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### **Editorial**

## Working hours still key focus for members

As we head towards Civil Service Divisional Conference it is clear that the restoration of working hours is still a major priority for members in the next round of pay talks, given the number of motions on the topic from Branches around the country. This demand will also be echoed in Divisions right across Fórsa and will form part of our agenda for future talks.

On the pay front, Senior General Secretary Designate Kevin Callinan has clearly set out the union stall at the recent IRN Conference, an event attended by many of the key IR figures on the union and employer side.

According to Kevin, the "credibility of the current agreement [the PSSA] is being stretched by two important factors, which have taken root over the past decade and which now need to be addressed. One is the spending power of incomes after living costs are factored in; the other is the scope for the agreement to respond to profession-specific and grade-specific issues and ambitions."

Clearly he is putting his finger on a key question for future negotiations in which we need to get past restoration and return to bargaining on real pay increases which take account of inflation and the cost-of-living pressures of all our members.

Currently the NEC is assessing the landscape and considering recent developments arising from the nurses dispute. From a Civil Service perspective members should be happy that they are well represented at the NEC with 10

members, many of whom are pictured on our front cover. There is no doubt that their voice will be heard on key issues, particularly pay. There is also a divisional executive set up under the instrument of amalgamation, the main responsibility of which is to deal with the industrial relations agenda in the Civil Service. You will see from the news in this current edition of CSQ that this is extensive, with talks on the annual leave circular and attendance management about to restart and talks under way on the next phase of Mobility for Dublin, to name but a few.

We also expect to finalise discussions in 2019 on the move from the Conciliation and Arbitration scheme to the state IR mechanisms, the WRC and Labour Court, which is a really important development in terms of our IR agenda.

So clearly there is much to keep the divisional executive busy as the NEC continues to deliberate on pay and related matters.

There is no doubt that the Fórsa voice and strength will be to the fore in what will be a very important year for members.



### **By Derek**

The General Council is the main industrial relations forum for Civil Service unions, comprising mainly of senior, elected and full-time officials from Fórsa and other unions as well as senior officials from the Department of Public Expenditure and Reform (DPER). The Council is established under the Conciliation and Arbitration Scheme. The Committee meets every month to consider claims from the union or management side and ongoing policy matters that affect the terms and conditions of civil servants.

#### **Higher scales**

Improvements in the percentage of higher scales available for clerical officers were achieved in 2018. The long standing entitlement to higher scales of 15% of the grade was increased to 20% last year and 25% from January 1st, 2019. Claims seeking further improvements are before General Council but are unlikely to be agreed in the short term given the recent positive developments. In particular we are pursuing access to higher scales for all in the grade.

#### Disciplinary code issues

A new disciplinary code for staff on probation has just been agreed. This is the first time that staff on probation have had access to a disciplinary process. Describing the move as a welcome development, National Secretary Derek Mullen told CSQ: "We have worked hard to achieve a successful outcome to these negotiations and while the new code is not as robust as the main code, it does offer important protection under the key principles of natural justice and due process."

In a more serious development though Public Expenditure is seeking to devolve sanction for dismissal to principal officer level, a proposal that is being resisted by the union.

#### Probation guidelines

In a related theme the union has also reached agreement on new guidelines governing the management of probation in the civil service. These new guidelines should bring a level of consistency across departments and organisations in the treatment of staff on probation, following both recruitment and promotion.

#### ATTENDANCE MANAGEMENT

### New policy proposals run into difficulty on underperformance

Proposals for a new attendance management policy have run into difficulty at General Council because management has sought to utilise the same approach as the underperformance policy which allows for warnings under the disciplinary code.

This approach hasn't been effective for underperformance and in the view of the

#### **EXPLAINED: The Bradford Factor**

 $3 = S^2 \times I$ 

- S is the total number of spells (instances) of absence of an individual over a set period
- **D** is the total number of days of absence of that individual over the same set period

union should not be adopted for the management of attendance.

We have also objected to long-term and likely serious illness absences being treated under the same category as other attendance difficulties such as a pattern of Friday or Monday absences.

While both scenarios merit attention the union will not agree to members who have legitimate and likely serious illnesses being placed on attendance management plans.

In the meantime, the union has asked DPER to reissue their guidance on the use of the Bradford Factor in individual cases. The Bradford Factor is a HR analytical tool used to score attendance patterns. The union is against its use as it can provide very arbitrary outcomes.

#### Leave and related issues

Two days additional annual leave were secured for clerical officers and executive officers in 2018 with the deal extended to related departmental grades in Fórsa.

The leave is service based and is applicable after 12 and 14 years. Related claims seeking to increase the overall threshold of annual leave and other special leave, such as force majeure are being rejected by Public Expenditure given the recent annual leave increase. The union is contemplating third party referral in this case.

Meanwhile, in other leave matters, it is agreed that we will shortly review the annual leave circular and hopefully as part of the review we will seek to abolish the three-year carry-over rule which can cause members difficulties and lead to a loss of leave.

#### It is also agreed that statutory annual leave accrues when an individual is on TRR and/or zero rate of pay due

Periods of sick leave at full and half pay will retain full annual leave entitlements.

to certified sick

leave.

This is in response to Court of Justice of the European Union (CJEU) rulings on accrual of annual leave entitlements during sick leave which relate to the requirements of the EU Directive on Working Time.

#### **NSSO STEERING GROUP**

### Shared Services national survey

SURVEY

The union has engaged with a high level steering group set up to examine the various issues arising at HR Shared Services. Currently we are preparing for a

civil service-wide survey of members aimed at identifying the key issues as well as to develop action plans to address those issues once the survey is completed.

Fórsa has been critical of the pace of business at this important sub-committee but has decided to stay involved at least until the civil service-wide survey is launched. This survey is vital in identifying directly from members the key issues that are causing our members problems.

Arising out of this, the management side will begin to develop action plans to deal with those problems. SHARED SERVICES

These national surveys follow Fórsa's own survey carried out last year in which more than 80% of members reported experienceing problems with the centralised pay and leave system

Illustration: Xoan Baltar (CC BY 2.0)



Starting pay move welcomed

A new starting pay on promotion circular has been agreed and will provide a more simplified approach to starting pay on promotion in the civil service. It will also abolish the principle of marking time on a scale which is very important for any civil servant promoted via an open competition.

The circular also provides for incremental progression for anybody in an analogous grade moving from the public service to

the civil service. However, we could not reach similar agreement for non-analogous grades, an outstanding issue which will now be determined at arbitration.

Following the agreement, negotiator and Civil Service Division Head Derek Mullen told CSQ: "That this was a difficult but important negotiation which simplifies a very complex circular dating back to the 1970's and also delivers the abolition of mark time for

large numbers of civil servants who are standing still on pay scales and who will now see incremental progression."

He described the arrangement for moving from the wider public service to the civil service as a "very welcome development". Mullen also expressed confidence that the position over non-analogous grades could be settled at arbitration.



#### Starting pay rules...

On promotion, an officer will be appointed at the minimum point of the new scale unless any of the conditions below apply:

- Where an officer's current salary is above the minimum point of the new scale but below the normal maximum, the nearest point above the officer's current salary point plus one increment.
  - OR
- Where the officer's current salary is above the normal maximum point of the new scale but below LSI1, the nearest point above the officer's current salary point (i.e. LSI1).
  - OR
- Where the officer's current salary is above LSI1 and below LSI2, the nearest point above the officer's current salary point (i.e. LSI2).

#### OR

• Where the minimum of the new salary scale is greater than existing pay by an amount less than the first increment on the new scale, the officer may enter the new scale at the minimum plus one increment.

- Marking time will no longer apply. It has been agreed that officers currently marking time either on promotion or appointment to higher or analogous grades will be brought on scale with effect from their next incremental date. No retrospection from any earlier date will apply where an officer ceases to mark time.
- An appointee moving from the public service to an analogous grade and pay scale in the civil service may be appointed at the current point of scale.

This was a difficult but important negotiation which simplifies a very complex circular dating back to the 1970's

#### **INDUSTRIAL RELATIONS**



#### DPER talks continue on IR move

Discussions on the move to the Workplace Relations Commission (WRC) and Labour Court have also resumed with DPER. This will see civil servants moving to the state industrial relations machinery for the first time since the setting up of the Labour Court in 1946.

We are currently discussing which aspects of the conciliation and arbitration scheme will be retained, such as the General Council and Departmental Councils.

The legislative amendment for the inclusion of gardaí and civil servants will be made shortly, clearing the way for access to the WRC and Labour Court with the civil service being subject to a ministerial commencement order when all matters are resolved.

Obviously the issue of staffing and related matters will be to the fore as the WRC/Labour Court prepares for the transfer of the civil service and the Garda to the state IR machinery.



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**FREE TO MEMBERS** 

Fórsa paper argues for a recasting of the world of work in the public service as response to management automation pilot...

# We're not robots and never will be!

#### **Derek Mullen**

Head of Division: Civil Service

Management in the civil and public service should work with unions to ensure that the introduction of new technologies does not lead to job losses or poorer services. In a recent paper presented to the Department of Public Expenditure and Reform, Fórsa argues for steps to ensure that new recruits are equipped to thrive in increasingly-automated work environments, and that older workers should get help to adapt.

Fórsa's head of civil service Derek Mullen, who penned the paper, said the union would not oppose the introduction of new technologies, such as artificial intelligence (AI), but cautioned that technological advancement "should not be at the cost of services or jobs."

He pointed to the experience of Revenue where new forms of work organisation, supported by retraining, had increased the taxtake and improved audit and fraud control rather than cutting jobs.

Fórsa would not give blanket support to the replacement of people-provided services with Al. Mullen said: "We will support properly thought-out automation, controlled by workers whose aim will be the continued enhancement and delivery of public services. Citizens do not want to talk to machines."

And he claimed new technologies would flourish best if staff had more autonomy over their working time. The paper also argues against an expensive external consultant-led approach to technological development. "The diminution of in-house IT services over the last two decades has seen the growth of a hugely costly consultant-led approach to designing new systems. This must change," it states.

The submission was written as part of the union's response.

The submission was written as part of the union's response to civil service management proposals for procurement of new technologies, on foot of an automation pilot that's been under way in a small number of civil service departments over the last year.

**General principles** 

Automation/robotics will transform the world of work in coming decades, not least in the public service. This transformation will require significant engagement to ensure that it becomes less a threat to workers and more an opportunity to improve the quality of working lives. Artificial intelligence, automation and robotics should create more jobs – albeit different jobs – the design of the workplace of the future must be a collaborative event and must be human centred and led.

2 Key to this in the public service will be to ensure that staff and future employees are suitably equipped to engage in new opportunities. Lifelong learning and innovative work place training are key elements to achieving

Automation/robotics will transform the world of work in coming decades, not least in the public service. This transformation will require significant engagement to ensure that it becomes less a threat to workers and more an opportunity to improve the quality of working lives

this. Fórsa will not support the diminution of workplaces through the march of automation for automation sake.

Nor will we support the worsening of good public services, involving hands-on human

intervention. We will support properly thought out automation, controlled by workers whose aim will be the continued enhancement and delivery of public services.

> Citizens do not want to talk to machines. Consider the frustration of many citizens as they try to engage with mostly automated service companies in the private sector. Do we really want this model in pub

lic services? The mantra that 'private is good and public is bad' is a badly founded principle, created by those who would see the worst excesses of the private sector transplanted in the public service.

A mistake best seen in the Government reform that transformed HR services into a remote call centre. Effectively taking the human out of human resources and turning staff members into case numbers. A reform that should really be reversed because there is nothing wrong in saying we got it wrong.

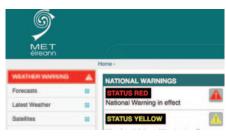
As the demographic changes in the civil service - which it will, particularly as we approach a significant retirement cliff - we must ensure that new recruits are fully equipped with the technological tools and expertise to work and lead a human-centred and increasingly automated public service workplace.

Young people will need help in navigating the increasingly difficult school-to-work transition. Older workers will need expanded choices that enable them to remain economically active as long as they choose, especially with new choices in retirement age.

The recently-agreed IT apprenticeship scheme in the civil service is the sort of innovative model that should hopefully help to deliver a well-trained workforce for the future. Older workers should not be cast aside with these new innovations. Specific measures are also needed to address gender equality in the technology-enabled jobs of tomorrow.

Offices like the Revenue Commissioners have proven that with new models of work and retraining, they can best deliver on their goal of an ever increasing tax take, and rather than reduce jobs ensure that workers are engaged centrally in enhanced functions such as audit and fraud control.

No less an approach should take place across the civil and public services retraining, new work and better services is what we in Fórsa will support. Fórsa has made it clear that it will not stand in the way of technological advancement, evidence will show that we are no luddites, but technological advancement should not be at the cost of im-



### DPER issues guidance over red weather alert arrangements

Discussions are still ongoing at General Council over arrangements for red weather alerts. However, compensatory arrangements, including the availability of TOIL, are causing some difficulty for those staff who are considered essential.

Appropriate credits, be it leave or time on the clock is also a factor for those staff members who cannot make it to work. Public Expenditure is more inclined to issue a guidance note, which will include the following points:

- It is recommended that HR Units examine its organisation's continuity plan and incorporate the following elements if they are not already included in the overall plan.
- Consider the potential impact of staff being unable to attend the place of work and provide clarity around the requirement to attend work in such situations, taking account of advice from the National Emergency Coordination Group and being mindful of staff safety.
- Provide clarity about essential and non-essential positions in each organisation:
- Consider how alternative work practices could minimise disruption, e.g. remote working;
- Ensure clarity around the decision making process for closing offices, especially in shared tenancies;
- Ensure that each organisation has a communications plan for employees, and customers, if relevant, to cover severe weather situations.
- The business continuity plan should be communicated to all staff to avoid confusion during future alerts.



proved services or job losses. IT platforms in the public service should be state-of-the-art and their design and development should be primarily led in-house. The diminution of IT services over the last two decades has seen the creeping growth of a hugely costly consultant-led approach to designing new systems. This must change in the future. A creeping privatisation that met none of the service provision rules set out in successive national agreements.

Workers also need greater autonomy over their working time, while meeting business needs. Utilising technology to expand choice and achieve a balance between work and personal life can help them realise this goal and address the pressures that come with achieving work/life balance and dealing with the increasing drift of work into personal and family time.

12The blunt instrument of increased hours introduced under the Hadding-

ton Road Agreement was a retrograde step that gave no credence to the changing face of work and the fact that the future is about smarter working, not longer working.

13 In the civil and pubic services remote working should also be a significant feature in the workplace of the future. Technologies allow this and employers should support the concept more.

In conclusion, and to quote the ILO, it is all about taking responsibility: "The ILO called on all stakeholders to take responsibility for building a just and equitable future of work. Urgent action to strengthen the social contract in each country requires increasing investment in people's capabilities and the institutions of work and harnessing opportunities for decent and sustainable work. Countries need to establish national strategies on the future of work through social dialogue between governments, unions and employers."

### Mobility scheme to be extended

Discussions aimed at extending the new civil service mobility scheme to Dublin are under way, with the target of having it introduced in the capital by the end of June. Meanwhile, the Department of Public Expenditure and Reform (DPER) mobility team has also started work on extending the scheme to higher executive officers and administrative officers.

More than 4,000 clerical officers and executive officers have applied for transfers since the scheme was launched last September. More than 400 pre-offers have been made, and more than 50 transfers took place by the end of 2018.

Fórsa National Secretary Derek Mullen said members had been posting very positive reviews about the scheme on the mobility website, with most citing the shorter commute as the main reason for taking up a transfer.

One worker, who moved from central Dublin to Celbridge, said the process was very straightforward. "The mobility staff were very helpful, and my new location has made a huge positive impact on my family life," they said.

Another said the experience was "very userfriendly and transparent," resulting in a "smooth and efficient" transfer. "I am now happily set-

More than 4,000 CO's and EO's have applied for transfers since the scheme launched last September. More than 400 pre-offers have been made, and more than 50 transfers took place by the end of 2018.

tled in my new position, a Civil Service short walk from my house,' he

Mullen pointed out that the treatment of transfers from the city centre to suburban offices would be a significant issue in the Dublin-phase talks. He added that there were also significant concerns in departments that were already experiencing significant levels of staff churn.

Mobility

scheme is hugely important to members as it provides improved opportunities for transfers for commuting and career reasons," he told CSQ. Issues have also arisen over reasonable accommodation for members with disabilities which has led to some revised text in the terms and conditions, as follows:

"It is the policy of the Civil Service to seek to ensure that staff members are not disadvantaged because of their disabilities. An employer must take 'appropriate measures' to meet the needs of a staff member with a dis-

ability in the workforce to enable the staff

member to be treated the same as coworkers and have equal opportunities for Mobility. Making a permanent move to another position under the Scheme, before such matters are considered, could have the unintended effect of disadvantaging staff members with a disability. Accordingly, the provision of reasonable accommodation (if required) must be considered by the Receiving Local HR before a formal offer of Mobility is advanced. HR Managers will consider their obligations under the **Employment Equality Acts** 1998 to 2015 to provide reasonable accommodation, so that staff members with a disability can participate in and advance in their employment."

> However the assessment process will not be used as a means to impede a move under the Mobility scheme.

#### FEEDBACK...

I am now happily settled in a new position, a short walk from my house

It was a very positive experience, seamless and hassle free pretty much

The mobility staff were very helpful and my new location has made a huge positive impact on my family life

Picture:

**POLICY** Revisions over members with disabilities

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# PAS launches IT/EO : :: apprenticeship pilot :::

Following consultation with Fórsa and arising from commitments in the Public Service Stability Agreement (PSSA), the Public Appointments Service has now advertised the first pilot IT/EO apprenticeship scheme. The scheme runs for two years in total and participants will spend 50% of their time in college with the balance in work across departments.

In respect of salary during the apprenticeship, it is agreed that there should be a link to the EO scale as the intention is that these apprentices will ultimately be re-



#### An tSeirbhís um Cheapacháin Phoiblí Public Appointments Service

cruited on the EO scale. It should be noted, however, that employment at the end of the apprenticeship is not guaranteed but dependant on results.

It is proposed that there should be a single point scale for the two years of the apprenticeship. Over the two-year programme the rate should be 75% of the full EO rate in each year, something we argued for rather than 50% of the rate which was the original plan. Currently this is €21,987.

It is felt that this is reasonable in the context that those appointed are trainees and it is reasonably consistent with the rates elsewhere in the civil and public service.

Officers who successfully complete the apprenticeship programme and who are offered appointment as civil servants Picture: Bruce Guenter (CC BY 2.0)

should start at the first point of the scale. No incremental credit or incremental progression will be given in respect of the training pe-

It is also important to point out that this scheme is a pilot and will sit alongside traditional recruitment mechanisms. Apprentices will not fill normal course vacancies.

Meanwhile, the union will also continue discussions on career path issues for serving staff and continue our effort to limit the reliance on consultants across the civil service.

#### Accountant technicians scheme – agreement reached

An agreement was reached under the auspices of the PSSA for an accountant technicians apprenticeship scheme under the umbrella of the national apprenticeship programme

The programme will allow for a formal structured apprenticeship for would-be recruits so that they can earn while they learn. It is likely to be attractive to a wide range of potential candidates including those who may not have wanted to go to college, may not have afforded to go to college or may not have qualified for college. Those recruited through this pathway can earn a recognised

qualification which will help them in their own career progression. They can use the IAT qualification as a pathway to a professional accountancy qualification which would be of enormous value to Revenue and many other public service employers.

To ensure compliance with the terms of Revenue's Recruitment Licence with the CPSA, the vacancies will be advertised as positions in Revenue. Candidates will be vetted by the AIT to ensure they meet their eligibility criteria (circa 300 points in the Leaving Cert or relevant life/work experience). Those candidates who proceed

through the vetting stage will be assessed, selected and appointed by Revenue. The union will monitor the pilot throughout its duration.





#### Competitions

**Getting it** right when filling posts

The DEC has been conducting a review of competitions policy following on many motions at conference in 2018, taking particular account of selection mechanisms in large volume competitions. It was noted that volumes had increased for various reasons including the cross-stream promotion agreement in the civil

In July 2011, the Commission for Public Service Appointments (CPSA) issued a report on eligibility criteria for the promotion of staff in the civil service. The CPSA report recommended that: "In establishing eligibility criteria for promotions to positions in the civil service, the Minister for Public Expenditure and Reform removes any criteria that may prevent civil servants with the requisite knowledge, skills, experience and attributes from applying for these positions."

The implementation of the CPSA report was considered by management and unions at a sub-committee of General Council. Agreement between the parties on the arrangements to apply to future promotion competitions was recorded at the General Council meeting of 27th November 2013.

These new arrangements were designed to ensure that the pool of suitably qualified candidates competing for promotion roles is not restricted on the basis of their current salary band. In summary, whereas previously eligibility for promotion was generally based on a defined period of service in the grade immediately below that of the post to be filled, this will no longer be the case.

The new arrangements provide that where a post is to be filled by way of promotion, the relevant job descriptions and person specifications should set out:

- The purpose and deliverables required for relevant positions or grades;
- The experience, knowledge and skills reguired of a candidate to be suitable for consideration for appointment to the position or grade.

One of the impacts of what is a very positive agreement is that there is a potentially much wider field of candidates for all competitions. This then drives the question of selection methodology, particularly for shortlisting in large volume competitions.

Another possible unintended consequence is that it is very difficult to contemplate any return to senior suitable promotions in a merit-based, open competitive environment where grade restrictions have been removed.



Assessment techniques

In our discussions with PAS and DPER, they have resolutely defended the testing processes for shortlisting in large volume competitions. They use a range of techniques for various competitions, which are:

- Psychometric tests;
- Job simulation/work sample exercises;
- Situational judgement;
- Group exercises;
- Case study/strategic exercises;
- Presentation exercises;
- Role play exercises;
- Video/PC based job simulations;
- Media exercises;
- Biodata/skills experience questionnaires;
- Assessment centres;
- Personality questionnaires;
- Interviews.

The union has received many complaints about the various processes in use - firstly, in terms of technical issues as the process is online and, secondly, in relation to substantive questions about the testing and subsequent validation process.

Some queries were also raised about scoring and feedback. In presentations to the civil service unions, both DPER and PAS have committed to resolving technical issues but challenged us on what our alternate might be for shortlisting large volumes of candidates.

A significant issue has also arisen recently in Garda where the technology of a private provider, used by PAS, totally failed under a system called remote proctoring, where candidates are tested from home or another remote base. We have advised DPER and PAS that we





Illustration: Shutterstock

will oppose remote proctoring in the future unless that can fully guarantee that it works.

Another important factor raised by the union, and indeed some members, is the question of reasonable accommodation for staff with disabilities.

We are checking with management to see if there are any cases in train with the Commissioner for Public Service Appointments on this specific point and indeed on any cases raised by members under the CPSA appeals process, which forms part of our internal review.

Based on some earlier analysis, particularly of the 2014 EO competition, there is prima facie evidence of age-based discrimination. The most successful cohort of candidates being in their 30's, with a smaller success rate for those in their 40's and virtually no success rate to speak of for those 50 or older.

#### **Shortlisting**

On the question posed by PAS, no union has come up with an alternate that is fully satisfactory and in any event options are very limited, but include:

- Preliminary interviewing, which they consider inappropriate to large volume competitions
- Assessment of candidates based on competency-based applications forms again difficult in a large volume competition.
  - Consistory approach.
  - Assessment centres.
- Seniority and Suitability, although effectively abolished by Croke Park Agreement.

PAS produced the following table in earlier discussions relating to the effectiveness of different selection methods, based on academic research.

#### Effectiveness of selection methods Perfect prediction

.63	Cognitive ability test & work sample test
.60	oognitive ability test & work sample test
	Work sample test
.54	Assessment centres (criteria promotion)
.53	
.51	Cognitive ability tests/structured interview
	Personality questionnaires
.40	Assessment centres
.37	(criteria - overall job performance)
.35	Biodata
.26	References
.20	Unstructured interviews
.18	Years' job experience
.02 0	Graphology

Chance prediction (Robertson & Smith 2001)

Clearly the body of research reinforces their position, but there is similarly as much research to indicate that while a mix of aptitude / personality testing can be helpful in the short-listing process and can provide a measure of suitability for certain jobs, it can also be unreliable in the context of predicting subsequent performance, particularly in a promotional context.

This goes to the point that many of our members and others have raised about whether successful candidates in the shortlisting testing are actually representative of the group that are perhaps the best placed candidates to be considered for promotion.

Interestingly there is nothing to suggest historically that the interview approach alone is the best tool available. It is not an exact science and has its own flaws and can be quite subjective, although the competency-based approach has improved the situation considerabl. However, you cannot give everyone an interview.

One of the more interesting points of this research by PAS is the very low score attributed to years of job experience.

Another point they have stressed is that there is no evidence to suggest that the online approach has placed any additional burden on

candidates over and above the paper based test used previously. They cite the success rates in the PO competition 2007 and 2015 to defend this argument.

Also there is no significant body of evidence to suggest that serving civil servants fare less well and indeed at all grade levels they are performing very well in open competitions, thus driving the argument for sequencing to reflect this.

### Why this is still a testing issue...

The testing process has been under discussion for some time with all unions at panel raising similar concerns. However, this has failed to move the situation from its current impasse. We have been having our own discussions on foot of various motions for a fundamental review, but the line continues to be held on the current process.

Discussions will continue with both DPER, PAS as well as departmentally on the mechanisms for interdepartmental and departmental competitions. We have also reached agreement that departments should delink from the PAS process for shortlisting at EO level.

Secondly we have proposed that departmental panels be split to take account of the "seniority and suitability" argument, but more so on a competitive basis which sets longer service requirements and majors on work experience as a significant factor.

Revenue has already taken such an approach in recent staff officer and higher executive officer competitions for staff with long service. These arose from adjudication findings though and for specific reasons so they may not be replicated. Previously other departments gave a rating for service alongside PMDS ratings, a practice eventually ended by the CPSA.

#### **Competition statistics**

Competition data for open and interdepartmental competitions since 2014. A breakdown between open and interdepartmental competitions to ensure sequences have been followed is being prepared from this data, along with departmental promotions.

It should also be noted that internal candidates are coming through the open process in high percentages with open panels averaging 70% civil servants. The open and interdepartmental movement, even without the stats for departmental promotions, since the end of the moratorium is huge, approximately one-third of the civil service.

Competition	Assignments total	Male	Female
Clerical Officer	6,547	3.030	3,571
Executive Officer	2,003	977	1,026
Administrative Officer	515	268	247
Higher Exec Officer	844		
Asst Principal Officer	677	333	344
Principal Officer	122	69	53
Totals	10,708	4677	5187

# We need to have a dialogue on pay & grades...

The underlying assumptions of the Public Service Stability Agreement (PSSA) need to be reviewed to take account of lost spending power, recent and projected growth rates, and pay movements in the wider economy, a senior Fórsa trade unionist has claimed.

Kevin Callinan, who is the union's next senior general secretary, made the comments at the annual *Industrial Relations News* (IRN) conference in Dublin on Thursday, March 7th.

He told the conference public service agreements should also allow for individual grade claims to respond to enhanced responsibilities, higher qualification requirements, additional skills, and increased productivity.

Callinan said: "The credibility of the current agreement [the PSSA] is being stretched by two important factors, which have taken took root over the past decade and which now need to be addressed. One is the spending power of incomes after living costs are factored in; the other is the scope for the agreement to respond to profession-specific and grade-specific issues and ambitions."

#### Negative changes

Referencing CSO data, he said public service incomes had fallen or remained static between 2008 and 2018, a period when cumulative inflation was just over 6%. The result was a significant reduction in the value of wages during a decade in which public servants had also experienced increased working time and other negative changes.

"It will simply not be credible to seek to continue on the current course without a correction to this," he pointed out.

Callinan also noted that both the Government and the Labour Court had recently recognised, in the nurses' case, that the PSSA is capable of dealing with grade claims, a process that had been absent from public service pay determination for over a decade. The Labour Court linked this to a wider public service review previously recommended by the Public Service Pay Commission.



It is simply no longer possible to refuse workers the periodic opportunity to make the case for their own grade or profession; to robustly test the validity of their arguments, be they based on increased productivity, changes in relativities, enhanced qualifications, additional skills, or added responsibilities

"This could herald a positive change in direction. Other grades and professions who aspire to participate in such an exercise will expect similar treatment in the same timeframe."

Callinan was appointed 'senior general secretary designate' of the 80,000-strong Fórsa earlier this year, and will succeed Shay Cody as senior general secretary in the summer.

He told the IRN conference: "It's time to shift our focus from the past and focus on the challenge of delivering real improvements in wages and purchasing power. By way of comparison, German public service employers and unions have just agreed a three-year pay deal that comfortably outstrips inflation.

"Furthermore, it is simply no longer possible to refuse workers the periodic opportunity to make the case for their own grade or profession; to robustly – and fairly – test the validity

of their arguments, be they based on increased productivity, changes in relativities, enhanced qualifications, additional skills, or added responsibilities.

"It's now almost 20 years since public service workers had that opportunity – 20 years that have seen enormous changes in roles, responsibilities and working practices.

#### **Restoring confidence**

"This would go a long way in restoring confidence in the PSSA, whose underlying assumptions also need to be reviewed to take account of inflation, the exceptional growth of 2017 and 2018, and pay movements in the wider economy. Such an approach could frame the negotiations on a successor to the current agreement, which will have to be sufficiently flexible to pair general increases, designed to protect living standards, with progress on specific grade or profession reviews. We want to restore and maintain full confidence in the PSSA, and our model of public service pay determination."

Callinan said unions had been assured that the Department of Public Expenditure and Reform (DPER) would continue to engage with them, including on the broader implications of the nurses' Labour Court recommendation. "Fórsa expects these engagements to continue to take place over the coming weeks with the objective of ensuring the continued effectiveness and stability of the public service agreement, and to ensure that it remains fit for purpose," he added.

### Pay deal comes into force earlier than envisaged

The union-negotiated 'new entrants' pay deal came into force on March 1st, 2019, well ahead of the earliest date envisaged in the current public service pay agreement.

This new arrangement will see public servants recruited since 2011 skip their fourth and eighth increments. The change now kicks in on the date on which each individual affected hits their fourth and eighth increment date. It will boost pay, and ensure that new entrants reach the top of their pay scales over the

same time period as their more experienced colleagues.

The term 'new entrants' refers to people who started work in the civil and public service – and organisations linked to it for pay purposes – after 2011 when inferior pay scales for new staff were imposed by the Government without agreement.

The inferior new entrant scales, which were worth 10% less at every point of each scale, were abolished at unions' insistence under the

2013 Haddington Road Agreement. But, until now, new entrants continued to have more lengthy pay scales than their longer-serving colleagues, with two lower pay points at the beginning of each scale.

The Public Service Stability Agreement (PSSA) established a process to address the problem. The current solution was brokered following detailed discussions and inputs from Fórsa and other unions.

#### **INCREMENT CHANGES**

#### Additional increments at Points 4 & 8 on new entrant salary scales

To give effect to the measures contained in the Public Service Stability Agreement (PSSA) the following revisions to arrangements applied with effect from March 1st, 2019 to civil servants recruited since 2011 to grades reduced under Circular 18/2020 as subsequently amended by Circular 2/2014:

### • For employees currently on incremental points 1 or 2 of a salary scale:

Each received the normal increment due on their next normal increment date.

### • For employees currently on incremental points 3, 4 or 5 of a salary scale:

Each received two increments (1 normal, and 1 additional increment) due on their next normal increment date

### • For employees currently on incremental point 6 or above of a salary scale:

Each received three increments (1 normal, and 2 additional increments) due on their next normal increment date.

### ● For employees currently on Max and Max -1 on a scale that does not have Long Serving Increments:

Each received the normal increment due on their next normal increment date, progressing to Max of scale. For those currently on Max on scales which do not have LSI's, no further incremental progression is possible

#### For employees currently at Max -1 on scales that have Long Serving Increments:

1 normal increment, plus two additional years credit towards the achievement of the LSI is due on their next normal increment date

#### For employees at Max on scales that have Long Serving Increments:

1 normal year credit and two additional years credit towards the achievement of LSI 1 (or LSI 2 depending on scale and existing level of service towards LSI 1) is due on their next normal increment date.

### • For employees on an LSI point or above, on a scale that has more than one Long Serving Increment:

1 normal year credit, plus two additional years credit towards the achievement of the next LSI is due on their next normal increment.

# Significant changes to pensions from Jan 1 under PSSA

Three significant changes to the public service 'additional superannuation contribution', which replaced the so-called pension levy under the Public Service Stability Agreement (PSSA), came into force on January 1st, 2019.

Firstly, the threshold for paying the levy rose to €32,000, bringing a net improvement of €325 a year for most civil and public servants. Those who currently earn less than €30,000 a year, and who did not benefit from this change, instead got a 1% pay increase from 1st January.

Secondly, there was a further boost for those who joined the

public service after January 2013 and who were in the single public service pension scheme, which was introduced at that time. They now pay only two-thirds of the additional contribution rate – a figure that will fall to one-third next year. This reflects the fact that the benefits of the single scheme are different from those in the older scheme.

Thirdly, again from January 2019, the additional pension contribution is no longer payable on any non-pensionable elements of public service incomes.

The Public Service Stability Agreement, which was negotiated



by Fórsa and other unions in 2017, will also deliver another 1.75% salary adjustment for all in September. Further pay boosts and another adjustment in the pension levy threshold are due next year.

The PSSA was accepted in ballots of the members of the three unions that amalgamated to cre-

ate Fórsa in 2018. Last year, the union also insisted on early measures to address the 'new entrants' pay issue even though, under the agreement, this was not bound to be dealt with until 2020 at the earliest. (See story above)

Meanwhile, non-pay provisions in the PSSA also include strong protections against outsourcing.

#### Office of the Revenue Commissioners

### Realignment project talks continue

It has been an extremely busy year in Revenue with continuing major reorganisational issues and, as CSQ goes to press, further discussions at a high level on the realignment project. Concerns have been voiced over the operational model arising

from these changes, the fact that managers can be working some distance from their staff and the possibility that audit staff may have to travel long distances within their realigned divisions.



### Dept's Brexit preparations 'well advanced'

Revenue's declared objective following Brexit is to facilitate legitimate trade so it can move as speedily and efficiently as possible. This is for trade that is directly with the UK or through the UK land bridge to the European mainland.

The focus is on assisting business to assess the impact of Brexit and avail of relevant simplifications and procedures available under the union customs code. This should minimise the potential negative impacts of Brexit and support the efficient and timely flow of trade.

Preparations are well advanced with priority being given to ensure that IT systems will support smooth and efficient trade flows post-Brexit. It is expected that systems will have the capacity to deal with the increase in volumes that will arise with the operation of customs procedures for UK-related movement of



goods and animals. In line with government approval, the union has reached agreement for the recruitment of additional staff to deal with East-West trade. So far this has resulted in ap-

 $\stackrel{\mbox{$\widehat{\gamma}$}}{\mbox{$\xi$}}$  proximately 400 staff being recruited at CO,  $\stackrel{\mbox{$\xi$}}{\mbox{$\xi$}}$  EO and HEO levels.

These new members will work 24/7 rosters and will be paid a 25% shift allowance on top of standard pay scales as well as a Sunday premium rate. Depending on the nature of Brexit there could be upwards of 600 additional trade facilitation officers in place by the end of the year.

Meanwhile, other customs issues continue to occupy the union in discussions at a senior level in Revenue and the Irish Aviation Authority. These include: the location of enforcement officers at the Airport; the question of the enforcement allowance over the 25% shift allowance; and the loss of the much-valued security derogation at Dublin Airport.

#### ept of Agriculture, Food & Marine

#### TAO and SAO talks

The Technical Agricultural Officers (TAO) and Supervisory Agricultural Officers (SAO) continue discussions with management on many areas of mutual concern relating to members involved in the inspections of farms, livestock and other agricultural products. Recruitment of staff and training formed part of a lengthy agenda brought to the attention of senior management.

Included in this is a claim for an . allowance for those members who are required to secure and be responsible for Department equipment while away from work, and this has also been brought to the attention of management.

#### Central partnership discussions

A sub-group of management and staff will meet shortly to discuss the implementation of a form of central partnership in the Department, following discussions on the reinvigoration of the process and, indeed, the thorny issue of selecting staff represen-



#### **Preparing** for all Brexit eventualities

It has been a busy year in Agriculture not least because of the advance of the Brexit date. Recently members have been requested to make expressions of interest for posts at border and frontier posts/inspection facilities in the event of a hard Brexit.

The Department continues to advise on preparations for Brexit but is - like every other department - awaiting the outcome of EU/UK negotiations, before they can fully accurately assess staffing requirements post-Brexit.

### Keeping you in the loop...





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#### **Employment Affairs and Social Protection**

#### Fórsa backs Dáil vote to end JobPath referrals

A Dáil vote to end referrals of jobseekers to the JobPath scheme was passed on February 7th by 81 votes to 42. Turas Nua and Seetec - the two private companies contracted by the State since 2014 to operate the scheme - have received the combined sum of €149 million to place long-termed unemployed (those out of work for 52 weeks or more) in employment.

The companies firstly received a payment on the jobseeker engaging with them, a further payment when the individual was placed in a job. They also received a bonus payment of €3,718 per jobseeker that gained sustained employment for one year through the JobPath scheme.

It understood only 9% of jobseekers were still in employment after one year.

Fórsa welcomes the Dáil vote and will be seeking a commitment from the Department that they will cease outsourcing job activation work to private companies and instead exclusively use com-



munity-based organisations, such as the Local Employment Service and Job Clubs, to provide this service along with Department staff.

Civil Service Head of Division Derek Mullen told *CSQ*: "The outsourcing of the work doesn't represent value for money for the taxpayer and has been an unmitigated failure in placing long term unemployed in meaningful and long-term jobs."

"We will be seeking, where appropriate, additional resources for insourcing of this work," he added.

#### Talks on FO/BO restructuring

Front Office/Back Office (FO/BO) is a restructuring and streamlining of how services are provided to customers of the Department. The main issues of concern in INTREO offices where FO/BO has been implemented relate to reduced staffing; increased work pressure leading to reported greater stress and absenteeism; staff welfare and security concerns; restrictions on work/life balance; as well as flexible working initiatives and training needs.

Discussions are ongoing simultaneously with the roll out although it had been agreed that there would be a slowdown of the roll out to allow the union to deal with the difficulties in illness benefit.

#### Fórsa pushes for SIU allowance hike

Fórsa has written to HR advising that the union will be entering a claim at Departmental Council seeking that the SIU allowance is increased to a level that ensures that the net pay of officers in receipt of the allowance is no less than was the case up to the end of 2018.

The union has sought clarification on the change in treatment of the allowance and advised that none of its members in receipt of the allowance should have a personal liability to any potential retrospective change to the treatment of the allowance.



#### Fórsa talks over Letterkenny vacancies

Fórsa is in discussions with the Department in relation to filling vacancies within zones. An agreement was in place providing that all CO vacancies in Letterkenny would be filled by CO's serving in Buncrana.

Agreement was reached recognising that CO's and EO's with transfer requests within a zone within the Department would be retained on those lists following introduction of the Civil Service mobility scheme. Civil Service Head

of Division Derek Mullen told CSQ: "While mobility provides for 50% direct recruitment at CO level, we understood that all recruitment to Letterkenny would be by way of transfer, at least for a period.

"A number of CO vacancies in Letterkenny have been filled by direct recruitment as there is a difference in interpretation but we have agreed to see whether we can resolve this matter within the Department."

#### **Dept of Justice**

### Sub-committee to monitor split plans

Unions at Council continue to assess the Transformation Project, which will see the Department split into Home Affairs and Justice as well as Equality and Law Reform.

A sub-committee has now been put in place to monitor the project. It will deal with the proposed controversial work analysis study to assess staffing needs in advance of what is one of the biggest changes ever seen in the Department.

At the same time discussions continue on the separation of the Irish Prison Service and Data Protection Commissioner from the Department.



### Sunday Premium for airport staff

Health and Safety as well as accommodation issues dominate the agenda for members in Dublin Airport. The other big issue under consideration is the Sunday Premium which is paid to other staff.

Justice also proposed to hold an open ICO (Immigration Control Officer) competition for vacancies on the shift. One part of the proposal was that successful candidates, if they are civil servants, would have to resign. Fórsa registered its objections to this and following an intervention with DPER resolved the matter.

### Developments on Sick Leave review

The Labour Court-ordered review of the current sick leave arrangements in the Civil Service has resulted in some important and positive developments, including:

- Eligibility to Temporary Rehabilitation Remuneration, (TRR), which arises after half pay is exhausted, was confined to those with five years' pensionable service. This is to be reduced to cover all Public Servants with two years' service, irrespective of their membership, or not, of a pension scheme.
- Medical criteria for Critical Illness Protocol, (CIP), are to be clarified to allow greater flexibility. Chronic conditions are to be included to allow them to be considered as towhether they meet the criteria.
- Guidelines for management discretion on the award of CIP are to be introduced as some managers were reluctant to use their discretion.
- The CIP 'protective' year, which allows somebody who returns to work after a CIP absence to take sick leave within a year without going straight to TRR, will commence on the date of the return to work rather than the commencement of illness.
- Provisions regarding 'Reasonable Accommodation' to individuals with a disability are to be strengthened.
- Sectoral schemes for Living Kidney Donors to be introduced.
- No amendment to regulations to calculate sick leave in working hours rather than working days (of interest to those whose working day can exceed the standard e.g. shift workers).

Meanwhile, other issues that 'tidy up' and standardise practices include:

- Increase awareness of CIP.
- Include CIP data in statistical returns.
- 'Look back' not to be extended beyond four years for absences unless absence exceeds four months.
- Clarifications issued to employers regarding the legal position on pregnancy-related sick leave, where pay should not fall below half
- A working group to be established to look at the issue of Illness Benefit and re-

coupment to Department of Social Protection for Class A contributors.

Issues on which agreement were not agreed were referred back to the Court and a recent recommendation has now been made which will see a standard TRR rate across the Public Service of 37.5%. This is an improvement on DPER's original position of 30%. However, time spent on TRR will now count as part of the four-year 'look back'. There will also be a standardised right to TRR after three days of exhausting other entitlements.

#### #More PowerToYou launch



PSI General Secretary Rosa Pavenelli was in Dublin recently for the launch of the Local Government Division Campaign #More PowerToYou in which the union is campaigning for enhanced local authority powers. Rosa, far right, is pictured here with Fórsa President Ann McGee and Senior General Secretary Shay Cody.



Fórsa Civil Service Divisional Conference 8/9/10 May Newpark Hotel, Kilkenny

### Fórsa Gaeltacht grants

Applications are now open for the 2019 Fórsa Gaeltacht grant scheme, which will make 80 grants of €150 each available to assist children of Fórsa members attending residential Irish language courses in Gaeltacht areas this summer.

A further 40 grants of €70 are available to assist children to attend day-only Irish language courses held outside Gaeltacht areas.

Children of Fórsa members, who are aged between 11 years and 18 years of age on 1st July 2019, are eligible to apply for the grant scheme.

You can download the application form at <a href="https://bit.ly/2CKxMn6E">https://bit.ly/2CKxMn6E</a>

Please download the form to a folder on your device prior to filling it out.

If you cannot use the fillable form online then please print the form, complete it in black pen and return it to: General Services Committee, Gaeltacht Scheme, Fórsa, Nerney's Court, Dublin 1, D01 R2C5.

It should arrive **before 5.30pm** on **Monday 29th April 2019**.



### Win a Microsoft Surface tablet

We're giving away a Microsoft Surface tablet to one lucky member of Fórsa's Civil Service Division.



To be in with a chance of winning, all you have to do is send us **your name**, **Fórsa branch**, **staff number** (you'll find this on your payslip), and **personal email address**.

We'll select the lucky winner by drawing lots on 1st May 2019, and we'll publish details of the outcome in the next issue of CSQ.

We will add the information you send to our membership database, which means everyone who enters will receive the fortnightly **Fórsa Civil Service Ebulletin** – packed with information on union activities and membership benefits.\*

This is part of our continuing efforts to improve communications for members of the division.

<u>\$</u>	rou can unsubscribe from the Ebulletin at any time.
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You can either send the above information by email to <code>gosullivan@forsa.ie</code> or fill in, cut out and post your entry to Gillian O'Sullivan, Fórsa, Nerney's Court, Rotunda, Dublin, D01 R2C5.

To be received by us no later than 5pm, Friday, May 17th, 2019

### Conversations

Kevin Callinan is Senior General Secretary Designate of Fórsa

# We have a strong team and a growing campaign presence

### Kevin, congratulations on your appointment as Senior General Secretary Designate of Fórsa. Can you tell CSQ readers a little about yourself and what it means to you?

It's somewhat of a cliché but I do feel that my appointment is both an honour and a privilege. I joined the union on my first day at work in what used to be Dublin Corporation. I worked in the library service and then as a staff officer but became more and more involved with the union. I led the branch there for three years before taking up a full-time position. Since then I have worked in all sectors, including for several years in the civil service, and I would like to think that I have made a difference for the members I represented.

### What do you see as the key challenges for the union in the short to medium term?

There are a few. Organisationally, we need to 'bed in' the merger. There is still some integration to be done. I think we need to examine if we are doing things that are unnecessary and failing to do other things that would be of value. We need to establish Fórsa as the effective voice of civil and public service workers. That means achieving good outcomes for our members.

### Do you have some words of advice for civil service activists and how they might best harness the strength of our new union?

It is important that everyone understands our divisional structure.

We have six divisions – the civil service is one of the biggest – with a lot of delegated authority. But we also have a national executive that manages the general affairs of the union.

MAKING HISTORY The formation of Fórsa a key milestone in trade unions coming together to pull their resources.

The civil service division is well represented on it. For our union Fórsa to function well the divisions need to concentrate on divisional business and the NEC should focus on management matters and issues that cross divisions.

#### How important is the organising/ recruitment arm of the union?

We are only going to be as effective as our strength allows us to be. If our membership levels are not high or if our branches are not active it is inevitable that it will affect outcomes for members.

The crisis exposed organisational weaknesses in all unions. That is why in 2010 I elected for a role to lead a change programme involving strategic organising and union development. We have built up our capacity with a strong team of organisers, a good training programme and a growing campaigning presence, and I am hoping that we can extend this activity throughout the civil service.

### Finally, when the history books are written in the future what do you hope they will say about Fórsa?

I hope that they will say that the creation of Fórsa was a key milestone in unions coming together to pool their resources. I hope that they will say that Fórsa played a major role in leading the wider trade union movement to a place where it could represent workers more effectively. And I will be satisfied if the record shows that Fórsa secured positive outcomes for members that would otherwise not have been achieved.





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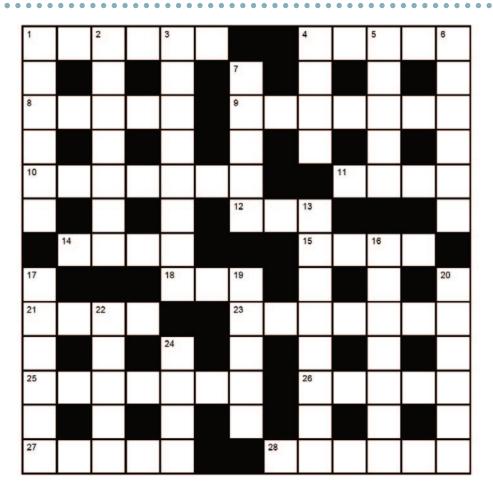
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01/19

### **Prize Crossword**





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#### Crossword 04/18 winner

Caroline Foley, DEASP.

A €100 One4All voucher will go to the first correct solution opened.

Crossword entries for **Crossword 01/19** should be addressed to: The Editor, *Civil Service Quarterly*, Adelaide House, 19/20 Adelaide Road, Dublin D02 WA00 to arrive not later than Friday, 17th May, 2019

Name		 	 	 	 
Work /	Address	 	 	 	 
Union	Branch ·	 	 	 	 

#### Across

- 1. And 26 across 44th President of the United States (6)
- 4. Freshwater fish and the remains of a cigarette (5)
- 8. AKA Rodraig Spartacus O'Leprosy (5)
- 9. Christie won gold in Barcelona (7)
- 10. She is Joan as Gaeilge (7)
- 11. And 17 down Winner of DWTS in 2018 (4)
- 12. This League is a group of 8 elite colleges in North Eastern USA (3)
- 14. A jet for the tragic king (4)
- 15. The school bus driver in "The Simpsons" (4)
- 18. Large deer (3)
- 21. The Hurricane Higgins (4)
- 23. Movie starring Liam Neeson and Diane Kruger (2011) (7)
- 25. The windpipe (7)
- 26. See 1 across (5)
- 27. This could be over, under or X (5)
- 28. A protein that speeds up the rate of chemical reactions within cells (6)

#### Down

- Former Italian defender, nicknamed "Kaiser Franz" (6)
- 2. A café for The Fureys (3, 4)
- 3. Chester is its county town (8)
- 4. This Christy was the Wizard of Cloyne (4)
- 5. A Hawaiian greeting (5)
- 6. The Dark ... Avenue of beech trees in county Antrim that features in Game of Thrones (6)
- 7. Russian pancakes (5)
- 13. In Virginia, the site of sieges in 1781 and 1862 (8)
- 16. These cooks spoil the broth (3, 4)
- 17. See 11 across (6)
- 19. Nish is a stand-up comedian (5)
- 20. Native or inborn (6)
- 22. Put into law (5)
- 24. Landlocked North African country (4)

#### **SOLUTIONS** Prize Crossword 04/18 Across

7. Cognac; 8. Errata; 9. Borg; 10. Rossmore; 11. Shelbyville; 14. Alesha Dixon; 18. Altitude; 19. Tony; 20. Edmund; 21. Dunlin.

#### Down

1. Dorothy; 2. Snug; 3. Scurvy; 4. Sensei; 5. Grimaldi; 6. Stark; 12. Lilliput; 13. Hobnail; 15. Sounds; 16. Amends; 17. Clyde; 19. Tang.