in an entirely different context was said to have referred to an 'acceptable level of violence.' The comment was roundly condemned, and rightly so, but you felt there was a degree of honesty about it - that's the way they really did think. We're beginning to wonder do certain people in power and authority in this country really feel that there is an acceptable level of death and injury on Irish building sites? I don't. Our members don't. And I don't think any building worker in this country does.

I'd ask Conference to support this Motion.

Brendan Mackin, Congress Vice-President

Thank you Paddy.

Have we a seconder? Formally? Ok.

I am going to take Motions 56, 57 and 58 together, and if anyone wants to speak to those three Motions will they please come to the front.

Go ahead Eric.

Eric Fleming, Dublin Council of Trade Unions, Motion 57 (*Health and Safety*)

Thank you Vice-President. Eric Fleming, Dublin Council of Trade Unions moving this Motion on behalf of the Council.

Can I firstly say that I fully support Paddy's remarks, and he's put it very aptly. If I can put this Motion in context of the one I am about to put to you. We have a Council, I think, probably over the last four Conferences, have referred in some way or other to construction health and safety. In that time we've had enormous difficulties, as you'll know, in trying to convince people and change hearts and minds. Paddy has thrown out the statistics there to you. He's told you the number of people that have died. All these facts were from the very beginning put out, were digested and discussed, and equally rejected by the Government and the employers right up to quite recently. And the only reason we've any changes in this industry is, and make no mistake about this, by getting out in the streets and by constantly sticking ourselves in those people's face and saying 'This is wrong. Building workers should not be treated any differently to anyone else.' And as I've said before, if so many deaths were to take place in any other profession there would be a huge outcry about that. There would be major discussion about it in Government and there would be a thorough examination of it, probably through enquiry, and then something would be done about it.

Paddy is, to some extent, right when he says that why should building workers have to be treated differently? And if the Government are serious, why don't they take certain actions? And they've got to take certain actions to correct the situation.

Quite frankly, they know all these problems. They've been told it consistently by us, and the truth of it is that they may say they believe that building workers should go to work and come back safe, but they actually don't do very much about it to make sure that that happens. And unfortunately it is left to the trade union movement and their spokespeople to get out there and do the job for the building workers concerned.

Now, we have made progress, and make no mistake about that; I will be the first to admit it. We've thousands of people going to one day courses. We've had health and safety representatives elected on building sites. We've had skills training which wasn't referred, to by the way, in the Annual Report which I commend; and the skills training is very, very important to us, and is also a big factor to us in health and safety.

All these things have been done, but you know, I think, looking at the situation in other countries, the Irish Government haven't really shown sincerity in this because other Governments that decided to grab this by the throat set themselves a programme of maybe 15 - 20 years to try and change their culture. Because really, it's the rotten culture that exists in the industry that's going to have to be changed. And that will not be changed by putting people through a day-long course or electing a few health and safety representatives. It means pounding the industry with constant resources and money and backup support for people like ourselves, who are the real custodians of health and safety, nobody else.

The Health and Safety Authority does not have the facilities, they do not have the manpower, they do not have the resources to get out and do the job. I'll give you an example. In the Netherlands, for ever 15,000 workers there's an inspector. In the UK, for every 20,000 there's an inspector. In Ireland, for every 33,000 there's an inspector, and the resources are just being plummeted all the time.

Our information is they've pulled back on the funding this year. They had a target of 8,500 sites per year, their target, not mine, which they've reduced now down to 4,500. So there is now complacency setting in.

I think it's timely that we put this Motion. There are proposals that we say that health and safety representatives, Workers Representatives have to be taken out and given proper training and given much more involvement in the health and safety question. They also have to be given veto powers, that if they see things are wrong on building sites they can actually do something about it.

Now I'm going to end up by saying the Motion is comprehensive. I do believe that it will get the support of the Council here today, but something has happened today which has really disturbed me. IBEC have turned out a statement to the papers this afternoon saying that Ireland, Irish workers, are 17 per cent better off at the workplace with regards to health and safety than those in Europe. That is an absolute crime to put that out. The person that put that out might be thinking in terms of some kind of a factory set up, where things are very, very neat and ok, but the construction industry is a very, very black spot. The deaths that Paddy mentioned there, there's nothing funny about that. Three people died on building sites directly from my

branch in SIPTU before Christmas – three! How are those widows, by the way, going to take that kind of a statement? It's utter rubbish and it will be responded to.

And I'm asking you to give your full support for this Motion.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you Eric.

Have we got a seconder?

Unidentified Speaker

Mr. President, Delegates. Formally seconding Motion number 57 on Health and Safety.

I'd like to share a story with you. Two weeks, three weeks, ago, Friday the 13th of June, a member of mine working in a lift shaft in Roches Stores in Henry Street was struck on the head by a concrete flagstone and was rushed to hospital seriously injured. He was so injured that they could not even move him onto Beaumont for specialist head treatment. Thankfully, after a week, he came out of the coma. I had the unenviable task of visiting his wife and three young children. His daughter, his 10 year old daughter, asked me, you know, "Is Daddy coming home?" I said "Yes, Daddy will be home." But she said to me, "What type of Daddy will be coming home?" And I couldn't answer that for her.

Something really enraged me over this particular accident. As I said, the accident happened on a Friday afternoon at 1.30pm. The company's Safety Officer contacted the Health and Safety Authority, and would you believe, the person at the other end of the phone said, "We won't be going out to visit the site. Just send us a written report on the accident." Now, that is just not good enough. On the Saturday I contacted the previous speaker, Eric Fleming, had Fergus Whelan, who is on the Board of the Health and Safety Authority, to complain. And sure enough, on the Monday morning that site was crawling with people from the HSA. But to have to wait over 60 hours response time from the HSA?

There's obviously something rotten in the house of Denmark. An inspector should have been out to that site immediately. Now, it obviously means that the HSA is totally under funded, or else they don't respond to calls on Friday afternoons. I don't know which one it is. But we must use our people on the Board of the HAS, and the other pressure from the Executive of Congress, to try and ensure that the HSA has the proper resources to carry out its work and to try and prevent further accidents on Irish building sites.

Brendan Mackin, Congress Vice-President

Thank you very much.

Can I have GPMU please, Motion 59?

Gerry Halloran, UCATT National Executive

Chair, Gerry Halloran, National Executive, UCATT, just a few comments.

Brendan Mackin, Congress Vice-President

Sorry speaker, are you moving Motion 58?

Gerry Halloran, UCATT National Executive

Yes. No. I'm proposing Motion 57, speaking in support of.

Brendan Mackin, Congress Vice-President

Motion 57 has already been moved and seconded. So can I have the mover from GPMU? But you can speak in the common debate, ok? As soon as I get this Motion passed I'll open up for common debate.

David McKee, GPMU, Motion 58 (Corporate Manslaughter)

Chair, Delegates, David McKee, Graphical, Paper and Media Union. Following the British Government's recent moves regarding corporate manslaughter, albeit later than we would have accepted, I would therefore ask Conference to accept withdrawal of Motion 58.

Brendan Mackin, Congress Vice-President

Ok.

Is that agreed Conference? Ok.

We are now open for common debate for Motions 56 and 57.

Mary Enright, Dublin Council of Trade Unions

Mary Enright, Dublin Council of Trade Unions. I want to draw your attention to one point in Motion 57, and that's the piece on page 28.

If you turn the page it says *Congress also urges the Government to introduce further safety legislation to protect safety representatives from victimisation or discrimination.* And I think that ties in very well with the sentence which is the last sentence of Motion 62, which is to come yet from the NUT, and that Motion calls in its last line, it says, *where the dismissal has occurred as a result of trade union or "whistle blowing" activity.* I believe that these two go together, and while union structures are very open, democratic and sociable, the cog in the wheel which I think is loose, shaky and sometime at odds is the position of the shop steward or safety rep.

It can be an isolating position if you are not a member of a branch committee or a national committee, i.e. just a shop steward, and you may not be going to very many meetings. I think it is a very, very lonely position to be in, and you can often be at odds with your employer, and sometimes with your co-workers, in a job and therefore, you are more vulnerable to feeling victimised more than any other person in the structure of the trade union movement. And therefore, I believe it is imperative that the shop stewards and safety reps feel protected, and are protected, with strong legislation so that people can take up these positions feeling comfortable. And this will strengthen, I believe, the trade union movement.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you, next speaker

Gerry Halloran, UCATT National Executive

Once again, Gerry Halloran, National Executive, UCATT. There are a number of comments I would like to convey to you regards the state of health and safety in the construction industry.

In 1998 there were 19 deaths in the industry. In 2002 there were 22 related deaths. In the intervening years an average of 16 deaths occurred. So far this year there's been 9 killed in the construction industry.

No matter what excuses or explanations Government or employers give, it's not good enough. It's actually carnage in the first degree. In 1998 there were 664 people in accidents reported, last year 1,120. These figures show us there's an increased number of accidents that are occurring. Too many accidents are happening because the industry has not geared itself to be serious enough about health and safety.

In times past the CSO figures showed us that there was an average of 2,000 deaths annually, per year. These are preventable deaths, preventable accidents, occurring in the industry. We now have the Construction Partnership Council and Safe Pass – 200,000 workers have done a one day course on this.

This is desirable, but we need more. We need a law that's there at present to be implemented, and I underline implemented. We call on the Minister to introduce higher penalties, to convict these people that have broken the Health and Safety Act for a spell in prison - for a company director or the client. This may concentrate their minds on safety on the sites.

Having said that, there are a few good employers who actually look after the health and welfare of their workers. They are very good and they do the business well, but they are in the minority.

Having said that, there is a time and place to look at the Health and Safety Act itself - the way we go about it ourselves, as a trade union group, the way we look at the whole industry, because it's not nice having people going out to work in the morning and not coming aback. And as we heard two speakers ago, what kind of a Daddy will I get?

We call on the Minister to give the full implement and the funding to the Health and Safety Authority, and that no other contracts are given out by Government as 60 per cent of all work has Government input and Government funding.

Thank you.

Brendan Mackin, Congress Vice-President

Time please colleague, there's a list of speakers here. Thank you.

Stephen Edwards, BFAU

Stephen Edwards, Bakers', Food and Allied Workers' Union in support of Motion 57. I was going to support 58, but it has been withdrawn.

Just basically to say the history of our movement was started of because of unfairness, because of bad pay and conditions, but the main reason was through funeral societies, through people going out to work and not coming home. As the comrade said, knowing whether Daddy's going to come home, or nowadays, knowing whether Mommy's going to come either, or in some cases both of them. It is a damning indictment that here we are in the 21st century still dealing with these issues. There are people dying at work.

The Mover mentioned, or referred, to the right to stop the job. And just imagine the defence that, obviously, employers will come up: that this is going to harm our undertakings; it's going to lose workers' jobs. Just as what happens in a country like Sweden where they have the right to stop the job. And up until the last, recently, when I read the statistics, it's never been used, there's never been a need to. The management, the training of all the workers are in place.

I'd like to commend the Northern Ireland ICTU health and safety training courses. And I was at a meeting recently on behalf of Congress, for the Workplace Health Strategy, where, on a compliance action team, where some of the employers said, "There's nobody out there that knows. There's a shortage of people with the health and safety skills." And I said, "No there's not. There's a wealth of trained health and safety reps." Because the only person that knows anything, basically, about health and safety management, in my experience and my members' experience and from the members of our Health and Safety Committee, are the trade unionists, because we're the ones that care. It's part of our history. It's our *raison d'être*. It has been our reason for being. Not just in the construction industry where this is tip of the iceberg.

And I would just like to support this Resolution, and just remember where we're coming from and support these brothers and sisters.

Brendan Mackin, Congress Vice-President

Thank you.

Next speaker. Paddy.

Paddy Behan, SIPTU

Paddy Behan, SIPTU, supporting on Health and Safety for the Dublin Council of Trade Unions.

This has been a hardy annual for a long number of years in the construction industry. And you know, the way they got it was they took the streets. I don't mean to be smart to the Chair. They marched in this town till they got the proper conditions of health and safety in the construction industry. They haven't won all their goals, but without taking to the streets they would never have got what they got, and that's the real world.

As well as that, the whole question of people, of quality of life when they leave their job, as well, is very important. And the whole question of people who go to work and come home safe is very important. And I think we owe it to those people who soldier on, this whole question of health and safety throughout the construction industry.

You have Fergus Whelan, Paddy O'Shaughnessy, Paddy Coughlan, Eric Fleming and the workers themselves went out and made their voices heard. And we, we as an organisation, the Congress of Trade Unions, and affiliated unions, should make sure that all these structures are made sure and put in place on behalf of the people we represent.

To conclude, Mr. Chairman, may I just thank Joan Carmichael for her help over the long number of years on the whole question of substance abuse and the drugs and so forth. And unfortunately, what's happening now with cutbacks is having terrible effects on people back in society. But personally, I want to thank her myself, thank you, and on behalf of those people as well, thank you.

Brendan Mackin, Congress Vice-President

Thank you Paddy.

Next speaker. The last speaker, so we'll be a vote after this speaker.

Joe Moore, Communications Workers' Union

Vice-President, Congress, Joe Moore, Communication Workers' Union, speaking generally on and in support of Motions 56 and 57, and welcoming the call for the introduction of the crime of corporate manslaughter, and also the concept of a national network of safety reps in the construction industry.

However, I would like to bring your attention again to the points that have been made by the previous speakers, to the inadequate resources that are being put in to the Health and Safety Authority. This is an issue which I raised two years ago in Bundoran, and unfortunately, the situation hasn't changed.

In the South there are thousands of employers who are not adhering to the terms of the '89 Act. In these workplaces there are no safety statements, no safety reps elected, employees are not shown any hazards in the work they are carrying out, and there's no safety training given. I feel, Congress, that the only way that this can be addressed is for more inspectors to be employed by the HSA. It's only when employers fear that their places of employment can be raided by inspectors that they will adhere to the '89 Act, and therefore make all workplaces a safer place for our members to work in.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you.

Ok, we'll now move to the vote. We're now voting 56 and 57, and just to remind Delegates, 58 has been withdrawn.

So those for 56? Please show. Carried.

Those for 57? Please show. Carried. Thank you.

Now moving onto Motion 59 on EU Directives by SIPTU. Can I ask any speakers who may want to speak on this to come to the front please?

Joe O'Flynn, SIPTU, *Motion 59 (EU Directives)*

Vice President, Delegates, Joe O'Flynn, SIPTU, moving Motion 59.

Delegates, this Motion is borne out of our increasing frustration at the miserable and mean spirited approach taken by the Irish Government to the implementation of EU Directives in various areas of employment and social rights for workers. From the outset, we should remember that the EU Directives themselves are the products of months, if not years, of bargaining between the social partners at European level - the European Commission and Parliament, as well as the Governments of the member states.

In that sense they already represent a substantial compromise between all of the parties. They are usually based on the lowest common denominator approach, the minimum standards acceptable across the entire European Union. Bearing that in mind, it is entirely unacceptable that the Irish Government should baulk at adopting and implementing these minimum standards, not occasionally, but with alarming regularity.

The Government has now failed to meet the implementation deadlines on so many occasions that we are becoming the laughing stock of Europe. These delays are not only costly for the workers who experience unnecessary difficulties in accessing their entitlements, they are also costly for us as taxpayers because the Irish State frequently ends up in legal proceedings involving the Commission, and even in the European Court of Justice.

Of course, any Directives that allow some discretion to member states in terms of the level of protection, or the application of certain provisions, are guaranteed to be interpreted by the Irish Government in the most minimalist fashion. This Government will do the absolute minimum necessary to comply with the Directives, and sometimes not even that.

Delegates are familiar with the fact that Congress had to lodge a formal complaint to the European Commission over the highly restrictive way the Irish Government was trying to implement the Parental Leave Directive. The Directive provides for the individual right of parents, both men and women, to at least three months' Leave to care for a child up to the age of eight, and to limited Leave from work for urgent family reasons when the immediate presence of the parent is essential. The Irish Government tried to impose their own upper age limit of five for the child, in violation of both the spirit and letter of the Directive. The EU Commission issued a reasoned opinion against the Irish Government, upholding the Congress complaint, and so the legislation had to change.

But the Parental Leave Directive is one of a series of EU measures that has been subjected to interference and obstruction by the Irish Government. For example, the Part-time Work Directive, which prohibits discrimination between part-time workers and full-time workers in areas such as pay and occupational pensions, should have been implemented on January 20, 2001. Ireland finally implemented on December 20 2001, almost a year later. The Fixed Term Work Directive which prohibits discrimination against fixed term workers, and particularly the abuse of successive fixed term employment contracts, should have been transposed into Irish law by July 10th 2001. The EU Commission issued a reasoned opinion against Ireland for its failure to meet the deadline. Ireland was then brought before the European Court of Justice in May this year. The bill transposing the Directive into law was published on the 23rd May, went through the Dáil last night and should be finalised in the Senate today. We heard earlier from Joan that Congress will be lodging a formal complaint with the EU Commission about the 20% hourly threshold introduced in relation to access to occupational pension schemes, where they exist, and the different treatment proposed for existing fixed term contract workers and those appointed after the introduction of the legislation.

A similar situation looks like emerging over the first of three Anti-discrimination Directives. The Race Directive is due for implementation by July 19th, in less than three weeks. The bill to implement the Directive has yet to be published and the Dáil is about to rise for summer recess.

Delegates, the record shows that left to their own devices, and without EU Directives to push the Government reluctantly into compliance, there would have been very few employment protection measures enacted in this country in recent years.

Ultimately, of course, we're talking about political priorities. The Government has shown that it can act decisively and speedily on occasion. The Taoiseach and Tanáiste were quick to call on the banks to pass on the recent ECB rate cut to their customers, and rightly so. We would like to see the same sense of urgency and example in applying the agreement on standards for safeguarding workers' rights, instead of the repeated foot dragging and backsliding that has become the hallmark of this Government's approach to the implementation of EU Directives.

Colleagues, I seek your support for Motion 59. Go raibh maith agat.

Brendan Mackin, Congress Vice-President

Thank you Joe. Have we a seconder? Formally seconded. Ok.

Those for Motion 59? Please show. Thank you. Those against? Unanimous.

Move onto Motion 60, but before I move onto Motion 60 which is the Older People Motion from Dublin Council of Trade Unions, there are some ballot papers that haven't been returned. So you've up to 5.30pm because they close at 5.30pm, that'll be your last chance. So anyone who hasn't returned their ballots, half an hour to do so.

So we're onto Motion 60, Dublin Council of Trade Unions.

Eric Fleming, Dublin Council of Trade Unions, *Motion 60 (Older People in the Workplace)*

Vice-Chairman, Delegates and fraternal Guests, this Motion seeks to endorse the recommendations in the Equality Authority report on *Implementing Equality for Older People*.

This Report was delivered by a committee comprising older people and the social partners, therefore, it is very important. Its brief was to examine and expose issues of ageism and put forward an equality agenda for older people. But who are older people? Those over 50, according to the Report. Now I'm sure there's a few smiles around the room at this stage because you wouldn't realise that. But this is an important bottom line to have defined because this is the age also mentioned in the Employment Equality Act, 1998, which, of course, is also going to be helpful to progress equality.

I welcome this Report, in particular, because it addresses the needs of people both within the workforce and those not in it currently. Recommendations are built around key strategies for further positive action around equality, legal status, age limits, income, health and community issues, life-long learning. One outstanding revelation to me, reading this Report, was if you take the grounds of discrimination that we have

already, and if you put the word 'old' in front of them, you find a whole new kind of discrimination - those suffering from multiple discriminations through their lives - if you now see the word Traveller as older Traveller, older gay or lesbian person, older woman.

In terms of the work, there was a survey carried out and the results were that people said that the concept of one day being a worker and the next day being retired was actually most inhumane. People would prefer flexible models of retirement, gradual retirement. But to have that in place there needs to be changes brought about to existing legislation, because those over 65 cannot avail of the Redundancy Payment Acts and the Unfair Dismissals Act, and cannot be part of the CE schemes at the moment. So other, knock-on legislation's, have to change too.

It has been established that a mixed age workforce is more beneficial to a company because there's less absenteeism, less disruption from turnover. Those are the economic factors. But on a personal level, from the point of view of the employee and making decisions about that person's life, we use the word 'work/life balance initiatives' in the context of young families. But this actually should be extended to the older persons who may be the breadwinner or the childminder or the carer of their own children and their own grandchildren, and where they can actually continue in employment and be an active part of their children's family.

Mr. Peter Sands said earlier on Wednesday that the dole queue is a very lonely place. I guess it is a much worse lonely place if you're over 50. The Delegate from the INTO said the quality of childhood determines what happens in later life. And I believe that those who are over 50, and not in the workforce at the moment, are those who were not able to benefit from the structures of society as they were when they were young. And this Report makes more recommendations for positive action to reach those people. It calls for literacy programmes, formal education/training to enter the workforce, information technology adapted for older learners, policy matters, health and care issues.

Finally, this is not a Motion to roll back gains that we have made, or to change the goalposts completely and objectively for everyone. It is simply to look at the options of choice which some people, with the blessing of good health, might be able to make. Also, a Delegate on Monday said that her pension would be so low that it would not be a valid choice for her to retire, but to continue in employment would be a necessity. After all, only 50 per cent of the workforce has a pension scheme, or 50 per cent of the workforce does not have a pension scheme, and going into retirement may actually mean new poverty levels for some people. So age, health and happiness are treasures and gifts, but we don't all have them altogether at the same time, and so our working arrangements must be flexible to reflect our needs.

The two days we had in Croke Park were an example of the new buzzword, I think, out of this Report, is 'intergenerationalism'. We had boy bands, girl bands, volunteers of all ages, the inspiration of Eunice Shriver, the delightful President McAleese and the crowning glory of all, President Nelson Mandela, proving that there can be an extremely great life after 65.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you colleague. Secunder? Formally.

Any speakers? Ok.

Move to vote for Motion 60. Those for Motion 60? Please show. Those against?
Thank you. Passed.

Trade Union Rights (Motions 61 - 64)

Principal EC Report reference: Chapter 10, Strengthening the Trade Union Movement (brought forward from 4.7.03 10.00 - 11.30)

Brendan Mackin, Congress Vice-President

We are now moving to tomorrow morning's session which is Motions 61, 62, 63 and 64. Motions 61, 62, 63 and 64 will be taken together, and whoever wants to speak can speak in the common session.

I call on Tom Wall to move that section of the Report.

Tom Wall, Congress Assistant General Secretary,

Thanks Vice President. I'm never quite sure anyway what day it is.

Brendan Mackin, Congress Vice-President

I noticed that last night Tom!

Tom Wall, Congress Assistant General Secretary

I want to use the occasion to speak to you to update you on aspects concerning developments on the issue of legislation in the area of representational rights, and also to make some general remarks as an introduction to the debate and related to the section of the Report.

The demand that workers have the right to be represented was one of the key issues in entering talks late last year that became *Sustaining Progress*. The Executive Council took a firm decision that unless progress was made in that area there would be no agreement. We sought changes in two areas. We sought amendments to the Industrial Relations Act and to the associated Codes of Practice to rectify the situation whereby employers were able to stymie and frustrate claims and disputes referred under that Act. We also wanted more broad based rights to trade union recognition and the rights to be represented along the lines enjoyed by our members in Northern Ireland.

Sustaining Progress achieved significant progress in respect of the Industrial Relations Amendment Act. The agreement was unusual in one sense, in that it contained quite specific proposals that are effectively amendments to the law, both in that area and in the redundancy legislation. What we were effectively writing was the first draft of the legislation, and I'm happy to report that the bill to give effect to the changes agreed to under *Sustaining Progress*, in regards to the Industrial Relations Amendment Act, has been published. It was published on Wednesday, and as has

been recorded by Joe and Joan, in many areas of legislation we've had good reason to criticise the Government for delays, and in some cases we've had to initiate proceedings in Europe to compel the implementation of Directives. So in this instance, it's a welcome change to have the legislation enacted more or less in line with the time commitments made in *Sustaining Progress*. We will be studying the text of the bill and seeking to see does it fully meet the commitments entered into? are there any further loopholes that need to be closed? And we will be considering whether any further amendments to the bill are required for our purposes.

I can also report on some progress in relation to the Code of Practice on Voluntary Dispute Resolution, which is an important aspect of the whole process on the Industrial Relations Act. We hope to conclude very shortly a revised Code of Practice. The discussions are taking place with the assistance of the Labour Relations Commission, and under their auspices, and we would hope to have a Code that would put a clear time limit of six weeks on any process, whereby if there's no agreement by the employer in relation to the matters in dispute, in other words if the matters are not resolved, the union, without any further consideration in terms of process, can apply for the dispute to be referred to the Labour Court under the Industrial Relations Act as amended. And I think that will overcome the major deficiency that was contained in the existing Code and legislation. It led to a situation where, as I said, employers abused, delayed and frustrated arrangements, and in some cases workers who joined trade unions were victimised in the course of the whole process.

We're also discussing, in that context, an entirely new Code of Practice that would deal with cases of victimisation in situations where there is a dispute about representational rights. We haven't quite made the same progress in agreeing the terms of that, but we would hope that we will meet the timescale with the help of the LRC on that. The changes, when enacted, will address in a very thorough way the weaknesses in the current legislation. That is not to say that the employers now in every case are going to put their hands up and say, "Ok, you caught us, everything has changed, we'll co-operate, we'll progress it, we'll give it priority etc." Nothing is likely to be further from the truth. They will look for new ways to frustrate the process, there's no doubt about that, and unfortunately, I suspect, I hope I'm wrong, but I suspect they may have some advice and support from their representative organisation, IBEC, in that task. We will be examining this carefully, and in the event of any attempt to frustrate this process we will be seeking immediate and remedial action by the Government or the LRC in whatever way is necessary to rectify the situation.

The broader demand in respect of union recognition was not achieved within the last set of negotiations. However, I think we are reasonably confident that progress will be made in respect of representational rights over the next few years. As described in the Executive Council Report, a number of developments have taken place which has made that more likely than heretofore.

The Information Consultation Directive must be transposed by March 2005, and we've already made a detailed submission to Government in respect of that. The European Constitution containing the Charter of Fundamental Rights will possibly be enacted in the near future, and if it doesn't contain the Charter of Fundamental Rights

it certainly is unlikely to get any support from the trade union movement in terms of ratification.

In addition, there has been a very important judgement in the European Court of Human Rights which would have a very significant bearing in the event of any legal proceedings arising out of a dispute concerning union recognition. No doubt, in this area too, no effort will be spared in certain quarters in attempting to block progress.

One of the most influential lobbies that are likely to be involved in this will be the American Chamber of Commerce in Ireland. Now, before I go on, let me just say, we have always welcomed foreign direct investment. Any investment that provides well paid and decent jobs with good conditions is something to be welcomed, and there's no doubt over the last number of years that American investment has been very beneficial to Ireland in that area. And let's not forget that many, many thousands of unionised workers are employed in American companies, and whilst the industrial relations situation varies, not all US companies have the same approach. It does seem, however, that the dominant force within the body called the American Chamber of Commerce in Ireland is of the neo-liberal variety, strongly attached to the idea of isolating and defeating unions, and there's no doubt that they will act in every way to frustrate progress in terms of union recognition. If they did that openly and publicly, where it could be debated in an open way, I think you'd have to concede that like us, they deserve the right to be represented. Their approach is likely to be much different. They may make some public statements, but their real work and activity will be behind closed doors. It will be within the offices of the IDA at a senior level, as we experienced before; it will be with Government Ministers; it will be with senior civil servants; and it will be an implied threat - *if you pass legislation of a certain variety our members, our companies, will be pulling out, will be de-investing.*

It's a form of industrial action that has been threatened subtly, quietly, without much public noise simply because the Government has in the past tended to give in more often than not to the demands. It's an intolerable situation. Could you consider a situation in the US where a highly influential lobby that has represented a foreign business interest was so influential?

Delegates, the struggle between those who wish to roll back every gain made by unions over the last century and those who, like us, wish an economy and society where those without wealth have rights is a struggle that will be taking place at increasing intensity. My heart, if not my hand, will be with you in that struggle.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you Tom.

I'd like now to call on the Amalgamated Transport and General Workers' Union for Motion 61.

John Bolger, ATGWU, *Motion 61 (Trade Union Recognition)*

Chairman, thank you. I thought Tom was going to go on till about 6pm, but then again he is retiring, so I suppose maybe that was his last call. Anyway, John Bolger, Amalgamated Transport and General Workers' Union, Chairman, seeking support for Motion 61.

Chairman, a lot of what Tom has said in relation to, for instance the powers that work against unions and with subtlety, every effort that's made by unions to try and put and influence on the question of trade union recognition would indeed be surprising. But it's no surprise, of course, when we know the sort of powers that be who rage against us, and they form a sort of secret society that they take when it comes to denying us our very right to exist.

Indeed, I was fortunate and unfortunate to be engaged in the talks, which took place over last Christmas and went well into the night. One thing that did surprise me, however, was the complete indifference shown to the trade union group, dealing with for instance the question of trade union recognition, by employers, and indeed more importantly by the Government representative, Mr. McCarthy, at the time. I believe that there was absolutely a total lack of interaction between the groups when it came to really discussing the concept of developing the sort of partnership arrangement that could lead us sometime, futuristically perhaps, that would lead us into an area of trade union recognition that would be acceptable to us.

Indeed at the talks, it has to be said, great efforts were made by the Congress GPC Officers. And indeed, what Tom has said in his opening preamble, I would agree with. Most of the legislative amendments that came out are indeed more than welcome, and one would be foolish to be critical of them. However, we failed miserably when it came to the question of making any real inroads into trade union recognition.

And could I just broaden it out a little bit if I may? There was a very interesting debate took place here the other day, and our erstwhile colleague from America, who by the way was an excellent speaker, spoke about the question of the scope and the right that we would have out there to increase our membership. Now I'm not suggesting that trade union recognition to organisation and recruitment be recognised, but it is certainly a factor. There's no question about it that if you go out and take the trouble to try and organise and recruit people, and you are then frustrated by an employer who knows full well that there's an awful lot of legislation there purely and simply to obstruct you, that's an exercise in frustration.

It was clearly developed at the level of Government, and indeed trade union talks, that what we were seeking was somewhat of a model of employees in Northern Ireland and the UK. And it has to be said, although we were to the fore in embracing Europe years and years ago, we're sadly lacking when it comes to, as I say, the sort of legislation that applies in Europe, and EU Directives in Europe, that do not and will not be applied in good old Southern Ireland, and that's shameful. If in actual fact we had any sincerity from either the employers or the Government I'm quite certain that

we could make some significant ground on the whole question of trade union recognition.

Our Motion specifically calls, it calls for two things, but one in particular. It says that we should keep trade union recognition at the top of the Congress agenda. Now I've heard what Tom has to say, and I agree with what Tom has to say. Now keeping it at the top of our trade union agenda means that the next time round, i.e. in the next 14 months when we come into a new pay agreement - I know it's always difficult when you have such pressure being put on negotiators from all different angles in relation to this item should take priority, that item should take priority and every other item, especially pay should take priority - it is still on the top of the agenda. Because let's be honest about it, we've failed miserably when it comes to making any seemingly reasonable ground on trade union recognition. We came away with our tails between our legs once again, obviously mindful of the fact of what has been suggested by myself and suggested by Tom Wall - that these secretive powers are there to ensure, to ensure mind you, to protect themselves and to protect their own industries, their own wealth and power - that we will not be granted by a Government such as the PDs or indeed Fianna Fáil, in the likely future, any semblance of trade union recognition. And I believe that that's going to damn us futuristically, and I'd like to be as hopeful as Tom that in years to come, maybe not too further up the road, that we will succeed finally, but hopefully I will be around to see it, but sadly I might not be.

I'd ask you to support this Motion please.

Brendan Mackin, Congress Vice-President

Thank you John. Secunder for 61? Formally.

Move onto Motion 62. Could we ask speakers to be conscious of the time?

Mary Maher, National Union of Journalists, *Motion 62 (Trade Union Recognition)*

Thank you Chair. Mary Maher, National Union of Journalists.

Colleagues, there was a time when the print unions in Ireland could look over our shoulders with a shudder of pity, somewhat complacently, at our colleagues in the UK. We did not have problems with union recognition. We had solid organisation. We had closed shop conditions in many places. Now, when RTÉ was the only voice in broadcasting, similarly, we had no problems there. Whatever they got up to, the unions were there to represent their members. All that has changed utterly.

All had changed with competition and the expansion of media ownership in Ireland, with the UK media bosses who are really and truly Thatcher's most devoted children. Now, like other unions in the private sector, we are battling every day, every week, to represent members who are entitled to their representation. And they, who are being bullied and intimidated in their workplaces, up to the point when one very well known Sunday newspaper was trying to hold a chapel meeting across the road, the

news editor barged in and demanded that everyone go back to work. They didn't. So now these people are not open to persuasion.

What we must have are changes in the law. We were very heartened at the judgement last year, just a year ago, in July 2002 at the European Court of Human Rights in a case taken by the NUJ on behalf of one of our leading activists in the UK, Dave Wilson, a joint action with NULMRT for several of their members. The Court held very strongly in favour of trade union representation, and this will make it more likely in the future, we hope with other measures, that legislation will be needed to recognise the right to collective bargaining, and that indeed is on the Executive Council's Report.

We also highly welcome the measures in *Sustaining Progress* on trade union recognition and anti victimisation. Without it we certainly wouldn't have been able to persuade our members vote for the Agreement, which they did, overwhelmingly.

Now, I understand that in the bill published yesterday there was a very hefty fine for victimisation, and if that's translated at the level of the Employment Appeals Tribunal then we are doing what the Colleague from the Galway Trades' Council movement wants, and what this Motion calls for. Because it is there, you see, employers have no trouble paying the few weeks' wages that might be called for when you face an unfair dismissal. It's well worth it to them because they're just provided a perfect example to everyone else in the workplace - don't become a trade union activist. And then there is the childcare worker who might have tried very hard to get other childcare workers organised, she's out, it's low pay, it's nothing to them. They have to have what we're calling punitive damages. I've been told by other people it should be called exemplary damages. And I was told even more recently, by a learned and excellent source in connection with the Labour Court, the opposite of persuasive is dissuasive, which is similar to the Labour Court legislation.

Whatever it is Colleagues, it needn't cost the employers a penny. All they have to do is obey the law. And please support the Motion.

Brendan Mackin, Congress Vice-President

Thank you very much Mary. Have we a seconder? Formally.

Conference, I said I was talking 61, 62, 63 and 64. We've two more speakers. With Conference's permission, can we take these two? What we lose tonight we gain in the morning.

Right Chris.

Chris Hudson, Communication Workers' Union, Motion 63 (Trade Union Recognition)

Chris Hudson, Communication Workers' Union. Mr. President, Delegates, I wish to move Motion 63 in the name of the Communication Workers' Union.

Delegates, the collapse of Communism in Eastern Europe has led to a significant alteration in the balance of power, with the US at its centre. The election of George Bush heralded the return of a conservative administration, backed by a powerful business interest and with a resurgence of a free market ideology. Within Europe tensions have already emerged about the future direction of the European Union, and there is little doubt that the continuation of the European Social Model is under threat from those who would wish Europe move more quickly towards a US style society.

Our own Taoiseach has managed to load his cabinet with some of the most ideologically driven personalities that one could ever imagine. It seems to me, Colleagues, that we are at a point where there is a clear choice to be made about the type of society we want for ourselves and for our children. Do we want a society where the market is held supreme? where wealth and capital are increasingly concentrated in the hands of the few? and where rights are obtained in proportion to an individual's status or wealth? Or, Colleagues, do we want a different type of society with a strong commitment to social values and the common good? a society which believes in looking after its most vulnerable citizens as equals?

On Tuesday Pat Rabbitte spoke of his vision of a fair society, and it is a vision that many of us would share. But, in my view, a cornerstone of a fair society is a Charter of Citizens, legislatively based, and which recognises that just as consumers, patients and others have rights, so should workers, and those rights should include to be a member of a trade union, the right to collective bargaining and the right to representation. But Colleagues, there's little to be gained in having a Charter of Rights if they're not to be exercised. If they are to mean anything they must be underpinned by legislation.

I believe we need a strong and vigilant trade union movement that will protect workers and protect citizens and society from the worst excesses of free market opportunists. The ILO has said that every State has an obligation to promote and realise the principles and rights of freedom of association and of collective bargaining, yet these powerful vested interests are vehemently opposed to trade union rights.

We in the CWU believe that workers, who create the wealth, have a right to a fair share of that wealth. We believe we are in a critical period when trade unions must assert their position as defenders of the common good and of workers rights.

Colleagues, we have a battle on our hands. And it's a battle that we cannot lose and must not lose. Colleagues, I ask you to support this Motion.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you Chris. Do we have a seconder? Formally.

Motion 64 in the name of the Sligo Council of Trade Unions.

Claire Kee, Sligo Council of Trade Unions, *Motion 64 (Trade Union Recognition)*

Good afternoon Delegates, Mr. President. I'll be as brief as I can; I know you've had a long afternoon. Claire Kee, moving Motion 64 on behalf of Sligo Council of Trade Unions.

This Motion, Colleagues, and others in this section are extremely important on our agenda at this week's Conference. I represent members of the GPMU in the Republic of Ireland and the North of Ireland. Yet new members we recruit in Northern Ireland have a statutory legal entitlement to recognition if they work in companies with 21 workers and over. Although the 21 restriction is unsatisfactory, it provides a forceful mechanism for recognition, unlike the milk and water mechanism we have in the South. We've just forced the Belfast Telegraph to recognise the GPMU using the legislation in the North, but we were unable to force a company in Sligo because the difference is that we have a Statutory Instrument in the North on recognition.

Colleagues, in each successive delegate conference before entering into negotiations on new deals Delegates from the private sector come along and demand statutory recognition as part of the next new deal. It has become a bit like Groundhog Day. Yes, Congress has got some amendments to the Industrial Relations Act to assist, but this is far from satisfactory, and we need to get it right in the next deal. Let's not be fobbed off by the arguments anymore, of big business and IBEC, that voluntarism is best for the Irish economy. We want statutory rights and recognition in the workplace and we want it now.

I ask you to support this Motion.

Thank you.

Brendan Mackin, Congress Vice-President

Thank you.

I'd like to thank those speakers who waived their rights to speak on the Motions in the interest of time.

That we move to those in support of Motion 61? Please show. Those against? Carried.

Those in support of 62? Please show. Those against? Carried.

Those in support of 63? Please show. It's carried.

Those in support of 64? Against? It's carried.

Can I thank the Delegates for their indulgence, but it moves us forward.

Can I also remind Delegates that in the morning at 9.30am the Taoiseach will be making a keynote address, and we would like to see as many people as possible in the morning.

Thank you

Friday 4th July, 2003

**Keynote Address
An Taoiseach, Bertie Ahern**

9.30 – 10.00

Senator Joe O'Toole, Congress President

Could I have your attention please? Just to say that our guest speaker, the Taoiseach, has arrived and will be coming into the hall inside the next minute or so, and just to give him a welcome that doesn't upset the hangovers. Just to keep you up to date on that. Thank you.

Could everyone just be reminded please that I want you to turn your mobiles off. What we don't want is a few fire alarms going off in the middle of the Taoiseach's speech. Thank you.

Good morning Delegates, and I hope everybody's in good shape and in good order and ready for business.

I'd like, on all our behalves, to welcome the Taoiseach. As one of the Delegates asked me last night, "What's our relationship with the Taoiseach?" And I said, "Well the Taoiseach is elected by the people of Ireland. It's the business of the trade union movement to do business with the Taoiseach." He's our guest here this morning, we're delighted that he's here. We don't always agree with everything that he says, but his accessibility is important to us and what he has to say is also crucially important.

We appreciate that Taoiseach, and we look forward to your words and we look forward to dealing with some very tricky issues that came up here during the course of the week. There are some deeply rooted issues in the Irish economic landscape at the moment which are of grave concern to all of us, and as long as you can assure us you've cleared your script with Michael O'Leary we'll listen to what you have to say.

Taoiseach.

Bertie Ahern, Taoiseach

Thank you very much President Senator Joe O'Toole and to General Secretary David Begg and to John Monks, the Secretary of the European Trade Union movement, to Peter McLoone, the Vice President of Congress of Trade Unions, and to you, all of the Delegates. I'm honoured, Ladies and Gentlemen, to have been invited to address you this morning.

I think we meet at a time of considerable challenge to all of us, to all that we've achieved together in social partnership over these last 15 or 16 years. And I know, and I am well aware of, from all of the public comments during the week, the work you've been doing. And I'm here to try and address some of the issues that you have been talking about, and if I can also address some of the issues that we have been talking about over the last number of months with the Irish Congress of Trade Unions.

While the Irish economy is doing far better than most of our partners, the fact is that our achievements are vulnerable, and it's at more difficult times. We're a highly globalised economy. That means that there's much in our economic performance which is heavily influenced by decisions made elsewhere, and it also means that we have to be very clear about what we do in those areas which are within our control. And above all we have to be clear about the facts of our situation, and one of the facts is the continued importance of the trade union movement.

I've been listening from afar during the week about some of the comments, not made here, but made about activities here. Some rather misguided voices have expressed doubts about the relevance of the trade union movement to modern Ireland. They say that only 40 per cent of workers are members, and they say that trade unions are not active in key areas of the modern economy, and that the union view should not be taken too seriously by policy makers. Well, I think I have some news for those people because I think they do a great disservice to the more than three quarters of a million men and women of this island who are members of unions, and that's up more than 10 per cent since 1998. And the same commentators might like to ask the people of say, France, whether trade unions are a significant force when only 10 per cent of the workforce in that country are unionised.

The fact is that trade unions are a vital part of Irish life, and I'm here this morning to say that, and to address the issues that you raised because of the importance of that. Trade unions have contributed significantly, both in representing and vindicating the rights of our members, and also helping to shape our strong performance and rapid development of the overall country. And the instrument through which we have worked together is social partnership. And through it we have helped to ensure that the policies in Government and the behaviour of the social partners are consistent with each other, and, together with Government, create the right environment to secure jobs and living standards, not just for trade union members, but for the entire economy of this country.

And this is why, President, it is so important at this challenging time that we secure the agreement of the social partners to the terms of *Sustaining Progress*. In it we agreed to work together to create a climate of stability in a very uncertain world. We agreed realistic pay terms. We recognised the importance of responsible economic and fiscal policies in line with the net skills analysis. We recognised the importance of deepening our competitiveness while continuing to progress towards a more just and a more inclusive society. We agreed to work together to tackle a number of key issues which impact greatly the quality of life of our people. And we agreed to improve the framework of employment protection in this country while retaining the

essential flexibility required by ongoing change managed creatively in all our interests. And that is what I stand for.

I want to confirm here this morning that this Government, which had the negotiation of a new agreement as a critical part of its programme, is totally committed to the partnership way of doing business. We're committed to delivering on our obligations. We ask only that all of our partners, including Congress, deliver with us.

President, housing has, I know, been well discussed during the week, and we've spent hours on end at meetings with Congress, over the last year in particular, having public discourse on this issue. And it's been an issue right throughout the decade, over the last number of seven or eight years anyway. Our growing economy has attracted returning emigrants and new immigrants alike to join the large number of young workers who all want to be housed. Historically low interest rates have made borrowing cheaper than ever for those that can afford to borrow, and many can. These circumstances have led to dramatically increased prices for houses, and from the beginning the Government recognised the crucial economic and social importance of this issue. We made it a priority to do the one thing that is the most important when there is a shortage, that is to increase the supply. The output of housing in Ireland has increased hugely. Last year 57,000 houses were built, and that was the eighth successive year of record output. The Government also recognises that a stable rental market, one that treated tenants fairly, as part of any housing market. We determined to reform landlord/tenant law to ensure that tenants have security of tenure, and that they have available to them a one-stop shop to settle disputes, and that legislation has now been published.

And so on housing I think that we have moved a long way, and of course acknowledging always that we have to keep on moving. And the aspiration of owning a home is dear to every Irish family. It's also an aspiration that is proving impossible to realise for some.

You in the trade union movement have made the case very forcibly that low pay workers cannot get onto the property ladder. And the case you make makes sense, and forms a very important part of *Sustaining Progress*, and is probably the issue we spend most time discussing - not to say that all of the special initiatives are not equally important.

Today I want to make it clear that Government shares your resolve to build more affordable housing. Social solidarity demands that our economic development enriches the many and not just the few. I'd ask the Oireachtas All Party Committee on the Constitution to examine this matter as a matter of urgency, at the cost of building land, and to assess the possibility of placing a cap on the value of development land. In doing so the Committee is asked to consider the constitutional and practical issues involved. Next week those sessions take place. Next week the submissions will be heard in public, and with the House not sitting hopefully the attention of the wider public will focus on it. And that is why I've scheduled it that way next week, where people can listen and hear the facts.

Today, President, I'm particularly pleased to confirm that Government has agreed to the immediate release of lands currently owned by the Office of Public Works and owned by the State at Jamestown Road and Infirmary Road to Dublin City Council or an associated project development entity in order to deliver affordable housing units. In addition, the Government have agreed a proposal to release lands at McKee Barracks, Kildare and at Gormanstown, Co. Meath, and totally in addition to the other sites, 309 acres for inclusions in this initiative. And the necessary planning work will commence immediately. And I think that at any level this will be seen as an enormously significant amount of land, in very attractive areas, that will go into the initiative that was negotiated with the Irish Congress of Trade Unions. Further State lands will be released for the initiative as we get clearance for them. Specific proposals will be submitted to Government for consideration on those by the end of September, this year.

So on housing, *Sustaining Progress* is delivering as it promised it would deliver. These decisions demonstrate to any doubters that Government is serious about delivering what it said it would and in partnership, together, we're solving the problem of affordable housing.

In developing the housing initiative we will not allow social segregation. Neither will the initiative detract from the funding available for existing social and affordable housing programmes. Capital spending for affordable housing and other social housing programmes will amount to over €1.7 billion this year alone. We've delivered record housing output and we will deliver, President, on affordable housing also.

We're also delivering on our commitments on *Sustaining Progress* which we negotiated to extend and safeguard the rights of employees in the workplace. Since the ratification of the agreement, just a few short months ago, progress to date in these areas includes: passing of the Redundancy Bill by the Oireachtas in May; new regulations giving effect to the mandatory provisions of the Consolidated Transfer of Undertakings Directives - they were signed into law on the 11th April; the Protection of Employees Fixed Term Work Bill has also passed all stages in the Dáil and Seanad and we've taken on board Congress' concerns on this matter. The Maternity Protection Amendment Bill has completed its second stage in the Seanad on the 28th of May. We've also approved a drafting of legislation to amend the Employment Equality Act of 1998, the Equal Status Act of 2000, to give effect in an integrated way to the three EU Equality Directives. The legislation will be published later this year with the intention that the Directives will be implemented at the earliest possible date.

A critical issue, President, for Congress in the negotiations, was improving your capacity to represent workers who sought union membership, but where employers would not negotiate. I'm pleased to say that the Industrial Relations Amendment Bill, 2003 has been approved by Government and published. It will enhance the Dispute Resolutions procedures on the lines agreed in the negotiations. At the same time, the Labour Relations Commission are revising the existing Codes of Practice on Voluntary Dispute Resolution and developing a Code of Practice on Victimisation. The Labour Relations Commission have been requested to develop a Code of Practice

on Part-time Work. To facilitate this and other work both the Labour Relations Commission and the Labour Court have been allocated additional resources by the Government since the ratification of *Sustaining Progress*.

Legislation is also being prepared in the area of workers' pensions. The Social Welfare Miscellaneous Provisions Act of 2003 contains an amendment ensuring that the Pensions Board is in a position to respond to the further challenges currently facing defined benefits pension schemes. And finally, on the 24th of June, the Government signed an Order to increase the level of minimum wage from €6.35 to €7 with effect from February. This decision, in line with the recommendation of both the Irish Congress of Trade Unions and IBEC, will increase the pay of those currently on the minimum wage, and benefit young and part-time workers in particular. So on workers rights and the role of trade unions, the Government is delivering.

We've also delivered on our commitments to employees in the public service. The payment of the benchmarking awards as provided for in *Sustaining Progress* poses a significant challenge for the credibility of partnership. The National Economic and Social Council has stated and I quote, "In a difficult public finance, such a large step adjustment in public pay warrants a step increase in flexibility and self adjustment towards new systems and continuous improvement." The payment of the final 75 per cent of benchmarking is conditional on real and verifiable outputs in relation to modernisation and flexibility, and *Sustaining Progress* is clear that payment is dependent on co-operation with flexibility and on-going change, implementation of the modernisation agenda set out in *Sustaining Progress*, the maintenance of stable industrial relations, and most importantly, the absence of industrial actions in respect of any matters covered by the agreement.

President, in the private sector, companies which do not react appropriately to change quickly enough perish in the cut and thrust in the competitive business world, and unfortunately that is happening more these months than it has for a number of years. But because public service providers are normally monopolies they do not face the same stark realities. Accordingly, there is an extra responsibility in the public service to provide the excellent services which an increasingly discerning public rightly demand and expect. The level of public expenditure and public service employment has grown by an unprecedented amount in recent years. There is also a strong and widely held perception that this increased expenditure has not been translated into sufficient improvements in the quality and level of services, and this must be a cause of concern for all stakeholders in Irish society, including the trade union movement. The quality of public services, as well as the effectiveness of our public institutions, is a key benchmark of our national competitiveness, and I know that concerns you as much as it concerns me.

While the Government is committed to further investment, over time and as resources allow, the reality is that the answer does not just lie in increased expenditure. Progress also depends on increased productivity in the public sector, and this requires changes in how services are delivered, who delivers them, and requires changes in how public service organisations are structured. We all find that change done to us can be threatening, and I understand that, but that change made by us can be exhilarating. And the opportunity to be involved in making change in the public

service sector arises through genuine participation and partnership by both workers and management. And I see partnership at the level of individual public sector organisations as the engine to deliver the change the public demands, and partnership must demonstrate its ability to enable and embrace modernisation and change, both nationally and of course at the level of the individual organisation and workplace. And at a time of private sector job losses and sharp public resources the public service needs to take the opportunity to demonstrate that it has understood the need for change, and it needs to deliver, and I think we all understand that.

The Government has delivered for ordinary workers right across the economy. For the last number of years the Government has taken a range of measures to boost the living standards of people on modest incomes. We brought in the national minimum wage, we brought in record increases in the level of Child Benefit, we brought in tax credits to make the system fairer and more transparent, and we brought in substantial increases in the value of those credits in order to ensure that tax relief went to those that needed it most. And this is a record of reform which the Government can be proud of, and it is a record of reform for which the country can be proud because all the international studies show - none of them my studies - that Ireland now leads the way when it comes to helping ordinary working people and their families.

The latest study, the OECD one which just confirms what all of the others have in the last few years, examined the burden of direct tax on industrial workers with families right across the developed world. And what they found was the burden of direct taxation was lowest in this country of all the countries they looked at in the OECD. Not only that, but the tax burden on the industrial worker in this country was actually negative. In other words, the person in Ireland actually gets more in cash benefits from the State than he or she pays in income tax and social security contributions to the State. And I think social partners can take their part in that, but I think John Monks would be interested in their own studies in the European Trade Union movement that also shows exactly the same position on the latest data that I read from their March documents. That's a remarkable achievement when you consider where this country has come from. It shows the enormous social progress that we've made in a relatively short space of time. And I know that it is right that, as Delegates to the Congress of Trade Unions will say, it was the trade union movement that led and pressed for that.

But we have achieved it, and now having achieved it we shouldn't just move on as if we haven't got anywhere at all, because we've gone from one of the worst positions, and that has to be a considerable achievement for us all. And it shows us what can be achieved, by reforming Government, working with the social partners, to make this country a better place for all our people, rather than just talking about, or as I preferably say, waffling about it, which a lot of people do in this country.

Our tax reforms have helped to promote social inclusion. Six years ago the rate of unemployment stayed at well over 10 per cent, today it is half of that. I know that there are pressures, and I know there are current pressures. Six years ago the number of people trapped in the misery of long-term unemployment was almost 100,000. Today that figure is quarter, exactly, of that, and that is real progress for real people

I hear a lot of cynical commentators saying that we've nothing to show for the boom years in the Irish economy. They could not be more wrong. We've achieved virtually full employment, we've achieved an effective elimination of long-term unemployment and those are real achievements indeed. And we have to work hard now to sustain them and to protect them, which is precisely what we've done in the talks on the turn of the year.

President, on the economy, competitiveness has emerged as the key issue, not by me, but by everybody. We cannot ignore the pressure points that now exist in the economy. Our fiscal situation has tightened, and so our range of choices has tightened too. Now we must temper expectations and moderate our behaviour to conform with economic reality. If we do that our competitiveness will be enhanced and our employment secured. If we do not, well, the consequences are fairly clear, and you don't need me to recite them.

Today there are facts that we must all face together. Ireland is part of a monetary union with an objective for low inflation of less than 2 per cent. International competition is exerting more downward pressure than traded goods, and it's likely to continue doing so for some time to come. International competition for jobs and investment is becoming more intense all the time. Ireland must stay competitive if Ireland is to stay employed, and we have to get inflation down to at least 2 per cent or risk losing jobs or losing markets, and this is a challenge facing all of us. And I thank Congress for the determined efforts they're putting into driving that down.

Sustaining Progress commits that the Government, along with employers and the Congress of Trade Unions, will work together to help put downward pressure on inflation, particularly over the next period of time. The parties recognise that an explicit and co-ordinated set of policies could help to slow down the present race of domestically generated inflation, and I am determined to work with you to achieve that. And this, the group that is working, is developing proposals in a report to the Government that's provided for in *Sustaining Progress*, and these proposals will be fully taken into account in the future development of policy in this area, particularly in the short term. But we cannot simply leave all of this to an anti-inflation group ladies and gentlemen. As a society we jointly face the challenge of securing our future wellbeing in the face of a difficult and changing economic environment, and it's not in this country, but all over the world there is a downturn. Most of the countries in Europe are now working on negative growth; the United States, with enormous deficits; Australia doing a little bit better; Japan, still for the 10th year in a row, in recession; and the vast majority of the large countries in Europe now have gone through the 10 per cent barrier in unemployment again, not to mind being on 0.1 or 0.2 per cent economic growth. So we have to look at it in the overall context.

And the Government is committed to ensuring that the commercial semi-state sector provides services of world-class quality and competitive prices to the consumer. And President, there has been extensive discussion with unions about these issues, in particular as they apply to transport, and I'd like to address some of those.

It's vital that taxpayers and commuters get value for money from public transport services, and this is a real concern to Government. For example, the increased

subsidies being paid to CIE, almost €250 million, in the current year. And we need to change the way public transport is organised and managed in order to increase efficiency and give value to customers. I believe that we should aim to do that in the spirit of partnership. I'm quite sure that the CIE unions do not expect the travelling public and the taxpayer to subsidise inefficiency any more than I do. There's also a significant measure of agreement to the Public Transport Partnership Forum, which I acknowledge the good work done in that forum. For example, the new routes should be open to competition, as indeed they are, and I acknowledge that, and the Government has no desire, no desire whatever, for conflict with the trade unions. I've no intention of pursuing a policy which would erode the wages and conditions of public transport employees in some sort of race to the bottom to reduce operating costs. It's not my agenda, it's not the Government agenda, and it will not happen.

What I am, President, clear about is the change to promote efficiency. And there's no reason why a more efficient Dublin Bus would not win any franchising competition. Our focus should be on service and cost, and our concern is to promote more efficiency and better service, and to do that by agreement. I'm sure that the Government would be able to reach agreement with all the stakeholders, including the CIE unions, provided there's a clear understanding that change is unavoidable, as outlined in the Forum, in order to meet the legitimate expectations of tax payers and the public. And both Minister Brennan and myself share that view, and that will be the view. Government policy is clear, and as I said earlier, there's a fair measure of agreement with the trade unions about the broad direction of the development in the Dublin Bus market, and I will work to that agenda.

In considering the future for the airports operated by Aer Rianta the Government will take the decisions that best support the future development. With regard to Dublin Airport, the proposal for a second independent terminal has to be considered in the light in of what is best for the airport as a whole. There are clear and obvious pressures in capacity, they have to be faced up and the investments that are necessary have to be funded. However, I believe that we need to be able to demonstrate that the overall direction and management of the airport will be best served by whatever decision is taken about the question of the second independent terminal. The question of the allocation of costs and responsibilities and the need for a clear strategic direction for the airport complex as a whole will be have to be addressed and resolved. And decisions need to be taken as early as possible. Equally, however, we need to take the right decisions. We will take into account all of the legitimate views which have been expressed, and ultimately present our concern will be to take decisions that are right for aviation policy nationally, right for the consumer, right for the taxpayer and take into account the views of those people directly involved in the workforce. We will take the decisions which we are convinced are in the best long term interest of everyone concerned. And the Government is committed to efficient and competitive public transport services, and I've no doubt Congress wants nothing else.

Finally, President, in thanking you for the opportunity of being here, and the opportunity to address some of the issues and to assure you of my continued daily attention to the issues. As you said, we can't always agree, but I think we do try our best, both of us, to work the issues through, and I'll continue to do that.

Finally, I'd take the opportunity to express my good wishes to all of the Officers and members of Congress, and to you, all the Delegates. In particular, I want to thank you President for your leadership role, not only in your term as President, but in a long, distinguished career of leadership in the movement and in the teaching profession. I want to express also my good wishes to Tom Wall, the Assistant General Secretary of Congress, who retires this year, and Tom has been a most helpful contributor to negotiations and the resolution and prevention of disputes over many years, and I wish him a long and happy retirement. In the same spirit I want to express my best wishes to Joan Carmichael who will also be retiring from Congress as Assistant General Secretary. Joan has been a tireless champion of equality in society and in the workplace, and I know she has much more to contribute to Irish society in the years ahead. I first worked with Joan when she moved from Branch 12 to Branch 15 of the Workers' Union of Ireland back in the early 1970s, and I've known her since. I must also acknowledge the immense contribution of Des Geraghty, who retires as General President of SIPTU later this year. Des has contributed greatly to the public and public service over many years, and I worked with him from the early 1980s, and I want to thank him for his huge contribution. Ladies and Gentlemen, trade unionists are activists, they are doers and they are achievers. The emerging modern Ireland is part of a monument to your activism, to your leadership.

Unions, employers, community groups and Government have, by working together, have risen above sectoral agendas. Sometimes it's difficult, but we worked at it, and that's why this country is where it is today. Government has, by working together, risen above all of these kind of problems and tried to find solutions as best we can. And we've avoided the trap of being less than the sum of our parts, and we've built an economy and a social model that is admired around the world. I often feel, needless to say, but it's the usual thing, but it is admired far more around the world than in my own country, but that tends to happen in life, particularly in the psyche of Irish people. But having said that, usually when you're dead they do write good death notices about you.

But we do not have time to rest on our laurels. Just as old problems are solved new ones emerge, I'm very aware of that. I suppose the day you come into the office, for you or for me, and there's no problems then there is a real problem for yourself. Indeed, it's worth remembering that if we still had the massive unemployment and the high emigration we sure wouldn't be here talking about the housing problem. Because, as those of you old enough will remember, the stories of the late '50s or for that matter, the '70s or the '80s, there was no problems with housing. I remember in the early '80s, on the Dublin Corporation Housing list, you could get a Corporation house for under £10; and those of you familiar with the list today know how difficult that is. But then, when our people were far off, that was another problem. But the fact is that we do, and the fact is that we are, making progress, good progress solving it, but we must remain focussed on the medium and long-term, on the big picture. And Ireland has every component part necessary for long-term and sustainable progress. All of the experts, again not me, but the independent ones both domestically and internationally, say we're more likely to get through this economic

downturn better than anybody else, and get back to what they believe is our sustainable position of 4 or 5 per cent economic growth.

And a point that is missed, and it is one point that tends to annoy me about this country at times, and if I could share the frustration with you, from where we were when we started on this social partnership issue back in 1987 the country has grown 150 per cent. We've gone up, not just double, but one and a half times, and not one year have we come down more than 1% where we brought it. So where we started, there, we've gone up 150 per cent. This year we might only grow 2 per cent on top of that, but we've sustained it at that, and that's what social partnership has done. Most of the countries, when they've come up now they've gone back into negative growth. Not in this country. And that's why we're able to sustain what we have. People will say, what does that mean? People will say you spent €19 billion, you now spend €40 billion. But it does mean an awful lot, it does mean that instead of a million people working we've a million and three quarters people working. Instead of being 800,000 people in education, there's 1.2million in education. Instead of having a fraction of our society in third level education, we've a huge amount of our people in third level education. We've ongoing training. We've national homeless policies. We've national drugs policies. All of them working.

I'm not here to tell you all of them are 100 per cent, maybe they never will be, but I do contend, Ladies and Gentlemen, that through our efforts we have achieved an enormous amount, and the question that is now to be answered is whether we have the wit and the will to pull together to realise that potential and keep it going. If we can do that, this country, small as it is, peripheral as it is, isolated as some people would like to have us - but I don't believe that - we can be world leaders. We can provide not just jobs which are important, but good jobs with added value, which has been the policy of the Irish Congress of Trade Unions since the jobs crisis document of the mid '80s. And we can promote the infrastructure and the housing that will not only sustain a world-class economy, but provide a decent quality of life as well, and we are seeing that kind of infrastructure. We're seeing it in terms of road, in terms of what's happening in rail, in bus and what's been happening in so many other areas. So these are goals that we have set for ourselves now, together I believe we can continue achieving them.

I thank you President. I thank this Conference of the Irish Congress of Trade Unions in your biennial Conference for giving me the opportunity of addressing you. Go raibh mile maith agaibh.

Senator Joe O'Toole, Congress President

Thank you very much Taoiseach for your outline of your views on it. And in asking the General Secretary, David, to respond to you, to thank you, I think we'll take one overall message which I hope all commentators have heard this morning. Your early comment, and as you implied all the way through and you stated at the beginning, trade unions are of crucial importance to Irish economic development. That was an important message for us to hear. Thank you very much indeed.

David Begg, Congress General Secretary

Taoiseach, I want to thank you indeed for your very wide-ranging and comprehensive address.

And I want to warmly welcome what you said about the provision of the land for housing. As you know, Congress made this the flagship project as part of the *Sustaining Progress* agenda, and there were a great number of sceptics in the newspapers and elsewhere, they said this would never be delivered. A quick reckoning on what you said this morning, in terms of the 309 acres of land, that that alone would probably take us nearly half way through the total objective of 10,000 houses over the three year period. I really warmly welcome that.

The view we took was that, you know, in past partnerships agreements, perhaps we tried to maybe bite off too much by trying to address every single facet of economic and social activity, but we tried to be more focussed in this agreement. And we said that we would try to take one serious problem for the Irish people and crack it, and that would be the way that we would approach the partnership, and if we do that we will re-establish the standing and credibility of the partnership project. And as I said Taoiseach, I warmly welcome that indeed.

Now you've made a number of points today, obviously I'm not going to respond comprehensively to what you have said. You have, however, referred to the need to deliver good quality public services. I want to ensure you that I believe it to be the intention and objective of every one of the public service leaders who are gathered in this room to do just that. We take the view that the public realm is extremely important in ensuring the quality of life, the need for the State to be involved in economic and social activity in order to ensure that there is social cohesion, and I believe that everyone here shares that view of trying to provide good quality public services. I know that we have run-ins, Taoiseach, from time to time, but I think that we can genuinely say to you that it is our objective to deliver on that.

But the public realm extends beyond a direct provision by Government provided services into the whole area that you've mentioned in transport policy, in health provision, in electricity and all the rest of it. I was very pleased to hear also your general disposition to the resolution of difficulties in that area, and I have to tell you, Taoiseach, that had you been here yesterday, Colleagues were sort of in a fractious mood, if I can describe it that way, about some of these issues.

Now I'm happy with what you've said. I think that we can move forward to try to resolve those issues, and perhaps it might be a good idea if we could at some early stage, convenient to yourself, maybe have another meeting so that we could stock take on exactly where we are to try and take this issue forward. All I would just say about this, I think, is that Congress is very willing to manage our way through difficulty in this area, but we do have a view about the role of the State in society, and while we want to manage the problems we can't compromise the integrity, I think, of our principal position on that ultimately. And I would just ask you to bear that in mind. Nevertheless, anyway, I'm sure if we have this early meeting we can move along in relation to that.

Now you were very kind in your remarks recognising the position of the trade union movement in Irish society. We do have 767,000 members affiliated through the different trade unions. We do operate North and South, and we are one single body as you know. We are the largest civil society actor, and you did recognise that. And I want to say publicly, as General Secretary, that I have always been treated with great courtesy by yourself and your Ministers whenever we had the cause to make representation to you. But as a civil society organisation we do recognise that one of the privileges of living in a democracy is that we make representations to Government, and that Government is the ultimate body that decides policy in the country. And while we would take indeed strong stances and disagreements with Governments of all persuasions, whether it be Fine Gael, Labour, or anybody else in relation to issues, I hope that we would always conduct ourselves in a way that showed that we acknowledged the supremacy of Parliament, and the supremacy of Government, and our right to advocate on behalf of a particular point of view. And that is why it has been so distressing for us, as a Congress, and Delegates referred to this earlier during the week, where people in the private sector, because they have the means, feel that they can use the media to abuse you and your office as Taoiseach. And I hope you would expect, Taoiseach, that Congress would never approach its relations with Government in that way.

Finally, Taoiseach, again I want to tell you that we are very conscious of the great honour that you do us in coming here to attend our Conference and to speak to us, and we appreciate it very much. You had the opportunity earlier on to meet our colleague, the General Secretary of the ETUC, John Monks. We are aware that Ireland is taking over the Presidency of the EU early next year, and I think that Congress together with the ETUC will be working very closely, and hopefully we will be liaising with you, and having some meetings with you in that regard as well. And I want to take the opportunity in wishing you well in conducting the business of Europe over the period of Ireland's Presidency. As you know, Congress constantly looks outward to Europe. We do have a particular view about the future direction of Europe; we do see it as an important alternative pole of influence in the world. And in many respects Europe has the capacity, I think, going forward, to make a great difference about this total world we live in, to make globalisation a force that is tamed to the interests of the people of the world and is not simply the rampaging model of capitalism it is at the moment - creating great injustice in so many parts of the world. I think Ireland, acting through you, can have a good influence in that general direction, and we will be stepping up our engagement at European level.

And we wish you well, Taoiseach, in that very heavy responsibility, and thank you once again for the honour you have done us for coming here today.

Senator Joe O'Toole, Congress President
Thank you very much David.

Brendan Mackin, Congress Vice-President

Can I have a bit of quiet please? Billy Hannigan to announce the election results of yesterday. Can we have a bit of quiet? Conference, please, Delegates, settle down.

Billy Hannigan, PSEU, *Election Results*

Delegates, Billy Hannigan, PSEU and Chairperson of the Scrutineers, with the results of the various elections.

In the case of the office of **President, Brendan Mackin** is **elected** unopposed.

In the case of the office of **Vice-President**, the total poll was 538 votes. There was one vote spoiled, giving a valid poll of 537. Peter McLoone, 342; Owen Wills 195, so **Peter McLoone** is **elected**.

In the case of the office of the **Treasurer, Joe O'Flynn** is **elected** unopposed.

In the case of the 22 places on the **Executive Council**, the total poll was 538. In this case each vote has been allocated a value of 1000, 538,000 total, giving a quota of 23,392. Now what I propose to do is give the first count total for the candidates and the count on which they were elected or eliminated:

Election Results

- **Bolger** - 24,000 - **elected** first count;
- **Broderick** - 23,000 - **elected** second count;
- **Carr** - 22,000 - **elected** without reaching the quota on the 12th count;
- **Cody** - 24,000 - **elected** first count;
- **Coffey** - 2,000 - **eliminated** third count;
- **Corey** - 24,000 - **elected** first count;
- **Devoy** - 22,000 - **elected** 12th count;
- **Dooley** - 18,000 - **elected** 12th count;
- **Doran** - 24,000 - **elected** first count;
- **Dorney** - 26,000 - **elected** first count;
- **Douglas** - 20,000 - **elected** without reaching the quota on the 12th count;
- **Edmund** - 11,000 - **eliminated** on the 12th count;
- **Geraghty** - 24,000 - **elected** on the first count;
- **Gourley** - 27,000 - **elected** on the first count;
- **Horan** - 23,000 - **elected** on the third count;
- **McKeown** - 24,000 - **elected** on the first count;
- **Moore** - 24,000 - **elected** on the first count;
- **Murphy** - 24,000 - **elected** on the first count;
- **Nulty** - 24,000 - **elected** on the first count;
- **O'Connor** - 23,000 - **elected** on the 8th count;
- **O'Shaughnessy** - 11,000 - **eliminated** on the 12th count;
- **Scanlon** - 23,000 - **elected** on the 5th count;
- **Shanahan** - 24,000 - **elected** on the first count;
- **Tierney** - 24,000 - **elected** on the first count;
- **Wills** - 23,000 - **elected** on the 12th count without reaching the quota.

Now the next election was the election of **four places** on the **Executive Council** reserved for **women members**. The total poll was 538,000 giving a quota of 107,601.

- **Byrne** – 117,000 – **elected** on the first count;
- **Callinder** – 109,000 - **elected** on the first count;
- **Greene** – 132,000 - **elected** on the first count;
- **Marshall** – 65,000 – **eliminated** following the first count;
- **Treacy** – 115,000 – **elected** on the first count.

The next ballot was for the **one place** on the **Executive Council** reserved for the **Trades Councils**. There was 546 votes, Fleming 395; Hardiman 149. So **Fleming** was **elected**.

Finally the election of **five members** of the **Standing Orders Committee** and **two substitutes**. The total poll was 538,000 and the quota was 89,668.

- **Campfield** – 111,000 - **elected** on the first count;
- **Fay** – 22,000 – **eliminated** on the 4th count;
- **Ferguson** – 26,000 - **eliminated** on the 6th count;
- **Gallagher** – 9,000 – **eliminated** on the 3rd count;
- **Garvey** – 82,000 – **elected** on the 7th account without reaching the quota;
- **Hudson** – 38,000 – **eliminated** on the 7th count, and by virtue of the time which he was **eliminated** becomes the **second reserve**;
- **Miller** – 61,000 – **elected** on the 7th count without reaching the quota;
- **O'Meara** – 54,000 – **eliminated** on the 7th count and by virtue of the time the elimination happened becomes the **first reserve**;
- **Sharpe** – 62,000 - **elected** on the 7th count without reaching the quota;
- **Warnock** – 73,000 - **elected** on the 7th count without reaching the quota.

**Trade Union Rights (contd.)
(Motions 65 - 67)**

**Principal EC Report reference: Chapter 10, Strengthening the Trade
Union Movement
(10.00 – 11.30)**

Brendan Mackin, Congress Vice-President & In-coming President

Thank you Billy.

Conference, we are moving onto the Motion 65, which is under the Trade Union Rights section. AMICUS is moving Motion 65, so anyone who wants to speak to this Motion please come to the front.

Gerry Shanahan, AMICUS, *Motion 65 (Collective Representation and Right to Bargain)*

In-coming President, Conference, Gerry Shanahan, AMICUS, moving Motion 65.

Firstly, could I make our excuses for our temporary absences yesterday. There was a minor matter of an election that distracted us and we didn't have our key speakers, just to make that point.

Conference, there are specific reasons why we refer to the matter of union recognition in the context of collective representation and the right to bargain. Trade union recognition, of itself, does not provide for collective representation, or the right to bargain, as a matter of rights. Now, this may seem like semantics in this debate, but from our experience, particularly in the private sector, when you seek a statutory based system then it is necessary that the legislation that emerges specifically provides for collective representation, but that, of itself, does not provide for the right to bargain. So we stress that any new or amending legislation must provide for twin imperatives, collective representation and bargaining, as a matter of rights.

It is also important that the language we use, rather than union recognition per se, that it reflects the language in the four ILO Conventions. Now two of these have been ratified by the Irish Government, two have not. The two most important have been, collective representation and the right to bargain. And equally, the language that is used in the European Charter of Fundamental Rights also talks about collective representation and the right to bargain. It is also important, from the perspective of existing legislation and in framing any new or amending legislation, particularly in the line of the Bantry Seafoods Labour Court recommendation, the Wilson case - which was mentioned yesterday by the NUJ, the Nolan Case - Supreme Court judgement there, and in relation to any Constitutional arguments that have been brought forward, that we build on the existing body of legislation, both nationally and internationally.

We would also argue that it is an imperative that we pursue our strategy in the context of rights based legislation. We should not be bedevilled by debates about thresholds, debates about the nature of bargaining groups.

This is not a concession. After 140 years since the Combination Acts, nearly 100 years since the Trade Disputes Act, why are we still we going to the table as if it is a concession to recognise the right for our existence?

President, we will not support forms of legislation which seek to limit or circumscribe those rights. So let's not be shy about this. Let's see rights based legislation without thresholds, without circumscription.

Thank you President. I move.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you Gerry. Seconder? Formally. Speakers?

Jack O'Connor, Congress Executive & SIPTU General President

President, Delegates, good morning. Jack O'Connor, SIPTU.

Delegates, it's critically important that we locate this Motion, and all these Motions, in the context of the on-going battles around the general standard of pay and conditions applicable for workers in this country and on this island, and the quality of our public services, and the say, if any, people who work for a living are to have in shaping the development of our economy and society over the medium and longer terms. In the Republic, 60 per cent, more than one in two employees, were in unions at the end of the 1980s. Now, according to the CSO statistics, 37 per cent to 40 per cent are in unions.

On the positive side, it is important to note that union membership is growing about 30 per cent, not 22 per cent as suggested by some columnists recently, or organising unions in the private sector. That the decline in union density is entirely due to the dramatic expansion in the numbers employed, that more than half of these jobs were created during the last five years, and that about 100,000, mostly unionised, jobs were lost due to redundancies in the traditional sectors over the same period.

It is important to note as well, Delegates, that if we could increase union membership over the next six years by as much as last year one employee in two would be a union member in six years' time. But of course, Delegates, the conditions would be much more difficult with the curtailment of public sector employment, the on-going assault on the commercial semi-state companies, the relentless demise of traditional industry and the growing viciousness of employer resistance against trade union organisation.

The proposed new legislation and Statutory Codes envisaged during the *Sustaining Progress* agreement represent one small step, one small step in a journey of a thousand miles. But it is a step that has been achieved without any concession insofar

as our objective to achieve full trade recognition and the right of bargaining is concerned.

It is clear though, it is very clear, that in adopting Motions such as this, and in continuing to work for the objective, that we clearly understand that neither the Government or the employer will undertake the task of organising workers. We have to do that ourselves. And it is important that we do the things that have to be done, all of us over the forthcoming period, to achieve that. It is important that each of us take a number of key strategic steps, put in place the maximum amount of dedicated resources for organising, develop the relationship with our members, actively promote trade unionism and support each other in each and every possible way in practical battles for union recognition. Not just passing Motions and Resolutions, but actually practically supporting workers who are engaged in these battles in every possible way.

No one of us will do it on our own Delegates. We have to do it together, and we can do it.

Thank you very much.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you very much.

Any more speakers to the Motion?

Can I put Motion 65 to the floor? Those in support? Please show. Those against? Motion is carried.

Can I move to Motion 66, Right to Strike, by the Fire Brigades' Union. Once again, if anyone wishes to speak to this Motion will they please come down to the front.

Jim Barber, FBU, *Motion 66 (Right to Strike)*

President, Conference. Jim Barber, Fire Brigades' Union moving Resolution 66 on the Right to Strike.

Conference, the right to withdraw one's labour, to take strike action, is an indispensable requirement of a free society. As such, it is recognised expressly in the European Social Charter and implied by ILO Convention 87. It is also enshrined in the Constitutions of a number of member states of the European Community: France; Germany; Spain to name a few; but not in the UK.

Traditionally there has been no right to strike in UK law, rather a series of immunities have applied. The situation, of itself, is a shame and a disgrace, and since 1980 these immunities have significantly and substantially eroded. Of course things were meant to get better when Tony Blair replaced Thatcher. Unfortunately, they have not. The Thatcherite anti-trade union laws remain intact. The tortuous route to achieve industrial action through official strike remains. But recently the Blair Government

has sought to go even further. During the recent Fire-fighters dispute, despite going through every hoop in the law, despite dotting every 'i' and crossing every 't', our official dispute was in constant danger, under constant threat, of being undermined by a duplicitous and underhand Government who were quite willing to move the already draconian goalposts in order to break the Fire Services Union. We've had the Fire Services Bill being pushed through Parliament, a bill which clearly offends a number of international treaties and conventions to which the UK Government is a signatory. Most significantly, the ILO Declaration of Fundamental Principles and Rights of Work unanimously adopted by all UN member states. We've had a separate white paper on the fire service published only this week, and that Blair would use the not so independent Attorney General to have strike action declared unlawful on the grounds of public safety.

Conference, instead of breaking international laws the British Government should abide by them. Instead of preserving the anachronistic, unwieldy and unfair system we have in the UK, we should look towards progressive models found elsewhere. Conference, it is they who placed at risk the historic links between Labour and the trade union movement, and I, for one, think the break with New Labour is already long overdue.

Conference, in recent days John Prescott has assured the Fire Brigades' Union that he will respect our right to take industrial action. Important words, but we say to Prescott and his like we are watchful, we will be vigilant, we remain a free, independent, and yes, proud, trade union. And be clear, Prescott, there is no right that we will more jealously guard than our legitimate right to take industrial action.

Conference I move.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you Jim. Have we a seconder?

Paul Dale, NIPSA

Paul Dale, NIPSA, to support Motion 64 and to support the right to strike.

President, Brothers and Sisters, during the recent strike action by FBU members we saw a heroic struggle of public sector workers defending their service, and who had incredible levels of support by the general public. In scenes reminiscent of the health services strikes in the '80s in the North, we saw picket lines being greeted by blaring car horns, car after car, and the local radio shows had call after call supporting the fire-fighters stand. Not just in the cities where you would expect some level of support for industrial action, but these reached down into the very smallest of towns who had their own fire stations out on strike, towns in the area where I come from like Belleek, Clogher, Lisnaskeagh.

Yet despite this, but probably because of it, the Labour Government came within a hair's breadth of introducing legislation to effectively outlaw the action and remove the right to strike for this crucial section of public sector workers. Legislation would

have seen the police and/or troops being used against picket lines. Individual strikers could have been prosecuted, and in all possibility, jailed. The union itself could have had its assets seized.

Congress, we have to ask ourselves what would have happened then? What would have been our response? What were ICTU and NIC-ICTU planning to do in such an eventuality? I don't know if there was any discussion or plan or idea as to what ICTU should do in such a case, and I look forward to hearing, maybe today, what plan was instigated to allow our labour movement to respond in an appropriate manner in defence of the fire-fighters.

Congress, make no mistake. A similar scenario will arise again. The next set of public sector workers who embark on strike action and who have some clout and who have major support will see the Government make similar threats about law on strikes in the national interest. And the next time they might well go through with it. We've been warned, and therefore must prepare ourselves so that we have no confusion, we have no prevarication, we have no doubt that our trade union movement will respond in the only appropriate manner we know - a withdrawal of all our labour in defence of the right of any group of workers to withdraw their labour.

The only appropriate response will be generalised strike action. If we do not respond in solidarity, and if we leave any group of workers isolated and on their own, we will all lose the right to strike, and we will have suffered a monumental defeat.

I know you'll support this Motion. Support this Motion, but think about what it involves and start preparing.

Thank you.

Patricia McKeown, Congress Executive & UNISON

President, Delegates. Patricia McKeown, UNISON, to support the FBU's Motion on the right of every trade unionist to strike.

It was our pleasure and privilege when hosting a council of the IICTUC's meeting in Belfast earlier this year to be able to bring the Irish Congress of Trade Unions, the TUC, the Scottish TUC and the Welsh onto the FBU picket lines in Belfast to underscore support and their right to strike. It's only 12 years ago that another block of public sector workers had their right to strike removed. Those were the workers of GCHQ Cheltenham. That provoked a response which brought workers in Belfast onto the streets. It also provoked the campaign that was sustained for 12 years until they eventually secured their right again to take industrial action.

The UK Government and indeed, the Irish Government, are signatories of the UN Convention on Social, Economic and Cultural Rights. Every four years or so Governments that are signed up are measured to see if they meet the standards. That measurement happened earlier this year in respect of the UK Government, and it was found significantly wanting on a range of issues including its ability to tackle discrimination, its ability to tackle poverty, its ability to tackle human rights. But also

very significantly underscored was the fact that the right to strike was not yet there as it should be for workers in the UK, and that the current situation, which is governed by anti-trade union laws, could not be one acceptable to any signatory of the UN Convention. That's very clear, that's an international statement, an international standard. I think it gives this movement the opportunity to start renewing pressure significantly on both the UK Government in relation to its employment and industrial relations legislation, and the Irish Government in relation to its.

So certainly, on behalf of the block of public sector workers we represent, we say that if anyone dares to touch the right to strike of any member of this movement then of course we must respond appropriately with industrial action ourselves.

I support.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you Patricia.

Motion 66, those in favour? Please show. Those against? It's passed.

Motion 67 was deemed out of order so we will not be taking Motion 67.

I will now call the General Secretary to the rostrum to speak to us.

David Begg, Congress General Secretary

Colleagues, I'm very sorry to have to tell you that I just heard a few minutes ago of the death of Brother Pat McCrohen who is an electrician in Tarbert who was one of the people injured in that terrible accident down there, and I assume a member of the TEEU. So Conference, President might wish to acknowledge that fact. Thank you.

Brendan Mackin, Congress Vice-President & In-coming President

Can we stand up for a minute's silence please? Thank you.

International
(Motions 68 – 74)
Principal EC Report reference: Chapter 11, *International*
11.30 – 13.00

Brendan Mackin, Congress Vice-President & In-coming President

Move onto Motions 68, 69 and 70 will be taken as a group.

May I say that the Executive are looking for remittance on all of these Motions.

Motion 68.

Tony Dermody, TSSA, *Motion 68 (Peace and Neutrality)*

Mr. Vice-President, Conference. Tony Dermody, TSSA, moving Motion number 68 on Peace and Neutrality.

In summary, Delegates, this Motion condemns the US led war on Iraq, points to the grave approach taken by the Irish Government that has been eroding our neutral foreign policy, indicates the need to support a reformed United Nations and commits Congress to a campaign to enshrine genuine neutrality in foreign policy in the Irish Constitution.

It is three months since the start of the war on Iraq, and the spurious justifications advanced for it by Blair and Bush have been shown to be without foundation. Not a single weapon of mass destruction has been uncovered. The occupying forces have made no genuine attempt to establish a democracy in Iraq and Iraqi guerrilla resistance is emerging. The prospect now is for an unstable and violent Iraq, maintained as a locus for division and instability so as to prevent the emergence of any counterweight US power in the region.

The USA sees itself as world police officer for global capitalism, and is determined that no country will be allowed to resist domination by US transnational corporations and their enforcers: the International Monetary Fund; the World Bank; and the World Trade Organisation. Already, the US is targeting others on its hypocritical list of rogue States, though, so far it has not picked publicly on its prime target which is China. And of course China, Syria, Iran and the others are not going to take dictat lying down, and in the longer run the danger for confrontation for the USA extends well beyond the rogue States and China. There is Japan, India, Pakistan - all of which have ambitions which may run counter to US interests around the world. Relations with Russia are scratchy. Even with the European Union there are clearly areas where fundamental conflicts of interest may emerge, giving rise to confrontations of one kind or another, the case in point being the question of genetically modified foods.

Rosa Luxembourg, a heroine of our movement, talking during the First World War about the dangers of capitalism expressed the stark alternative she perceived at that time - barbarism or socialism. I put it to you, Delegates, that this century will be the most dangerous ever faced by humankind, and that we will be lucky if we emerge from it with barbarism. For the difference now, from Rosa Luxembourg's time, is that there are at least seven nuclear armed States, each with the capacity to eradicate life on earth several times over, and each and everyone of them sounding more war-like every day.

It is time that ordinary people woke up to this bleak prospect right now, and I am calling on Congress to sound that wake-up call. It is just not sustainable to ignore the United Nations, or to undermine it, as the USA has been doing. It is an insane notion that there could be but one superpower, however benign, which could police the world. It cannot be done because other powers, some very powerful in their own right, will resist at some point. Neither would such policing be benign, for absolute police power would lead to absolute viciousness, and we see plenty of evidence already that in its relations with countries in Latin America, Asia and the Middle East the US superpower is anything but benign. And believe me Delegates, the old imperial powers of Europe dressed up in sheep's clothing as a Rapid Reaction Force have no better chance of success than the USA as enforcers of world peace.

The way forward is multilateral security and democracy in international relations under the auspices of the United Nations. It is high time in inter-state relations we have some respect for international law and world public opinion as expressed, however imperfectly, through the UN. A campaign is needed to reform the United Nations, to make it more reflective of the views of the peoples of the world, and to ensure it is properly resourced, both politically and economically, and to establish it once and for all as an effective international forum.

So Delegates, where do we start with such a project? Well the answer is right here and now at this forum. The criminal attitude of the Irish Government over the war on Iraq is ample evidence of the world-wide dangers which I mentioned, and they have their reflection right here in Ireland. Let us then start now, at home, to create the conditions which will keep us out of international conflicts, will force our Governments of whatever hue to respect and implement our neutral policy, and will make Ireland a voice for peace, collective security, the rule of international law, support for the United Nations organisation and the Organisation for Security and Co-operation in Europe. I therefore ask you to instruct the national Executive Committee to start this year a campaign to amend Bunracht na hEireann and to pursue it to completion.

In this task we will not be alone. The campaign will have the potential to capture the imagination of a broad swathe of the Irish people, and we will find many allies with whom we can fruitfully co-operate, enhancing the image of Congress in the process. One example is the Labour Party which passed a very similar motion at its own national conference in May. I believe, Delegates, that if the Labour movement is to pursue such a campaign with vigour and conviction it needs the backbone of Congress to stiffen its resolve.

And Brothers and Sisters, I think we should begin this work now by supporting this Motion, and Vice-Chair, in response to the request by the National Executive to remit, I can't comment on that until I know the reasons what might be for remission.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you. Can we have the seconder for Motion 68 please?

John Bowden, Cork Council of Trade Unions

John Bowden, Cork Council of Trade Unions.

Last March at the start of the war in Iraq I was in Tunisia, and for the first time in my life, and I hope for the last, I was ashamed of my Irish citizenship. I was in a country whose fellow Arab brothers in Iraq were being massacred by the US/British axis with the full assistance of my Government. This was, and indeed still is, through the allowance of the use of Shannon Airport as a refuelling stopover for US aircraft carrying military equipment and troops on their way to carry out their murderous deeds against the Iraqi people.

Those, including ICTU, who have protested that this was in breach of our traditional neutrality were brushed aside by Ahern, Harney and Cowen who cited our close relationship with the US and a fear that a refusal to assist the US in its imperialist war on Iraq would affect US investment here. Those of us who dared to protest at the scene of Ahern's crime, Shannon Airport, were met with hundreds of Gardai, many in riot gear, and many more armed with machine guns, as well as armed troops. And those who took direct action were criminalised; and one, indeed Mary Kelly, who was on trial up to yesterday - and I'm glad to hear that the jury failed to agree on the more serious charge of criminal damage and I'd like to congratulate her and her legal team on her at least moral victory in that - and others are still awaiting trial.

Meanwhile, the real criminals, the US military, were protected, and indeed still are protected, by our security forces, at our, at Irish taxpayers', expense. In his quisling like support for the Bush, Rumsfeld and Blair war, Ahern showed contempt for the views of the vast majority of Irish people, over a 100,000 of whom marched in Dublin in February on the day of international protest against the war. The Irish Government, in providing the Shannon stopover for US warplanes, was also quite clearly in breach of the UN position on the war. Ahern and his Government even went against the principle of the amendment they themselves introduced to the Constitution only months earlier to enable the ratification of the Nice Treaty at the second attempt. This amendment merely restricts an Irish Government getting involved in the European Defence Arrangement without another referendum being held.

What Motion 68 proposes is that a clause be inserted into the Constitution that would prevent Ireland from joining alliances or co-operating in wars like the illegal invasion of Iraq. It would also mean that this country would have to withdraw from the so-called Partnership for Peace which would be better called Partnership for War, which is the second division of NATO. It would mean that this country would then be

obliged to abide by international law regardless of what Government was in power. This I believe would mean that Ireland could again hold its head high as an honest broker internationally, especially among developing countries, following the shame that has befallen us as a result of the present Government's deplorable behaviour in recent months.

I urge you to support the Motion.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you.

Can we have the mover for Motion number 69 please?

Eamon Oakes, Belfast Trades' Council, *Motion 69 (Irish Neutrality)*

President, Delegates. Eamon Oakes, Belfast Trades' Council, speaking on Motion 69, Irish Neutrality.

Delegates, the war in Iraq, and the support for that war by the Irish Government, has raised the issue of Irish neutrality and precisely what neutrality is. It is more than non-direct participation in a military alliance. Neutrality will continue to be tested in similar circumstances until such time as we have an agreed definition of what neutrality is and is not. Government can continue to undermine and weaken neutrality in a world where the major superpower has signalled its intentions towards direct interference in the affairs of other States in a predatory fashion.

In the Motion, we've put forward some of the component parts of the definition of neutrality:

- non participation in a war between other States;
- maintenance of an impartial attitude towards belligerents;
- in peacetime, not doing anything that would make neutrality impossible during wartime - and that's not exclusive.

In the recent referendum on the Nice Treaty regarding EC enlargement, the first referendum was rejected mainly on the question of neutrality. It's only when assurances on Europe and neutrality were given the people voted in favour of the Treaty, an indication of the value we place on neutrality.

Then we see Shannon Airport being used as a stopover for US aircraft in the Iraq war. That, Delegates, is why we believe that a definition of neutrality should include the maintenance of an impartial attitude towards belligerents. Allowing US planes to refuel at Shannon was not impartial.

We support the other Motions on neutrality. We believe there's a complementarity between all three Motions and they're broad enough in outline to allow for full consideration of this important issue.

I ask you to support the Motion.

Similarly President, on the issue of remission, we can't comment on that until we hear the reasons that are being put forward.

Thank you.

Brendan Mackin, Congress Vice-President & In-coming President

Do we have a seconder? Formally.

Just Delegates, if anyone wants to speak on any of these Motions can they please come down to the front because I can't see people who are sitting over here.

We are now moving onto Motion 70. Mover of Motion 70 please.

Ann-Marie Conroy, Dundalk Trades' Council, Motion 70 (Neutrality)

Chairperson, Conference. Ann-Marie Conroy, Dundalk Trades' Council, moving Motion 70 on Neutrality.

Conference, when we sat down to write this Motion the war in Iraq was at its full. Thousands of innocent people were being injured and killed. We could see with our own eyes, through the media coverage, the devastating effect that this war was having on the people of Iraq. George Bush and Tony Blair have said these people will be better off. How will the children that are left without their parents and families be better off? Yes, the homes and buildings can be rebuilt, and in time Iraq will look like the war never happened. But how do you remove the memory of war from a child's mind?

We ask what does the United Nations stand for if George Bush and Tony Blair can ignore its recommendation not to go to war? Only last week David addressed remarks to Council and raised the question of why half of the young people of this country are not voting. Perhaps when our Government begins to listen to us then the young people of this country will again see the importance of the right to vote.

The people of Ireland voted on the referendum on the Treaty of Nice, and in November of last year subsection 9 was incorporated into the Irish Constitution which reads: *'The State shall not adopt a decision taken by the European Council to establish a common defence pursuant to Article 1.2 of this Treaty referred to in subsection 7 of this section where the common defence would include the State'*. We ask Mr. Ahern why did he allow Shannon Airport to be used as an American military base while the people of this country took to the streets in protest at this war?

We ask that Conference, through the Executive Council, ensure that Mr. Ahern listens to us, the people of Ireland, and not America, to ensure that Government legislate for neutrality to be enshrined in the Irish Constitution. We say to Mr. Ahern we will not be bought, Ireland is not for sale.

Conference, I move this Motion.

Brendan Mackin, Congress Vice-President & In-coming President

Have we a seconder please? Formally.

Kevin Morrison, NIPSA

Kevin Morrison, on behalf of NIPSA, to oppose Motion number 68.

Conference, there's no questions that there are sound sentiments in this Motion. I believe this Resolution genuinely attempts to chart a way out of the situation where Ireland has had an unclear position on the war in Iraq. The Resolution actually tries to find a way out of the policy adopted by Fianna Fáil and Bertie Ahern, which in reality has been backdoor support for American imperialism.

The Motion calls for reform of the United Nations in that it highlights human rights issues, it highlights the need to peacefully resolve international wrongs and it highlights the need to oppose imperialism. However, this Resolution goes on in the penultimate paragraph to call for support for international bodies such as the Organisation for Security and Co-operations in Europe and the United Nations. Let us remember, Conference, that the United Nations stands on a record over the last 12 ½ years of starving the children of Iraq. The United Nations has retrospectively rubberstamped American and British actions in Iraq, including handing over the oil wells of Iraq to America.

Even though, Conference, this Resolution seeks a way out of the current foreign policy of this country it is littered with contradictions, and will certainly not resolve this issue. The reality is, Conference, that the war in Iraq is not over. You may find that what happens in Iraq over the next number of years will make what happened in Northern Ireland over the last 30 years look like a tea party, and on that point, actually, Bertie Ahern in his address this morning didn't even see fit to mention Northern Ireland.

Conference, reality is that if we support this Motion we will allow Congress to become an apologist for British and American imperialism in the name of the United Nations. And for that reason Conference, I would ask you to oppose this Motion.

Thank you.

Jim Barber, FBU

President, Conference. Jim Barber, FBU, supporting Resolution 69.

Conference, many of us will have been gravely concerned with issues surrounding the Iraq war, and indeed with the continuing crisis there. I do think it would be useful to make one or two points about the anti-war movement, especially in Northern Ireland.

Firstly, the Northern Ireland Committee, through the good work of Peter Bunting and Alisa Keane, co-ordinated a very effective Stop the War Coalition movement in Northern Ireland that reached out across the communities and indeed into every corner of Northern Ireland, and I think they're to be congratulated for their efforts.

Secondly, the Stop the War movement brought young people, even school students, out onto the streets and into the broader workers' movement against the war, and I think this is very significant. And I think the speaker from Dundalk is to be congratulated for some of the things she said as well, for rightly, at this Conference, Delegates have made the point that the average age of a trade unionist is 46 - still a couple of years ago for myself anyway. Conference, if we did get involved with more work of this nature we could attract more young people to the movement, we could make trade unions more relevant, and we could achieve a greater involvement with local communities and indeed with other political groupings.

The war might have been declared over by George Bush, but the fighting continues and the people in Iraq continue to suffer. Conference, it is for this reason that we must keep this issue alive, and in doing so we will continue to expose the lies and the bankrupt policies of Bush and Blair, not least amongst the young.

Support the Resolution.

Senator Joe O'Toole, Congress Out-going President

No other speaker?

I'll just ask the General Secretary to respond to the debate before putting the Motion.

Thank you.

David Begg, Congress General Secretary

Thank you President and Colleagues.

I agree with the last speaker. There's a lot in these Motions which with the Executive Council would be sympathetic, but I want to just paint a context for you for consideration.

First of all, I just want to say, though, and I know you know this already, but the Executive Council did strongly oppose the war in Iraq, and both in Northern Ireland and in the Republic of Ireland campaigned very strongly against it, and we did it on three grounds.

First of all on legal grounds, because we believed that the war was illegal in the sense that it was being waged without any approval of the United Nations, and we were right in that respect. We believed that it was wrong on humanitarian grounds because we felt that the potential humanitarian casualties would be extraordinarily high, and we were wrong actually on those grounds. The numbers of people killed and injured, and so while bad, didn't match up with the predictions which were being made in that

respect. The third ground on which we rejected the war was that we felt that the long term strategic implications of this would be extremely damaging, as again the last speaker has noted, and I believe we were right in that. I believe that the problems that the British and Americans are experiencing in Iraq right now will continue. I think that any reflection on history would note that the difficulties that the British had with the League of Nations mandate in the 1920s, where eventually they had to throw the Ottoman Turks out of control of Iraq, they eventually had to give back control to those very people that they had sought to rid the country of in the first place, and the last position ended being somewhat worse than the first. But they were the grounds on which we opposed, and I think we were right to carry through our opposition.

I want to say one thing about the young woman who was on trial yesterday, and the other people who were involved in these prosecutions. The President and I met with a group of people who were protesting outside the Dáil last week, just to talk about their views and their approach to it, and some of them are facing sentences up to ten years. Now I want to make it clear that Congress under no circumstances will ever condone illegal action of any sort, and I want to place that on the record. But it would seem to me to be a travesty of justice that those people who have inflicted some material damage are not made to face the consequences. It would seem to me, and indeed to most fair minded people, to be in all the circumstances unjust and unfair, and I would be very much against that I must say.

Now I want to explain, Colleagues, just why the Executive Council is requesting remit of these Motions, because it relates to a number of things. It relates to the constitutional position here, and to the emergence of a European Constitution. First of all, there are some complexities in trying to adopt the first and the third Motions, that's Motion number 68 and Motion number 70, both of which require us to campaign for neutrality to be enshrined in the Irish Constitution. The difficulty lies in Article 43 of the United Nations Charter which says that all members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council on its call and in accordance with special agreement or agreements, armed forces, assistance and facilities, including the rights of passage necessary for the purpose of maintaining international peace and security.

Now the point I'm making is this. It's quite permissible to have a political policy of neutrality, but to enshrine into the Constitution a permanent and in all circumstances policy of neutrality would actually be contrary to Article 43 of the United Nations charter. In fact, at the San Francisco Conference in 1949, when the United Nations was established, this position was specifically raised by the French whether any country could be affiliated to the United Nations on a policy of permanent neutrality, and it was discussed and deemed there that under Article 43 it would not be possible to do so. I don't know if you get the point I'm making. To move from a policy of neutrality to a permanently enshrined constitutional position of neutrality would not appear to us, at any rate, to be consistent with Article 43 of the Charter, and therefore not possible, probably, to do.

Second point I want to make is that I think that there is a very great danger in deciding policy on neutrality against the background of the actions of one US

administration in one particular war in Iraq, because there have been times, in my personal experience, where it is necessary and has been necessary to make interventions in order to prevent worse tragedies from taking place. I'm thinking specifically of the Balkans. I'm thinking, for example, of the case of the Muslim enclave of Srebrenica where there was a complete and absolute failure, militarily, to defend the Muslims in that case. And you know the Dutch Government subsequently resigned in shame when the report on Srebrenica was published because it was manifestly true that they had allowed, by the inadequacy of their military response, thousands of Muslim men to be separated and to be killed. So that is one example where I think you cannot have a totally purist position where you will not intervene between combatants in a situation.

Now, since the Maastricht Treaty in 1992, Europe has actually been evolving its position on a Common Defence Policy as distinct from a common defence. The Amsterdam Treaty provided for the Petersberg Tasks, and effectively these allow a United Nations force to make interventions to not just keep the peace, but to enforce the peace in particular circumstances. The Nice Treaty established then the Rapid Reaction Force which is currently in action in the Kivu Region of the Congo at the moment, where five million people have been killed over the last few years while the world has looked on and done nothing about it. And who can say that it is not proper to intervene in a situation like that where the intervention effectively means the preservation of human life?

I have to say, you all know I have a certain amount of experience of the developing world. And really, it has convinced me that there is good and evil, and there are circumstances in which you have to make an intervention. If you take the situation in West Africa at the moment, where this criminal Charles Taylor has been killing his people for the last 14 or 15 years, where up to 200,000 people have been killed in the last few days, I saw on the news last night that the Americans had threatened to intervene. How can one say that that intervention is not in fact, in that particular set of circumstances, correct? And if you take the case of Sierra Leone for instance, where in 1999, around Christmas time 1999, these people called the RUF, the Revolutionary United Front, who were funded by Taylor on the proceeds of the diamonds extracted illegally from that country, used the proceeds to buy the most sophisticated weapons, went on the rampage. Hacking off people's limbs and raping women right, left and centre, and causing an incredible amount of suffering to the population of the Sierra Leone. And there we had a situation where the United Nations made an intervention alright, eventually, which was totally and absolutely inadequate. You've 10,000 United Nations troops in the country of a whole range of different armies there, some with 303 L'enfield rifles, with no control and command structure who were absolutely a liability to themselves and everybody else. For every day of the week a group of them were captured and had to be bargained for as kidnap victims from the RUF, and the only time that that got sorted was when the British Royal Marine Commandos went in and knocked the spots off the RUF and actually put them back out of the area to protect the people. How can we absolutely say that that is wrong? Or Kosovo, where 800,000 people were killed because of inadequate military capacity to defend it? We can't say that was wrong either.

But do you know what I think, really, about this myself? I think that one thing the Iraq war has exposed is the absolute inability of Europe to be an alternative pole of influence to the United States. I think this has to change because of the point made by Colleagues about what happened in Shannon, where we were allowing the military planes and the weapons to come through, and for all we know they may still be coming through down there, and the reason is we're absolutely so weak. We're so weak that we can't stand up to the Americans in situations like this. And we want to sort of sweep the whole thing under the carpet you know, and not take a principled position on it.

But the point I'm making is this. That the only way in which the sort of sheer strength and power of the United States to be the policeman of the world is going to be challenged, in my opinion, is if there is an alternative European Union political entity capable of being that alternative, standing up to the United States in terms of an ethical foreign policy in the interests of world peace.

To be honest, my own view is that neutrality in our public discourse has come to be accepted just simply as a high principle on its own, without consideration of where it came from or any of these practical issues. Now it is interesting for instance that our involvement in the League of Nations and the United Nations both did accept, in principle, the concept of collective security. It's interesting for instance that in 1949, when NATO was formed, Seán McBride was approached, he was Minister for Foreign Affairs here, he was approached by the American legation and asked if Ireland wanted to be involved informally. His response was, well actually it's a great idea. I fully support the objectives and all the rest of it, but no, and the reason for the no was that Article 4 of the Charter of NATO provided that all the participating nations would respect each other's borders, and because the Republic of Ireland was in dispute with the United Kingdom at the time about the border in Northern Ireland, Ireland wouldn't engage in it. But that was the position. It wasn't on any sort of more high principle, and in fact, in that same year, he, McBride, approached the United States and offered to do a military pact with the United States which, not surprisingly, they weren't particularly interested in. The only point I'm making really is, I suppose, is this - the evolution of neutrality policy in Ireland owes more to nationalism and pragmatism in terms of staying out of wars and so on than it does to any principal stand on neutrality.

Now that is not an argument against neutrality, please understand Colleagues. But what it is is an argument which says that we need in this country a mature debate about what neutrality actually means, and the prospect of a new European Constitution could actually be a catalyst for that if you accept the argument of Europe as potentially an alternative pole of influence to the United States.

Now our view on the Executive Council is that Congress can't get itself into a position where, because of Motions which might be passed at this Conference, which frankly Colleagues, is not at a very well attended session of Conference either, that because of that, we might clearly have to oppose a European Constitution that we might otherwise favour very much indeed. I think the logical thing about it is that we should do a detailed examination of this question. It is something which should be considered, not just on the basis of Motions, but on the basis of detailed papers put

forward considering the pros and cons of the argument of neutrality. And it should be decided in a more serene environment in which all of these things can be thrashed out and discussed and argued about in some considerable detail.

So it's on that basis that, while fully respecting and sympathising very much with many of the points made by Colleagues who have spoken eloquently on this from this platform here, that the Executive Council would ask you to consider remitting that Motion for study in the way that I have suggested.

Thank you.

Senator Joe O'Toole, Congress Out-going President

Can I have a proposer to remit? Proposed. And do I have a seconder? Formally seconded.

You can reply to the debate.

Tony Dermody, TSSA

Mr. President, Delegates. Tony Dermody, TSSA.

I did remain pretty serene listening to the points made by the General Secretary, but I have to say I found it difficult to remain serene, because while I knew that the General Secretary would perhaps ask us to sweep this Motion under the carpet, or perhaps even worse, out the door where it would never be heard of again, he is asking us to sweep it out the door. One of the reasons, the key reason he gives for that, is that we abandon the United Nations and multilateralism, and that we embrace the foreign policy of unilateralism.

World policemen, dressed up like a Rapid Reaction Force, which is the old imperial powers of Europe, or the United States. This is the choice that is being put to us, and it's actually quite simple. Do we go for the General Secretary's solution which is unilateralism? Or do we go for a more sane solution which is multilateralism and enhancing the United Nations and reforming it?

The General Secretary talks about the hype surrounding neutrality, and I would like, Delegates, that you understand that there is nothing in my Motion, Motion 68, that says anything about a principle of neutrality. Principles are much more important than neutrality. They run to human rights, peace, peaceful resolution of disputes, the rule of international law, not the rule of the EU law or United States law or ambitions that superpowers have. The rule of international law, created, however imperfectly, by the peoples of the world, and upheld by a reformed United Nations. I'm not talking about the United Nations which we have now, which has been manipulated and undermined and used by the United States and other superpowers to advance their own narrow interests. I'm talking about a reformed United Nations, and I'm talking about a neutrality which is based on sanity, on multilateralism and collective security, and not on the private ambitions of some superpower, and Delegates, we have to decide this now.

We are perfectly serene here this morning, and we are perfectly capable of making this decision, and we are perfectly appropriate to make the decision. There is no knowing what will happen in two years' time of having papers, deciding discussion in the context of the new Constitution for the European Union. We must decide now, before we start deciding what kind of a new Constitution we have for Europe, and we must begin to carve out a new role for Ireland right now, and that is the role of sanity and multilateralism.

The mind boggles at some of the rather technical things the General Secretary brings up - Article 43 of the UN Charter, when he talks about moving policy of neutrality to some sort of a permanently enshrined policy of neutrality. I am not talking about any such thing, and when you are voting on this bear it in mind, and read the Motion again if necessary in order to be sure of that. We're not talking about enshrining some sort of an impossible neutrality. We're talking about much wider things which have to do with collective security and the rule of international law, and not the rule of world policemen and imperial powers.

Delegates, I ask you to support Motion 68 and the other Motions on your agenda.

Thank you.

Seamus Dooley, In-coming Congress Executive & NUJ General Secretary

Seamus Dooley, National Union of Journalists, speaking in favour of remission.

Delegates, this morning you elected a new Executive, and I happen to be one of those who you elected. I know all the members of that Executive, and I know that none of them would be party to sweeping anything under the carpet. If so, they would be unfit for membership of the Executive.

It is fundamentally insulting to the General Secretary to misrepresent what he has said. He has said that there are technical reasons why some of the Motions would not be useful passed in current format, and if people find the notion of technical issues surrounding international law mind boggling then you have my sympathy. But we should never lose the ability to have differences of opinion and respect for one another's sincerity. I believe the previous speaker was sincere but misguided.

One of the features of this Conference has been that we have looked at related Motions in context. All of these Motions are in context. You have got a commitment from the General Secretary that we will move together as an Executive on this serious issue, in a way which will serve what is clearly a common interest, in the most constructive and positive means possible.

I think we should also get real. Do you really think divisive Motions passed by a hung-over Congress on a Friday morning is in some way, somehow, going to - pardon the expression - terrify the shite out of George Bush? Let's get real here. What you're talking about doing is passing Motions for the sake of passing Motions, which could be divisive, but will actually achieve nothing. If I thought for one moment that

one child's life was going to be saved, or one less bomb was going to be dropped, then I would certainly oppose remission.

But in these circumstances, in the circumstances for the good of the wider movement, to maintain the unity which we maintained during the campaign Congress led war against the war, support remission.

Eamon Oakes, Belfast Trades' Council

Chairman, Eamon Oakes. I moved Motion 69 and I would oppose remission.

I certainly couldn't agree with a proposition that we can't pass Motions just because it's a Friday morning President. We can't just suspend all our business because it's a Friday.

Senator Joe O'Toole, Congress Out-going President

You're absolutely correct in that.

Eamon Oakes, Belfast Trades' Council

I think we have to consider these Motions in a much more serious frame of mind than that.

I did note that the General Secretary, when he replied to the three Motions, did make particular reference to numbers 68 and 70 but didn't make direct reference to Motion number 69. So I'm not quite sure the degree to which his remarks would apply to Motion 69.

The note I took of how he summed up is that we need a mature debate on what neutrality actually means. I think that's enshrined in Motion number 69 that allows for a mature debate. He said that Congress can't get itself into a position to oppose a European Constitution in the future. Well, I think it can if it wants to, but it doesn't necessarily mean it does if you pass this Motion. I think the two elements can be discussed together, and one will inform the other, so in that sense I think it's a timely Motion. I also referred to putting forward detailed papers on the arguments of pros and cons about neutrality. I don't think, President, that we're in a debate as to whether we have neutrality or don't have neutrality. We have neutrality. Again, this Motion 69 will allow for that, it calls for a definition of neutrality so we know exactly where we stand.

I would have thought that Congress going into debates on the European Constitution would want to have a definition of what it knows and understands about neutrality, as well as the country at large and the Government knowing that. So I don't think Motion 69 is at odds with what the General Secretary has said. I think it provides for all the considerations he put forward in a general sense.

And I would ask you to vote in favour of Motion 69.

Senator Joe O'Toole, Congress Out-going President

This is the final speaker now.

Anne-Marie Conroy, Dundalk Trades' Council

Thanks Chair. Anne-Marie Conroy, Dundalk Trades' Council. I propose not to remit this Motion.

I don't appreciate the Colleague's phrase "hung-over conference". I know I'm not hung-over. I went home early because I had this job to do today.

I don't actually have an awful lot to say on this. I appreciate David's views and his experience on this matter. I just want to say I feel very passionate about this. I don't believe that war is necessary, and I think that it is our human right and need to find another way to deal with these issues.

Senator Joe O'Toole, Congress Out-going President

Thank you.

I would just like to reassure all parties here I've listened to this debate here. At the Executive Council I've been through the Motions with the General Secretary, we've taken advice on it.

What I have to say is this, is that I see no difference in the views of neutrality in this hall or amongst our people in terms of the line we took on Shannon and others. We were addendum with the speakers of the Motions at Executive Council, and the reason was that it was felt that it would be completely wrong for us to create any division on this issue. But just on the technical issue, to say to the Movers, I just want you to understand that. It was on the technical issue that our advice is that our commitment to the United Nations, on which we're all agreed, everybody here, reformed or otherwise, is jeopardised by putting into the Constitution the fact that we couldn't move on under United Nations. The two things were incompatible with each other. Now that's our advice. And we were looking at the recent situation in Macedonia where everybody in this country wanted us to be involved in the peacekeeping there, but we weren't able to do it because of our Constitution. It was on that basis that the decision to remit was put forward by the General Secretary. It was not to undermine the views of any of the people putting it forward.

So the first thing I have to do is to put the proposal to remit the Motion. All those in favour? Please show.

Sorry. This is the proposal to remit the three Motions. All those in favour? Please show to remit.

I'll do them one by one. Sorry. I'll take it each one.

The proposal to remit Motion 68? Please show. Those against? I think it's well carried.

The proposal to remit Motion 69? Please show. Those against? I can't call that one. I need tellers for that one. Have the five sections been counted? All those against the remission? Please show. The proposal to remit is carried by 100 votes to 87.

Motion number 70, which is the last one of the three That is also one of the ones with a Constitutional reference in it. All those in favour of remitting Motion number 70? Please show. All those against? That's carried. Thank you.

Now, I just want to assure the speakers again that this remission will be taken very, very seriously. We absolutely accept the views that people put forward, and they will all be taken into consideration.

Ok, I'll now ask Inez McCormack to move Motion 71 on behalf of the Executive Council. Sorry Inez, before you speak, can I just ask the indulgence of Conference one second?

We have also an Emergency Motion which we've agreed to put through without debate, and that's regarding Hospital Facilities in the South East. It was circulated this morning: 'That this Conference in solidarity with the Waterford Council of Trade Unions supports their campaign for the establishment of radiotherapy units to service the people of the South East region.' Can I have a formal proposer please? Formally proposed. Formally seconded. Is that agreed? Thank you.

Sorry Inez. Thank you.

Inez McCormack, Out-going Congress Executive & UNISON, *Motion 71 (Global Solidarity)*

Inez McCormack, Executive Council, moving the Motion on Global Solidarity.

I think there is a legal word that has begun to get a moral meaning about the unbridled arrogance of free market capitalism, and it's the word impunity. There seems to be a belief that there can be acts of impunity against any form of mores, of human rights, international law, or the ordinary conventions of just day to day civilisation and living. That's expressed, and was expressed, as you can hear it in the previous debate on the crude thuggery of the war in Iraq, when stealing oil was covered up and presented in forms of language which fundamentally was just about using unbridled power to go in and overturn, whether an unpleasant administration, or not. Same in Afghanistan. And there's no doubt, and I'm not sure whether Bush snubbed Mandela or Mandela snubbed Bush, but I've a feeling it was Mandela got there first.

Essentially, what all that was about was revealing actually something that embarrassed the more smart exponents of free market capitalism. That crude thuggery exposed what free market capitalism is all about - thieving, arrogance and greed, and believing you can act with impunity, that you are not accountable to any

law except the law of might and greed. But that is also the practice of free market globalisation through the more respectable institutions of the World Trade Organisation, of GAT, of the World Bank, of the IMF.

I've never forgotten a few years ago being asked to go to a meeting in Washington at World Bank Headquarters on women and poverty, and walking in through the door of these marble halls and saying our goal is to eliminate poverty and seeing, 'our goal is to eliminate poverty.' It made one feel ill actually. Because in a sense, the bridled thuggery expressed through these organisations - which is a complete determination to separate the economic and the social - is that of the dominance only of the economic. And then it is expressed through secrecy of trade agreements, secrecy of conditional agreements with poor countries that require privatisation of water, communications, of all the resources that are meant to serve the human and the economic needs of humans.

That's been going on at pace for over 20 years. And while there may be arguments with many of the facets of anti-globalisation resistance, there's absolutely no doubt that the anti-globalisation movement, of largely young people, but also the trade union movement and many other social movements, has actually forced this argument of impunity out in the open, forced the decisions behind closed doors out into the open, forced the cold reality of the widening gap between the rich and poor on this planet which is organised thuggery of greed and arrogance taken behind closed doors with no accountability in any democratic form. That is now out in the open, that is one of the battles of our time.

And I think the role of our movement is to do what we came into being about, what we are good at, what we can be messy about. But what we fundamentally are at is to understand that the practice of solidarity is actually the only real weapon against this form of impunity, and I'm just going to take a couple of examples to make the point.

We heard vividly in this hotel a few days ago about the implementation of naked greed, expressed through agreements with Governments and companies in Columbia, where companies that present on television on these islands, and in Europe friendly forums and choirs of children singing, actually kill trade unionists who try to organise, kill farmers when they're not in the right place at the right time. When oil companies owned by Bush's family do deals with Governments in order that trade unionists and local communities can be killed and removed from their areas in order to be able to have better access. That's the unbridled thuggery which is decently quite far from those marble halls, but arises from those agreements with the World Bank, the World Trade Organisation and with other such organisations.

Our job is not to let that impunity stand. Our job is to assure that man who stood in that room in this hotel a few days ago, and who I feel will not be on this planet for that much longer, or certainly some of his friends will not be, that his death or the death of any of his comrades will not be allowed to pass with impunity by this movement, or any other part of this trade union movement. But how do we do that? How do we deal with perhaps the most deadly part of this impunity?

While I think that the anti-globalisation resistance movement give part of the answer, it is that they broke the silence. We have to break the silence, but we also have to be clever about how we do that. And we have to look at the tools we can use through the practice of solidarity.

I was, not long ago, in another part of the world, and I listened to some representatives from some tribes in North East India, hundreds of whom were drowned when a dam built at the behest of Enron flooded their homes because some of them wouldn't move, because there was nowhere to move to, because where they would move to they would starve. So most of them decided to drown in a place that they knew instead of starve in a place that they didn't. That happened in the name of the World Bank, the IMF and all of the polite forms of unbridled thuggery. A year and a half ago we didn't know. Did you? Did I? Not many people knew, because when they were at that conference and people had found out about the struggle and brought them to the conference, and with interpreters, they hadn't known how to make any connections. So I suppose the second lesson from all of this is those of us who have more resources, access, our job is not to wait for the outrage to come to us, but to go and find it.

I also had a meeting with representatives in Bolivia where a small town resisted the privatisation deal set up between the WTO, the World Bank and Bolivia on the demand to privatise water and other utility services as the price of foreign aid. The actual cost of that privatisation in that small town was more than the average wages in income of the citizens so they rebelled. They closed the town and they marched. 280 of them, over a period of time, were killed because they had no choice. They couldn't pay the water charges because if they did they couldn't eat.

Those battles needed to be part of our world, not because they're dramatic and heroic, but because that unbridled arrogance, that impunity, will only win if we do not understand the practice of solidarity that enables us to find ways of making common cause with those who simply have no choice but to stand up to what is happening to them. They have courage. They have the will to do it. They have no alternatives many times, but their courage needs to be matched by our conviction.

And there are ways of doing it. There are methods that people are finding out. On the 22nd July a consumer boycott of Coca Cola will be called for by the Colombian trade union movement, all over the world for the period of a year, in order to try and use our consumer power, all of us, to try and ensure that they are held accountable, that they cannot act with impunity. We would call for a complete support of that boycott because it's important for everyone, for our kids, for our families, to understand that evil can only triumph when silence lets it happen. That's what Mandela said all those years ago in the early '60s. And we can do something about it. The Dunnes Stores workers did something about apartheid. We can do something about it, and we should and we must.

I think the reason I'm giving these examples is important, I think, not to let these arguments, these discussions, go in the sentimental rhetoric of what is wrong, but rather specifics of what we can do from this hall and this Conference, but also to recognise the links between Ballymena, Bolivia and Ballyfermot. The proposal to

privatise water in Northern Ireland through the UK Government, the privatisation of services on this island, stem entirely from the same conditional agreements in GATS, the WTO and the World Bank and all of those secret institutions. They will affect us as well as the developing countries. The difference is, as of yet, the impunity is not possible in practice here with guns and bullets - yet. It is possible to practice in other parts of the world where there is no email, there is no television coverage, where there is no elected Government it is possible to do that. The difference only is that they don't do it here because it's not possible, not because they wouldn't.

And I'm putting it that starkly, not because I think it's sensible to have a dramatic, polarised debate on the evils of unbridled capitalism, though I would be happy to do it, but for something else. To understand that the reality of that naked greed is expressed by the fact that that man Ramirez and his friends, some of them, will certainly die before the end of this year. That's the reality that could happen anywhere where there aren't mechanisms of democratic accountability.

Our job is to use every one of those mechanisms of democratic accountability. We may have argument with elected representatives, but those elected representatives have forms of democratic accountability that they can use and push. We can have arguments about the European Union, but there's form of access and interventions and basic standards that are important there. Whatever argument about the United Nations and how it is being hijacked, the Universal Declaration of Human Rights that was passed in 1949 was actually about asserting the human as the basis of the economic. They may not work all of them, they may be imperfect all of them, but they stand for standards of solidarity and practice that we must not let be taken over because they have been hijacked. They can be hijacked and they can be hijacked when we're sitting comfortably thinking it'll never happen to us, but it can if we allow our silence to allow what happens in Bolivia not just happen here, but allow the complacency of here.

And there are unpleasant things that capitalists and unbridled arrogants don't like. They don't like their chequebook being annoyed. There's increasing work being done on things like pension funds, shareholders resolutions, hitting the chequebook where it hurts. Bringing the voices of those North Eastern tribes of India, those of whom survived, bringing the voices of Bolivia into the shareholder meetings in the comfortable hotels of the Waldorf Astoria or the Carlton in London to demand some accountability.

There are ways of using consumer boycotts, ethical trade, fair trade, the practice and work, for example, of small projects that Congress is supporting in terms of Global Solidarity projects, showing ways of how we can make connections, how we can do practical business to show that there is not impunity. This can be done. And from today this movement should be doing it in practical specifics. The Global Solidarity project gave three or four things, Ramirez gave three or four things that we could do tomorrow to start making a difference, and we should be doing that. But we should also understand that when we talk about the widening gap between the rich and the poor, if all we do is talk it can only thrive.

In many parts of the Western world there are huge separations between the human rights movements, the trade union movements and social movements. Well, perhaps, with all the arguments we have in terms of our sectionalism within this movement it is our duty to make common cause with any of the social movements, human rights movement and within our own movement with those who are challenging the impunity and the impunity of those who believe they can act only in the name of their own greed and arrogance and deny the human in others.

That's the practical work we can do from today. And I would ask this Conference to support this Motion, whether it's Friday morning or not Friday morning, by putting into practice its morality every day.

Thank you.

Senator Joe O'Toole, Congress Out-going President

Thank you Inez.

Could I have a seconder please for the Motion? Formally seconded.

Now, I'm going to put that Motion. All those in favour? Please show. Carried.

The final three Motions now.

The first is Motion 72, Globalisation in the name of SIPTU.

Can I also have lined up proposers for 73 and 74, MANDATE and PSEU?

Jack O'Connor, Congress Executive & SIPTU General President, *Motion 72 (Globalisation and Solidarity Activity)*

President, Delegates. Jack O'Connor, SIPTU.

Delegates, international trade union solidarity is one of the cornerstones of our movement. It is the value so fundamental to us that at times it seems we're inclined to take it for granted. The danger in this is that solidarity work might be confined to a sort of a backwater of largely symbolic gestures rather than being part of mainstream trade union activity. In times past we have been able to afford an arm's length approach to international solidarity, but the ever quickening pace of globalisation means that our relationships with our colleagues abroad are no longer an optional extra.

Just as we have re-affirmed this week the central importance of organising the unorganised on this island, we must not forget to recognise that it is equally important within an increasingly globalised marketplace to promote the organisation of the unorganised right around the world.

Congress has developed a very valuable resource in the Global Solidarity project, thanks in no small measure to the work of David Joyce and Alisha Keane. Most of

you will be familiar with one of the recent developments of the work of that project, the remarkable film Race to the Bottom which counterpoints the current experience of the Bangladeshi garment manufacturing industry with the now largely historic experience of the garment manufacturing industry in Derry, which has been the victim of the increasing volatility of international capital. I had the honour to speak at the film's premiere at the Liberty Hall Theatre, and to meet Nasma Actar of the Bangladeshi Independent Garment Workers' Union whose work is featured in the film.

Nasma is an inspirational figure, fighting with great determination, and against substantial odds, to advance the working and living conditions of garment workers, most of whom are women. Not only do she and her members have to confront the local business class in their struggle for dignity, but they also have to deal with the rapacious demands of the multinationals, forever increasing turnaround times at ever more competitive prices - with the threat of even lower cost competition from China. The film brings home in a very powerful way how the global marketplace connects consumers and producers in a direct relationship.

Yesterday's debate on GATS, the General Agreement on Trade and Services, also pointed to the impact of the neo-liberal agenda on public services on a global scale. The final text of GATS is due to be signed off in 2005 and there is a real danger, as has been pointed out by Patricia McKeown earlier, that it would become a license for transnational corporations to bully national Governments into relinquishing control of major areas of public policy. The thrust of GATS, Delegates, is to facilitate commercialisation and privatisation of any and all public services, including education, social services, health care, postal services, energy, water, prisons and so on, with thousands of billions worth of assets at stake worldwide. The net effect, Delegates, of these developments would be to create global conglomerates controlling major areas of what were once public utilities - right across the world.

Like it or not, the reshaping of the global economy will increase the interdependence of workers around the world. These relationships will become increasingly more important in the years ahead, so it is essential that we continue to raise our members' awareness of these developments, and to promote an appreciation of how international solidarity can be more than a handful of goodwill gestures, but a practical and mutually beneficial engagement with our fellow workers.

This Motion tries to put that activity on a rather more solid footing by creating a dedicated fund earmarked for this activity. And while the Motion allows the Executive Council to work out the most appropriate structure for the fund, our attention is that there should be more than just a budget line. We want to see specifically earmarked funding in order to ensure a more certain financial framework for the work of the Global Solidarity project. And while the project has succeeded in attracting support for its work from other bodies, most notably Trocaire and the Ireland Aid fund at the Department of Foreign Affairs, Congress should ensure, we should ensure, that the Global Solidarity project is funded from within our own resources in respect of its core work, with the external sources being used to provide supplementary finance for supplementary, additional, activities.

Delegates, I move Motion number 72.

Senator Joe O'Toole, Congress Out-going President

Thank you very much. Can I have a seconder? Formally seconded, formally seconded.

Can I have a mover for Motion number 73 please?

Brendan Archbold, MANDATE, *Motion 73 (Global Solidarity)*

Brendan Archbold, MANDATE. President, I'm also Chair of the Solidarity Committee in the South, which explains my interest in this particular matter.

President, the fear among solidarity elements in Congress is that at a time of financial difficulty the plug might be pulled on the Global Solidarity activity, to be blunt about it. Now those fears are eased somewhat by Motion 71 from the Executive, by Motion 72 from SIPTU and by Motion 74 which will follow this one. And they're also eased by the reception given here to Francisco Ramirez, both here in the hall and upstairs at the meeting at lunchtime yesterday.

Just briefly, by way of explanation, let me just tell Conference that the development education projects that are funded by Congress in the first place....(tape ends and lost the remainder of Brendan's contribution)

Paul McCrea, PSEU *Motion 74 (Global Solidarity Work)*

(introduction lost and probably the moving of Motion 74)...I've the distinction of speaking after all those eloquent speakers.

But anyway, we've discussed many important matters during the week which affect trade unionists through the whole of the island. But thankfully, any damage we have done to ourselves during the week has mainly been self inflicted, probably after the Conference.

But we haven't had to address the kind of problems that Francisco Ramirez and his friends have had to address, like the fact that 213 trade unionists were assassinated or disappeared because of their trade union activities in 2002. Over a 1,000 trade unionists were attacked and beaten. There were 2,500 detentions. 30,000 trade unionists sacked because of their union activity. And over 20,000 victims of harassment. These are official figures from the ILO, so they're probably only the tip of the iceberg.

I think in these circumstances that all members would agree that solidarity work is an important facet of ICTU activities in trying to offer support and help to sisters and brothers in union organisations in more difficult regimes than our own. The problem we have on the Solidarity Committees, and the problem the Development Education Officers have is the lack of resources committed by Congress and affiliated unions to the activity.

We believe Congress provides about 10% of the costs in running the project, and it's continued existence depends on EU funding, which has to be re-applied for every three years, and a grant from Ireland Aid. This funding is by no means guaranteed, and much of the energy of the Development Officers and the Committee go into ensuring that the funding is made available. This leaves projects and, indeed, the Development Education Officers, in a precarious position each year.

For a movement that is built on solidarity this is not acceptable. And I would ask you, Delegates, to send a clear message to both your own unions and affiliates that you wish this activity to be properly financed by the trade union movement.

Support the Motion and trade unionists all over the world.

Thank you very much.

Senator Joe O'Toole, Out-going Congress President

Thank you Paul. Thank you very much.

Speakers to the three Motions now.

Oh sorry. I want a formal seconder for that Motion.

Brian Moore, NIPSA

President, Conference. Brian Moore, NIPSA, to formally second the Motion. And could I also take this opportunity to thank the President and Standing Orders yesterday for allowing Francisco Ramirez, the man who was here yesterday and got a standing ovation. I'm glad he got the chance to speak yesterday before the fringe meeting because he had a great impact on the turnout at that. I'd like to think there still would have been a great turnout, but it only helped, and I think it was great that he was here and was able to speak to all of Conference. But unfortunately, obviously for a number of reasons, a lot of us aren't here today.

In relation to Global Solidarity, we are doing a lot, but there's a hell of a lot more to do, and that comes in with the resources. Initially, a number of years ago, when I first came to Conference here, there was no project. Then the project initially got up because of funding. ICTU puts in, as was said, ten to 15 per cent, and we have to look for funding elsewhere, and we have to move on from that and take on board more of that resource ourselves to secure the work that's been done.

We are, as a project and through the Solidarity Committees North and South, building links. We're building more links. That's why Francisco was here yesterday and others. It's important though, that those links, that they don't go out, as has been said, to deaf ears in the unions, because what is happening in Columbia is basically the front line against privatisation, neo-liberalism.

If we don't help the workers there we don't help ourselves because the front line then moves closer to home. And it may be, particularly when Francisco was in the fringe meeting yesterday, people were incredulous of what he was saying was happening. It's incredulous that that can happen, but it can happen anywhere. If it happens there, it can happen anywhere. And we might think that *well, it'll never happen here*, but who knows in 20, 30, 40 years' time? But it could happen here if we don't, as an international trade union movement, fight that struggle, both here and there, and support each other, not just by creating links but by actually doing something solid along the lines of some of the suggestions that came out of yesterday's fringe meeting.

And as regards, thankfully I think, Global Solidarity and the whole issue of globalisation and international trade unionism, it is no longer a fringe and a fringe matter of Conference, it's part of the core work. At the last Conference I think we had one Motion on this subject. We now have four. That shows the growth in the interest in this, and the need to continue this work in order for us to create a world where the global economy helps workers all over the world, not just those few billionaires that take up nearly half the world's wealth, and also to create a world that creates workers' rights for all and develops social just.

Please support the Motion and the work of the Solidarity Project.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you.

Next speaker please. Owen.

Owen Wills, Congress Executive & TEEU General Secretary

President, Delegates. Owen Wills, TEEU, supporting the Motions on global solidarity.

I'm taking the opportunity at this stage to congratulate Peter McLoone on his election as Vice-President of Congress. And to assure those all present Delegates, and those that aren't present and the media that Peter has my full support as Vice-President, and my union's support in the solidarity way that we're practising globally for the future of Congress.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you Owen for those kind words. It's just proved there's always a way isn't there?

Is this the final speaker? Well you have the great pleasure and privilege of being the final speaker, well done!

Lorraine Strong, NASUWT

Lorraine Strong, Junior Vice-President, NASUWT, supporting Motion 74.

President, Colleagues, this is my first time ever attending Congress, never mind addressing Congress, so you'll have to forgive me if I'm a little bit nervous.

In my short time of being involved with Congress I've been inspired by someone whose commitment to educating us about the trade union movement globally is admirable. The person in question is Alisa Keane. Alisa addressed the Northern Ireland conference of NASUWT in February, earlier this year.

It is essential that we as trade unionists know about the conditions experienced by our brothers and sisters who live and work in countries where the level of income and standards of living are much lower than those which we enjoy. The many Delegates who attended the fringe meeting yesterday on Columbia experienced and acknowledged the importance of the work of the Global Solidarity Committee. To hear Francisco Ramirez telling us about the dangers experienced by himself and his fellow trade unionists on a daily basis brings a shiver to your spine.

It is essential that Congress recognises the importance of Global Solidarity work and ensures that it is adequately resourced. I urge you to support the Motion.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you Lorraine. And it looks like, Lorraine, that you've motivated at least two other speakers to speak. So well done.

Wayne Quinn, AMICUS

Wayne Quinn, AMICUS, and it's also my first time speaking, so I'm a bit nervous, excuse me.

I actually wanted to speak on Motion 71, the Executive Council's Motion, but it's passed. Anyway, I think it's relevant to the whole globalisation debate.

I welcome Congress' recognition of the disastrous effects of globalised capital on pretty much everyone in this world, bar the rich elite and multinational big business.

I'll just give you one or two of the facts about the effects of globalisation. There's one hundred million more poor people in the developing world now than there were ten years ago - that's a World Bank figure. In 1999 the average US CEO salary package was 475 times that of a blue-collar worker.

On the issue of privatisation, which was discussed earlier in the week, it's also going on globally. And the example of the township of Quawzulu Natal in South Africa in 2001, where basically people in the poorer townships couldn't afford to pay their water charges, the water was cut off and they had to resort to drinking water from a polluted river. There was an outbreak of cholera in that township and over 40 people died - which is the real effect of globalisation. If you repeat that the world round, the poor people of the world are suffering and the rich are gaining.

If I could go back to the Executive Council's Motion, and particularly the last sentence in it, which says, 'we must make common cause with those who share our analysis, objectives and values.' I commend the sentiment of this, and I would ask Congress to maybe consider to take some practical steps to live out this intention. There is an established and rapidly growing anti-globalisation movement in this country. Many of these activists are trade unionists. I'd like to ask Congress to consider making formal links with the movement, bringing myself and the workers of this country to the heart of the alternative globalisation movement. I would also like Congress to consider becoming actively involved in direct opposition to the World Economic Forum which is happening in Dublin in October 20th this year. Those that don't know it, the World Economic Forum is an organisation of 968 of the world's biggest multinationals, basically the vanguard of globalisation. Some of the companies attending include McDonalds, Nike, Nestlé, Philip Morris, Texaco. It's actually being chaired by Peter Sutherland who's also Chairman of Goldman Sachs and BP. And from the talk yesterday on Columbia, we know what Goldman Sachs are doing over there - basically hiring paramilitaries to kill the miners over there. They're meeting at Dublin anyway, on the 20th of October. They're going to be discussing how to lower wages, increase exploitation and how to privatise our public services.

These are issues which many speakers over the week have expressed grave concerns about, so I believe Congress, as a practical step, should get involved in direct opposition to this.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you very much indeed.

Mohammed Samaana, UNISON

Comrades, Colleagues.

Fellow workers are subject to humiliation, murder and intimidation. Referring to an article in the *Guardian*, the oil company Shell has been paying money for troops involvement in order to intimidate workers who refuse to go to work for the company in the oilfields. In Iraq, according to reports by the Iraqi Ministry of Health just months before the invasion of Iraq, more than 1.7 million Iraqis died as a result of 12 years of sanctions. We are talking about a new holocaust here. Not long after America and Britain occupied Iraq (inaudible)... I quote him saying that "the whole

West will benefit from this war" which explains why they went to this war. Well, the Western people don't want (inaudible)...

In Palestine, where I come from, I gave the story of three of my friends. They were in a group of unarmed civilians who went to search for a guy who was injured by Israeli occupation forces' fire. Although the troops were told that the men were unarmed civilians yet they fired on them, and three of them got injured, and the ambulance that tried to approach them was fired at and they were left to bleed to death. The dead bodies of an old friend, an old neighbour and a childhood friend were found to be beyond recognition.

If Israel can get away with this crime, and other crimes of mass murder and local assassination, demolition, schools being turned into detention centres, it is because of the US support of Israel, which includes \$5 billion, of which \$3 billion is military aid. Since the creation of Israel in 1948 by Britain it has refused to implement 70 UN Resolutions, and according to an Israeli nuclear scientist, Israel does have nuclear weapons. All of that with the full support of the US.

And that's why comprehensive and lasting peace in the Middle East is near to impossible - because the US foreign policy is dictated by its strategic and economic needs, not by the UN Resolutions and international humanitarian law. This makes the US the main obstruction to peace in the Middle East.

The multinational corporates are getting drunk with the blood of workers worldwide. They are acting like pimps with Governments being their prostitutes. They rape their victims and then they rip them off.

We can't be silent anymore because silence is complicity. Take action. Boycott Coca Cola, boycott McDonalds, join campaigns on arm trade restriction. Boycott Israeli products as they continue to oppress the Palestinian people. Buy locally produced products. Boycott all the multinational pimps.

Please support this Motion.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you very much Mohammed.

Now I want to put those three Motions, the last three Motions on our agenda.

Motion 72 from SIPTU on Globalisation and Solidarity Activity. All those in favour? Please show. Carried.

Motion 73 on Global Solidarity from MANDATE. All in favour? Please show. Carried.

And the final Motion 74 from the PSEU on Global Solidarity. All those in favour? Please show. Carried.

Now I'd just like to call on Catriona Cooley to the platform please. She's Chair of the Northern Ireland Women's Committee. She'd like to say a few words.

Closing Ceremonies

Catriona Cooley, NIC ICTU & Chair of Northern Ireland Women's Committee

Catriona Cooley, NIC ICTU, Chair of the NIC ICTU Women's Committee with a bunch of very unruly flowers.

I'd like to say a few very brief words, just to mark Joan Carmichael's retirement. Joan has worked tirelessly for the trade union movement for over 40 years, and on behalf of the NIC ICTU Women's Committee I would wish to record our appreciation for the dedication she has shown to the trade union cause.

Joan has never had to mimic or either bow to the grey suited face of this movement, and as she has been no shrinking violet herself, I would like to present this violet free bouquet to her as a token of our appreciation for the hard work and commitment during her time with ICTU.

Have a very happy retirement Joan.

Senator Joe O'Toole, Out-going Congress President

Thank you very much Catriona. Thank you very much, and I'm sure we would all very much like to be associated with that.

And as we conclude our business I would just like to put on the record, and I know now I should have done this earlier in the week, but I thought that this was the most appropriate time. It seems a bit demeaning to do it with such a small hall, but I did want to record my thanks for the extraordinary support I've received over the last two years from the Congress staff North and South.

And to say to you as Delegates that these are extraordinary people. I could give you example after example. Joan and Tom are leaving us, and we recognise their huge contribution, but all the other people as well in the Congress Offices North and South - the commitment, the energy, the loyalty, the support that's there at all times. I could give you story after story when our small office team, during the negotiations on *Sustaining Progress*, could out produce huge Department of State in the production of documentation, background views, support structures, research, just absolutely unbelievable.

I could say the same to you as a parliamentarian. The levels of support that I have received from the Office - I'm considered not bad at reading legislation - I can tell you the stuff I get from Congress which is very often under pressure, in other words a piece of legislation published last night which is being discussed sometime today, and

receiving from Congress an absolutely clear analysis from people like Joan, like Tom, various different people. I could go on and on, but I don't want to do that. It's not the appropriate time, but I do want you to take that message away. It is quite superb the way that they are influencing people in a million small ways in negotiations, at the edges of negotiations, dealing with Departments of State, dealing with parliamentarians, and it's extraordinarily efficient.

I will conclude then by saying a few final words about my friend, neighbour and colleague, David Begg. People may not know this, but David and I know each other for more than 30 years. I taught his children in a former career, and he and Maura and family were a great support to me as a school principal many, many years ago. We have soldiered together on many different occasions since then. My very first meeting as a member of the INTO Executive I put forward a Motion against a nuclear power station in Carnsore, yes we're that old, which David and I had braved, and that's how far we've come together. He is an extraordinary man, he's so patient. He's one of those people that I always kind of feel I shouldn't be let too close to because I always feel I should be apologising to David for not having my manners. He is an absolutely ruthlessly efficient man, gets through everything in the nicest possible way and has always been there. I would just like to record my appreciation. It's been a real privilege for me to work with David and the staff of the Northern Office and Head Office, and to say thank you very much indeed on my behalf.

And finally Delegates, my final word is this - I really would like from the bottom of my heart to thank you for your co-operation and support and discipline during the course of the week. I have to say, I was extraordinarily proud this morning of the way the delegation responded to the Taoiseach. In the way, as I've said to him many times, he was elected without my vote. We're mature enough to know we do business with whomever the people put in there, and it was really efficient and we'll have our rows with him again starting next Monday morning, but while he was our guest here today we treated him like our guest here today, and it's my final duty.

And I would just like to say this to the Vice-President, during the course of the week many people have thanked me for chairing the week's events, and that's thanks enough for me. The next thing on the programme here is for me to call on the Vice-President to move a vote of thanks to the out-going President. Now I think I've been well thanked. Brendan, your time is very restricted over there. You just get to the platform, do what's required under the protocol and we let people on their way.

Thank you very much.

Brendan Mackin, Congress Vice-President & In-coming President

In the interest of protocol and brevity I will call on Jack O'Connor to give a vote of thanks to the out-going President.

Jack O'Connor, Congress Executive & SIPTU General President, *Vote of Thanks for Congress Out-going President Senator Joe O'Toole*

President, Delegates, it has been a very challenging week for you and for us all.

It's certainly been a very challenging week for me, particularly yesterday afternoon when I learnt about the way certain votes were going in the election. But I found it particularly challenging, as one who is accustomed to thinking on one's feet, two minutes ago when Joan Carmichael told me I was moving the vote of thanks to you. And it's difficult to think in that space of time, but I found it particularly difficult to think of something good to say about you!

Senator Joe O'Toole, Out-going Congress President

Well, I'm happy with that!

Jack O'Connor, Congress Executive & SIPTU General President

President, you have presided over a very successful week in this parliament of labour representing three quarters of a million workers organised across the multiplicity of industries, disciplines, occupations extending over the two jurisdictions in this island. You have presided over a debate which addressed and considered the great issues affecting our movement, on both sides of the divide, in more than one way in the context of the challenge of the globalised world.

It has from time to time been a vigorous debate, a debate during which we considered issues like low pay and discrimination, and indeed the issues of discrimination as they reflect themselves, perhaps as some would say, in our own Constitution. But you have managed to ensure that after we engaged in that vigorous debate we were able to resolve, to re-affirm our commitment to the solidarity of working people that is epitomised in our movement, and to the core values which our movement was established to serve.

And in addition to presiding over this debate, and all the stresses associated with presiding over a Conference as difficult and as important as this, you were able to engage in open combat over the airwaves, in defence of the core values we have always sought to represent, with one of the most vigorous opponents of transparency and openness in crucial decisions affecting the development of the public utilities in the Republic of Ireland at least. And if I may say so President, you did at least as well as I thought I would have done if I were in the same situation. In particular, you managed to get it across, and you were the first that managed to get it across, I thought, in the debate that has unfolded over the past few weeks and months around this issue - that the people on the other side did actually represent vested interests, and that we were not the only people who represented vested interests in this country.

President, referring in the broader context to your period of office, I know that Rosheen Callender spoke very eloquently about your work at the Opening of Conference. I have to say that it would be remiss of me not to mention that I didn't agree with all of what she said, but nonetheless I agree with the broad thrust of her remarks.

You have presided over the Congress of Trade Unions, the largest institution in civil society, during a very difficult time. At a time, in the Republic of Ireland at least,

during which the mirage of the Celtic Tiger began to evaporate. And we were returning once again to the old familiar theme of blame workers, and particularly organised workers, for everything that goes wrong, and ensure that whatever else happens that workers and the interest represented by the trade union movement pay the price for the failure of capitalism.

It was a period during which there were considerable tensions very much in evidence during the national pay talks in the Republic, between the interest of public and private sector workers, which I have always believed, by the way, and which this movement believes, are identical and the same. But there was an effort on the part of the opponents of this movement to represent them as different, and there was a very real danger that if that whole process was not presided over with the greatest of skill there was a threat to the very unity of our movement. And you managed very skilfully to avoid that, and to take us through that and to bring about an agreement which delivered a pay agreement to all workers, and in the context of which managed finally to deliver the terms of the public *Benchmarking Report* to your members and others, including my own in the public service.

As Chairman of the Private Sector Committee I had, from time to time, engaged in certain manoeuvres with a view to attracting your attention to the fact that we were in existence, to the fact that we represent more workers in the private sector in this movement than in the public service, and to ensure that those interests were brought to the forefront of that negotiation. I think at the end of the day it is to your credit and the credit of the General Secretary that we managed to achieve more than has been achieved in 35 years on the issue of statutory redundancy. And given the news we've been hearing over the past number of months, not a moment too early either. And as a result of your work there many hundreds, probably thousands, of workers now can deal with the issue of redundancy a little better than would otherwise have been the case.

You managed as well to ensure more progress than we have ever achieved before on the issue of affordable housing, and as I said this morning, the legislation in relation to union representation represents only a small step if it is enacted. A small step on a journey of a thousand miles, but a bigger step than we have managed to achieve in over 100 years. And I think it's very much to your credit, and to the skill of the way in which you presided over our side of that negotiation, that these things have or are about to become reality.

And I'd like to as well, to acknowledge the fact that you have presided over this Congress of Trade Unions which transcends the differences between the two communities on this island at a very difficult time in the context of trying to establish and implement and consolidate the Good Friday Agreement. And you have represented us in that regard with skill and dignity, and much credit is due to you for that as well.

You also led us to play a key and critical role in participating in the great movement, on the part of civil society across the democratic world, against the invasion and occupation of Iraq. And I was very glad to see that we, again in the trade union movement, were able to provide leadership for workers on an issue of crucial

importance which many would not see as immediately relevant, which as we all know, is more relevant than many of things we see sometimes as being immediately relevant.

In the public arena you have presented the case for workers' rights, for community and social solidarity with skill and with style. As a distinguished public figure, and a democratically elected member of Seanad Eireann, you have brought credit to the movement of working women and men on this island. You have contributed to the enhancement of the people in your own profession, and to making the lives of working people better in difficult times.

I don't know President, whether you're retired or not. People tell me he's retired, other people say he's not retired, some people say he'll never retire. But I can never conceive of you being retired. I've learnt more from you about chairing meetings, sometimes about how not to chair them, than I have ever learnt before. And I remember one particular occasion, I don't have time to recount here, where I noted that by staying silent you achieved more than most people could achieve by talking for days - and I know that you found that particularly difficult too.

I want in conclusion, President, to thank you, for, firstly to thank you as Chair of the Private Sector Committee for the manner you have dealt with me over that period. Sometimes our engagements had to be frank, but they were always fair.

I want to thank you as well on behalf of the Delegates to Conference, and the broader trade union movement which is reflected through the Delegates of this Conference, for the way in which you have presided over our deliberations this week, and the way in which you have represented us publicly and otherwise over the period of your term of office.

And I want to express the hope, in concluding, that if you ever happen to find that ATM machine that you spoke so much about some time ago, that you might let the rest of us know where it is!

Thank you very much President.

Senator Joe O'Toole, Out-going Congress President

Thank you Jack. A bit OTT, but there you go.

Brendan Mackin, Congress Vice-President & In-coming President

Thank you Jack. I think the brevity of that speech really encompassed the long life of the President.

So can I call on Rhona McSweeney to give a second?

Rhona McSweeney

Follow that says she....

Firstly Jack, I'm absolutely amazed that in two minutes' thinking you could manage all that! No more than you, I'd my two minutes as well, because Joan just collared me a few minutes ago. And I was sitting there and saying, "Well what the hell can I say that hasn't been said already?" Because Rosheen Callender spoke eloquently the other day and now Jack has pretty much wiped out any script I might have managed.

But just listening to you yourself Joe, commending and complimenting the staff of Congress, I thought, "Well I don't need to say anything, he's saying it to himself." No more than the workers in Congress, you're fast on your feet, you can digest major piece of documents or information and turn around with a quick quip, some of them more fortunate than the ATM. And equally, at the same time, when you have to defend us and speak up for us you do with a robust vigour.

However, I was a bit taken aback to hear it described as bullying, because certainly I know, as far as I'm concerned and I speak for the members of our movement, you're one of the most charming men that all of us have ever met, and when you do have to speak harshly to people you do it with wonderful grace and leave the person feeling empowered and respected. And I really do want to say thank you.

I'm delighted to second this vote of thanks for your marvellous, effective and committed work to this movement. And we look forward to you maintaining your support for it in the Oireachtas.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you very much Rhona. You're very kind.

Ok, that's enough of that soft stuff now.

Second last duty is to call on the General Secretary to bring proceedings to a close.

David Begg, Congress General Secretary

Well thanks President. I really just want to thank a few people myself.

We are in a situation where the Executive has changed now this year, and a number of people are going off, a number of people are retiring, and I want to say a word of thanks to them.

Firstly, to Inez McCormack, who'll be attending her last Conference, and Inez, as you know, has been a great servant of the trade union movement and a great member of the Executive Council. Likewise Jim McCusker, again a unique character, somebody who's made a huge contribution, well known for his detailed scrutiny of the minutes of the Executive Council meetings. I don't know whether Dan Murphy was volunteering to take that role at one stage, but we'll have to give it to him officially I suppose. But Jim, thank you very much indeed. Our esteemed Treasurer, John

McDonnell. John was enormous assistance to us in a very difficult task in trying to manage the Congress finances, and I appreciate very much everything John did.

Now, people that have gone off the Executive Council and are remaining on active service, so to speak, are Eoin Ronayne, Paddy O'Shaughnessy, Michael Coffey as well. I'd like to thank them very much for everything they did. Des Geraghty, as you know of course, is retiring later this year, but he's remaining in the Executive Council so I won't say anything about him at this stage. Just to mention also a person who left the Executive Council during the period since last Conference, Lenore Mrkwicka. She was mentioned last night, I think, by Joan in her speech, and Lenore was a person who was highly valued by all of us.

I want to wish Brendan and Peter all the best on their embarking of their terms of office. I look forward to working with them extremely closely.

I want to thank the management and staff of the hotel. They looked after us extremely well during the week.

I want to say a word of thanks to my own colleagues actually, because I know that they did an enormous amount of work in preparing for this Conference. Joe has paid elegant tribute to them, and I would like to add my own voice to that. It was very important to me personally that this Conference went well, and I was so taken and impressed by the huge amount of effort that every one of my colleagues put in, and I want you to know that on a personal level I appreciate that very much indeed. And I want just to say, if you don't mind me mentioning just one person out of the staff, Eileen Sweeney, my immediate administrative assistant who really had no previous knowledge of this Conference, had never been to one. I don't know if Eileen has ever been to a union conference at all, but it was her main responsibility as the main project Officer driving the thing. And while everybody sincerely believes, and I want to thank everyone in Congress for what they did, I think I just want to say that especially to Eileen. I really appreciate what she did.

Lastly, to Joe himself. I'm not going to attempt to add to the eloquence of Rhona or Jack in everything they've said about him. As he indicated, he and I go back a long way, and we're very close personal friends. And I don't know if I would have gotten through the last two years without Joe, he really was magnificent, a wonderful, wonderful person to work with. The one thing you probably don't, I would say, appreciate is the standing with which he is held in this country at political level. I attend many meetings with him, I've met many Ministers and the Taoiseach and so on. I just know how he is regarded. They speak in a different way to Joe, quite frankly.

He has been such a wonderful advocate for us. He has done enormous good for Irish public life and he will continue to do so. For me personally Joe, I couldn't have got through the last two years without you, and thank you very much indeed.

Senator Joe O'Toole, Out-going Congress President

Thank you David for those kind words.

And before I leave Office, it's my very sad duty to bring to you just the worst news worse than what we heard already this morning, that the second man, Michael Healy from Tarbert, has also died. So we've lost two colleagues from the TEEU from the accident at Tarbert. So we will pass on, obviously, the condolences of Congress, and we might try to call to them on the way out today. And on that sad note I end my term of Office.

And I have no hesitation, and indeed a lot of enthusiasm, to present to you my successor, Brendan Mackin. Brendan, I am certain, will bring a stature and a status to this job that will keep us to the forefront in Irish life North and South. He has done tremendous work in the course of the last year, most of it which we won't even have heard about in terms of community work in Northern Ireland, and he has a huge commitment, a huge appetite for the work that we do.

It gives me great pleasure to now call on the in-coming President, well now, we'll call him the new President, may I be the first to call him President Brendan Mackin, President of ICTU, please close the Conference.

Brendan Mackin, Congress President

Thank you Joe. Brendan Mackin, AMICUS, MSF, President ICTU.

As a life-long and committed trade unionist it is with tremendous personal pride that I take over today the Presidency of the largest and most important organisation in this island. Of course, I'm aware, in doing so that I've a very hard act to follow. The outgoing President is an exceptional man, and I greatly admire the contribution he has made over the past two years, and value the advice and help he has given me.

I would like to use this opportunity to set out some of the issues which I would like to focus on over the next two years. We've already heard during the course of this Conference some excellent contributions on the theme of organisation and recruitment. Perhaps not as difficult a task as faces Francisco Ramirez in Columbia, but it is certainly one of things we need to concentrate on. This Congress is strong and we have membership in excess of 760,000 workers. However, there are large numbers of workers out there that we must reach, and we need to develop new and imaginative ways of recruiting those workers into unions. Those unorganised workers need trade unions as much as we need them, and I'm certain that if we apply ourselves seriously to this task we can ensure that the protection and security that our members enjoy can be extended to those workers currently not in unions.

Over the last year I've watched with some admiration the outgoing President and the General Secretary steering this organisation through a set of very difficult negotiations on a new social partnership agreement. I have always seen the social partnership process as a very important instrument; through it this movement can influence the important decisions which affect the lives of our members.

As you know, we'll negotiate the second phase of the pay agreement in the coming months, and I look forward to playing an active role in these negotiations. However,

the social partnership process is under attack. Not from our members, but from those who wish to exclude the trade union movement from the process of decision making. To those people I say that we will continue to press the demands of our members and work to ensure that the social partnership process continues to deliver for the working people who are members of the unions affiliated to this great movement.

We must work to manage globalisation so that it supports fundamental human rights and leads to long lasting development and prosperity for ordinary people, particularly those in the poorest countries. Congress and our affiliates locally, nationally and internationally must play a leading role so that people are not the victims of globalisation, but so that globalisation works for the world's people and not against them.

Workers' rights and conditions can be better protected if they're not undermined elsewhere. In this New World Order trade unions are the new opposition. Brothers and Sisters, a better world is possible, and we must campaign for social justice not only at home, but globally as well. The activities of ordinary trade union members are the keys to building a safer and a more just world.

Of course, Delegates, I intend to use my Presidency of Congress in whatever way I can, and to ensure that the current difficulties in the peace process in Northern Ireland are overcome. The restoration of a devolved administration and the creation of a stable and working Government that's fighting for our members in Northern Ireland. Congress continues to be the most progressive and active voice in Northern Ireland, and has been to the fore in opposing sectarian violence and attacks on workers.

I would like to pay particular tribute to Peter Bunting who's worked successfully to raising the profile of this movement in Northern Ireland over the last few years. I look forward to helping Peter and my colleagues on the Northern Ireland Committee in tackling important challenges that face this movement, particularly that of sectarianism.

I would also at this time again draw attention to the illness of Terry Carlin, and to offer my condolences, and indeed the condolences again of this Conference to his family. And I think Peter and Patricia and other people who are here on the Northern Ireland committee would stand up and say quite openly that peace works, that the foundation was laid by Terry Carlin, and I would like to thank him for that.

Delegates, I also intend to use the coming two years to assist the General Secretary and the other staff of Congress in their attempts to find the resources they need to do its job. We frequently ask Congress to carry out tasks on our behalf which are difficult and challenging, and I think the out-going President made reference to that when he talked about the quality of papers and work during the negotiations. If we want the staff of Congress to succeed in these tasks we need to ensure that they have the resources to do the job. If we want Congress to continue the good work and take on all the tasks that this Conference has given them, in some respects we're either going to have to identify new sources of finance or else what we have to do is put our hands in our pockets. So I can assure the General Secretary that he will have my full support in this matter in the next two years.

In conclusion, Delegates, I wish to thank all of you for the support you've given me over the last week, and I wish to pay particular tribute to the out-going Executive and the out-going President. They're all hard acts to follow.

I welcome the new ICTU Executive. I welcome the election of Peter McLoone as Vice-President, he's a man of vast experience and knowledge. I think together we have a responsibility to this Conference, to all our members, to make the ICTU a modern, progressive, representative organisation.

Thank you.

Senator Joe O'Toole, Out-going Congress President

Thank you.

In wishing you safe home, my final acknowledgements are to my colleagues on the Executive Council. I thought I'd save this till last. They're a bunch of rogues of course, they work hard on all our behaves, day and night and forever, and I wish them success. And I want to thank them for their support all the way. In a special way my friend, colleague and successor John Carr, and in a particular way I will advise the incoming President to be particularly careful of those two rogues who run the Public Services Committee - Mr. McLoone and Mr. Murphy. I'd be very, very careful!

Thanks Jack for all of your words and thanks for the support from all levels.

Good luck to all of you and good luck President.

Thank you.

Conferences closes

Standing Orders Committee Report No. 1

Tuesday 3rd July - Morning Session

Times of Sessions

1. Conference sessions will commence at 0930 hours each day, Tuesday 3rd July to Friday 6th July. Conference will adjourn for lunch at 1300 hours each day Tuesday to Friday and will resume at 1430 hours each day except on Wednesday 4th July.

Ballot Papers

2. Ballot papers for the election of Officers, Executive Council, Standing Orders Committee and Appeals Board will be issued from 1300 hours to 1730 hours on Thursday 5th July.

The arrangements for the exchange of credential stubs and the issue of voting cards and ballot papers will be as follows:

Credential stubs will be exchanged for voting cards during the Conference proceedings on Wednesday and Thursday morning.

Ballot papers will be issued from 1300 hours on Thursday in exchange for voting cards. 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.

Ballot papers, on completion, will be returned to sealed ballot boxes in the Polling Station by the individual delegate or by the principal delegate in accordance with union practice, before 1730 hours on Thursday 5th July.

Motions and Amendments

3. Standing Orders Committee has examined the motions on the Preliminary Agenda and the amendments submitted by affiliated organisations.
4. Standing Orders Committee rules that Motion 6 on Social and Economic Exclusion from ATGWU is in order on the understanding that any report to be presented to the Northern Ireland Conference will be from the Northern Ireland Committee.
5. Standing Orders Committee considered Motion 66 from Limerick Council of Trade Unions in respect of the Funding of Trades Councils. The establishment of a mechanism to fund Trades Councils would require an Amendment to the

Congress Constitution. On the clear understanding that the mechanism being proposed is voluntary, Standing Orders rules that the motion is in order.

6. Standing Orders Committee rules that the remaining Motions and Amendments on the Final Agenda are in order.

Suspension of Standing Orders

7. In the interest of the orderly and effective conduct of business, 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 the Conference. It must specify the Standing Orders to be suspended and the period of suspension. It must also 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 the Standing Orders Committee."

Conference Sessions

8. 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 completion of the specified business, Conference will proceed to deal with other business.
9. The Sections of the Executive Council Report on the Motions on the Final Agenda will be taken at the times given in the Timetable of Business.
10. Motions have been grouped and votes on the motions will be taken as indicated in the Timetable of Business.

Fraternal Addresses

11. Fraternal addresses will be given by fraternal delegates from the following organisations:

British Trade Union Congress

European Trade Union Confederation

AFLCIO (United States)

International Confederation of Free Trade Unions

12. The times at which the fraternal delegates will address Conference will be given in Standing Orders Report No. 2.

Guest Speakers

13. The Executive Council has invited a speaker from the Congress Centres for the Unemployed and a speaker from the Congress Retired Workers' Committee to address Conference. Standing Orders Committee recommends that the address from the Centres for the Unemployed be taken in conjunction with the debate on Future Economic and Social Strategy and that the speaker from the Retired Workers' Committee be taken in conjunction with the debate on Motion 32 (Action Plan for Older People).

Standing Orders Committee Report No. 2

Guest and Fraternal Addresses

1. Guest and Fraternal Addresses will given at the following days and times (times are provisional and subject to confirmation):

Mr. Pat Rabbitte T.D., Leader of the Labour Party, will be invited to make a keynote address to Conference following the President's address and the introductions on Tuesday morning 1st July.

The following will be invited to address Conference during the debate on Recruitment and Organisation on Tuesday evening: Mr. Tom Woodruff, Vice President, SEIU (US) and Mr. Paul Nowak, TUC New Unionism Project.

Mr. Peter Sands, Retired Workers' Committee, will be invited to address Conference following the moving of motion 16 on Wednesday 2nd July.

Mr. Robert Finan, Congress Unemployed Centres, will be invited to address Conference during the debate on Social Policy on Wednesday 2nd July.

Ms. Maria Clarke will present the results of a survey on anti-racism in the workplace during the equality debate on Wednesday 2nd July.

Mr. Jerry Zellhoefer, AFL-CIO, will be invited to address Conference at 11.00 a.m. on Thursday.

Mr John Monks, General Secretary, ETUC and former General Secretary TUC, will be invited to address Conference prior to the adjournment for lunch on Thursday 3rd July.

Mr. Sandy Boyle, President, STUC, will be invited to address Conference on Thursday evening 3rd July during the debate on Pay, Conditions and Employment Rights.

Mr. Bertie Ahern, An Taoiseach, will be invited to make a keynote address to Conference at the opening of the final day of Conference on Friday morning 4th July.

Nominations for Elections

2. Standing Orders Committee has examined the nominations for election of Officers and members of the Executive Committee and the Standing Orders Committee and confirms that the nominations are in order.

Procedure for Elections

3. The procedure for balloting is as outlined in Standing Orders Report No.1.
4. Standing Orders Committee notes that the two persons nominated for election as Vice-President are also candidates in the election of the Executive Council (Ordinary Panel). Since one of the persons involved will be elected as Vice-President and, thereby, be a member of the Executive Council, he cannot also be a continuing candidate in the election of the Executive Council (Ordinary Panel). The ballot papers for all elections will be returned at the same time so that, at the time that ballot papers for the election of the Executive Council are completed, delegates will not know which of the candidates for election as Vice-President will be successful and, therefore, not eligible to be elected to the Executive Council on the Ordinary Panel.

In light of the above, and for the purpose of clarity, Standing Orders Committee recommends that the following procedure be followed during the counting of votes:

- (a) The first election to be counted by the Scrutineers will be the election of the Vice-President;
- (b) When they come to count the ballot papers for the election of the Executive Council (Ordinary Panel), the Scrutineers will, therefore, know which of the two candidates for election as Vice-President has been elected and is not a continuing candidate for election to the Executive Council on the Ordinary Panel;
- (c) Any preferences shown on the Ordinary Panel ballot papers for the person who has already been elected as Vice-President will still reckon in the election on the basis that, in the case of any ballot paper which shows a preference marked for the person elected as Vice-President, that preference will be ignored and the next preference shown on such ballot paper will be the operative preference for purposes of the election. 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 who is shown as receiving a No. 2 Preference will be deemed to have received a No.1 Preference on that Ballot Paper and similarly for lower preferences.

Appointment of Delegates

3. Under Standing Order 2 affiliated organisations are required to forward to Congress the names and addresses of delegates with the appropriate delegate fees not later than four weeks prior to the opening of Biennial Conference. On the last day for receipt of nominations and fees, 2nd. June 2003, 44 unions and 8 trades councils had made nominations and payment. Standing Orders Committee notes, however, that a number of affiliated organisations had not made nominations and payment by the due date. Standing Orders Committee recommends that on this occasion the credentials of late appointed delegates be accepted as being in order subject to the delegates fees being paid prior to

the commencement of Conference. Standing Orders Committee wishes to remind affiliated organisations that the provisions of Standing Order 2 must be adhered to in the future.

4. Standing Orders Committee has examined the list of delegates appointed by affiliated organisations and confirms that they are in order.
5. Paragraph 10 of the Constitution requires affiliated trade unions to nominate a specified minimum number of women delegates proportionate to their number of women members. Standing Orders Committee has examined the list of delegates appointed by the trade unions and confirms that they are in order having regard to this provision of the Constitution.
6. The names of delegates appointed by affiliated organisations may be inspected at the Congress Office in the Conference hotel. 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 foyer area of the Conference centre: FAS; ETS; the Equality Authority; the National Centre for Partnership and Performance; the European Foundation for the Improvement of Living and Working Conditions; the Construction Workers Health Trust; The Irish Labour History Society; Workway Project; Chernobyl Children's Project; Trades Union Councils Learning Advice Network. and City Bridges.

Standing Orders Committee Report No. 3 (verbal)

Dan Millar, Chairperson Congress Standing Orders Committee, *Emergency Motions (Privatisation in the Public Transport and Aviation Sectors & Fire Brigades' Union's Emergency Motion on the Restoration of Devolution in Northern Ireland)*

Thank you President. We've two Emergency Motions.

Standing Orders has looked at these and the President's suggested that if the business is going to move on to where we'd be dealing with some of the issues from tomorrow morning, which would be around Motion 27, that emergency Motion on Privatisation of Public Transport and Aviation Sectors would be taken within a half an hour or so.

That emergency Motion - I suppose I'd better read it to you so that you know what you're getting into - Privatisation in the Public Transport and Aviation Sectors:

“Conference condemns the Minister for Transport's ideologically driven privatisation campaign in the public transport and aviation sectors which envisages dismantling CIE and privatisation of the Dublin Bus service, breaking up Aer Rianta into three separate companies, preventing Aer Rianta from developing an infrastructure at Dublin Airport and imposing a privatised terminal there, and notes that this is proceeding not withstanding the absence of support for it in any independent analysis of public transport and aviation requirements, and in the flagrant contravention of the Government's commitments under *Sustaining Progress*.

Conference rejects the simplistic notion that the problems in these sectors, which are primarily due to under resourcing and inadequate planning, can be addressed by privatisation and replacing quality jobs with non-union employment. Conference fully supports the constituent unions in resisting it, insists that these issues require the most serious, thoughtful consultation and public debate to ensure high quality modern public infrastructure and service.

Conference also records its concern for the future of the Shannon gateway given the implications for regional developments in the West/South West and calls on the Government to withhold approval for any European/US aviation agreement unless equally favourable arrangements are put in place.”

That's sponsored by SIPTU, TEEU, MANDATE & IMPACT.

Tomorrow morning, at the period of time that Motions 30 to 34 to 36 will be discussed and debated, there is a Motion from the Fire Brigade Union proposed by the three fire brigade unions:

“This Conference calls upon the Executive Council to campaign for the early holding of elections to allow for the return of devolution in Northern Ireland. Conference makes this call on behalf of its members, their families and all those who believe that this is the best way forward in developing a peaceful, prosperous and just society in Northern Ireland.

The restoration of devolution would return power to locally elected politicians who are best placed to deal with the interests and concerns of the people of Northern Ireland. Clearly those interests are best served by locally elected and accountable politicians.

At present, and as in the past, we see major decisions on the future of Northern Ireland being taken and implemented by direct rule Ministers who are wholly unaccountable to the Northern Ireland electorate. Decisions about issues such as water charges and vital public services which will affect all of our citizens, and in particular those in most need, are already being taken. These will undoubtedly have a long lasting impact on our people.

It is essential that democracy is restored in Northern Ireland immediately. Our people deserve their own parliament and local politicians to work with. To further prevaricate would endanger an already fragile peace process.”

I commit these to you Chairman.

Report No. 6

Number of Trade Unions affiliated	57
Number of Trades Councils affiliated	32
Number of unions accrediting delegates	47
Number of Trade Councils accrediting delegates	12
Number of Trade Union delegates accredited	547
Number of Trades Council delegates accredited	16
Total number of delegates accredited	563
Total number of delegates from Trade Unions attending	538
Total number of delegates from Trades Council attending	16
Total number of delegates attending	554

