



NATIONAL CONFERENCE 19 NOVEMBER 2020

PRELIMINARY AGENDA

STANDING ORDERS COMMITTEE REPORT No. 3

[REPORT ON MOTIONS SUBMITTED]

1. INTRODUCTION

This report must be read in the context of the following:

[The provisional final agenda for Conference 2020](#) issued to Branches on 28 April 2020 which incorporated Reports 1 and 2 of the Standing Orders Committee;

[The General Secretary's letter of 31 July](#) to Branches advising that due to public health guidelines the NEC had decided that Conference 2020 would be a "remote" conference

[The General Secretary's letter of 11 August 2020](#) outlining arrangements for conference and inviting branches and the NEC to consider submitting motions in accordance with the provisions of rule 21 (ix) of the union's rules.

2. MOTIONS OUTLINED IN THE PROVISIONAL FINAL AGENDA (28 APRIL 2020)

Standing Orders Committee Reports number 1 and 2 as outlined in the provisional final agenda provided as follows:

In view of the unique circumstances, the standing orders committee is proposing the following approach to the business of conference.

Each branch and the NEC is asked to review the motions they have submitted for the conference, as recorded in this agenda, with a view to withdrawing those motions which have been overtaken by events; those which are no longer of immediate importance to branches or the NEC and those which could, in any event, be taken into consideration by the

NEC as issues which could potentially be advanced at an appropriate time without the necessity for discussion at conference.

Aside from reviewing the motions submitted in the name of the NEC for the conference, the standing orders committee asks that the NEC review the motions submitted by branches and identify those which it can take on board and seek to advance without the necessity for discussion at conference. Any such motions, which have not been withdrawn by branches, will not require debate or decision at conference. The NEC is asked to consider this issue in as timely a manner as possible having regard to current circumstances.

*Motions listed in Appendix 2 (Appendix 3 of the preliminary agenda) as being appropriate for discussion at Divisional Conferences should **now** be referred to divisional DECs for consideration and action. They will not appear on any revised agenda for the delegate conference. (Motions 190 to 225 refer).*

*Motions listed in Appendix 3 (Appendix 4 of the preliminary agenda) as motions reiterating existing union policy and which don't require decision should **now** be referred to the NEC for consideration and action. They will not appear on any revised agenda for the delegate conference. (Motions 226 to 300 refer).*

Motions listed in Appendix 4 (Appendix 5 of the preliminary agenda) as having been received late, (as corrected in this report) are not eligible for discussion or debate and will not appear on any revised agenda for the delegate conference. (Motions 301 to 329 refer).

As indicated previously, the standing orders committee is mindful that rule 21 (ix) of the union's rules, dealing with motions which could not have been included in the final agenda, may present an opportunity for branches and the NEC to ensure that the conference in November can focus on the major issues of importance to the union membership.

Ordinarily, the provisions of this rule would be regarded as having a restricted application but, in the current emergency circumstances, and those alone, the SOC is of the view that branches and the NEC should be permitted to utilise the provisions of the rule to deal with the circumstances arising from the requirement to postpone the date of Conference.

Branches who wish to consider submitting motions under the provisions of this rule will be invited to do so by the General Secretary in accordance with the timetable specified subsequently in this report. It is not envisaged that branches would submit any more than one such motion. Any such motions should reference events that have occurred since the final date for receipt of motions - 26 February 2020

The standing orders committee proposes to adopt the following timetable in relation to conference motions:

<i>Provisional final agenda containing motions, amendments and nominations to issue to branches</i>	<i>12 noon Wednesday 29th April 2020.</i>
<i>Confirmation notice of revised Conference date to issue from General Secretary</i>	<i>12 noon Tuesday 11 August 2020</i>
<i>Notification of withdrawal of motions to Kevin Callinan, General Secretary, Fórsa, Nerney's Court, Dublin 1</i>	<i>12 noon Tuesday 1 September 2020</i>
<i>Rule 21 (ix) motions to Kevin Callinan, General Secretary, Fórsa, Nerney's Court, Dublin 1</i>	<i>12 noon Tuesday 1 September 2020</i>
<i>Agenda containing Rule 21 (ix) motions to issue to branches</i>	<i>12 noon Tuesday 22 September 2020</i>
<i>Amendments to Rule 21 (ix) motions</i>	<i>12 noon Tuesday 6th October 2020</i>
<i>Revised final agenda containing 21 (ix) motions, other motions and amendments to issue to branches</i>	<i>12 noon Tuesday 3 November 2020</i>

The standing orders committee has been advised that the NEC will review the motions submitted by branches and identify those which it can take on board and seek to advance without the necessity for discussion at conference.

The standing orders committee has been advised that motions listed in the provisional final agenda as being appropriate for discussion at Divisional Conferences have been referred to divisional DECs for consideration and action

The standing orders committee has been advised that motions listed in the provisional final agenda as motions reiterating existing union policy and which do not require decision have been referred to the NEC for consideration and action.

The standing orders committee recommends that a report be circulated by the NEC on the status of actions taken in relation to these motions no later than 3 November 2020.

3. MOTIONS RECEIVED UNDER RULE 21 (IX) OF THE UNION'S RULES

The deadline specified in the provisional final agenda for the receipt of motions under rule 21 (ix) of the union's rules was **12 noon Tuesday 1 September 2020.**

Twenty one (21) motions were received by the deadline specified. One motion (1) was received after the deadline and while appended below is not being included in the preliminary agenda.

4. MOTIONS CONSIDERED TO BE OUT OF ORDER

Of the twenty one motions (21) submitted on time twelve (12) are considered as out of order. In each case the reason for this is that the subject matter of the motions concern issues capable of having been covered by motions of which timely notice could have been given. As such, they do not concern issues which have arisen since 28 February 2020.

5. GENERAL STANDING ORDERS

The SOC recommends that the General Standing Orders be adopted.

6. THE MEMBERS OF THE STANDING ORDERS COMMITTEE ARE:

Civil Service Division	Larry Dunne
	Helen Lundy
Education Division	Eileen Coman
	Audrey Warren
Health & Welfare Division	Gerry Foley (Chairperson)
	Jennifer Verling
Local Government & Local Services Division	Rose Marie Conroy
	Stephen Murphy
Municipal Employees' Division	Thomas Kavanagh
	Michael Kieran
Services and Enterprises Division	Anna Farrell
	Teresa Kearns

Where branches or the NEC have queries or wish to seek changes to General Standing Orders or to SOC Reports they are asked to raise these in writing with the SOC as soon as possible and in any event not later than one week prior to conference.

7. NOMINATIONS

The nominations received by the deadline in Rule 21 (v) were set out in Appendix 5 of the provisional final agenda.

The SOC has been advised that Margaret Coughlan, Rhona McEleney, and Martin Walsh are no longer contesting the election for President.

The SOC has been advised that Rhona McEleney and Seán Reid are no longer contesting the election for Vice-President.

The SOC notes that the elections will proceed by postal ballot with Conference being asked to ratify the outcome of the electoral process. The Chairperson of SOC will be present at the counts along with the Returning Officer.

8. AMENDMENTS

Please note there is a requirement in accordance with the timetable set out in paragraph 2 above to submit amendments to the Office of the General Secretary, by **Mid-day on Tuesday 6th October 2020.**

Gerry Foley
Chairperson
SOC
17 September 2020

APPENDIX 1

Conduct of Union Affairs

Motion 1

Conference notes that:

1. In March 2020, Fórsa sought and received legal advice on the question of the deferral of the 2020 National Conference in light of the extraordinary circumstances of the Covid-19 public health emergency
2. The legal opinion was that the National Executive Committee (NEC) had powers, under rule, to defer the 2020 National Conference until a date in the second half of 2020
3. On 25th March 2020, the NEC received a proposal from the union officers to defer the conference to dates in November 2020. The NEC subsequently approved the proposal in a vote conducted by email.
4. The General Secretary advised Fórsa branches of the decision to defer Conference in a letter sent by email on Thursday 19th March 2020
5. On foot of continuing and extraordinary coronavirus-related public health restrictions on travel, public gatherings, and related matters, the 27th July 2020 meeting of the NEC subsequently decided that it was permissible under rule to organise the 2020 National Conference on a remote basis, and to conduct the 2020 election of officers by secure postal ballot. The NEC agreed to both measures
6. The Fórsa officers subsequently agreed that the conference would be a one-day event, to take place on Thursday 19th November 2020
7. The General Secretary informed branches of the details of the arrangements for the remote conference and secure postal ballot in an emailed letter of 11th August 2020.

In light of this, Conference ratifies:

1. The decision to defer the Fórsa National Conference to the second half of 2020
2. The decision to conduct the conference on a remote basis on Thursday 19th November 2020
3. The decision to conduct the 2020 election of the Fórsa officers by secure postal ballot on the basis set out by the General Secretary in his letter of 11th August 2020, and
4. The decisions made by the NEC to manage the affairs of the union in the period between Friday 15th May 2020 and Wednesday 18th November 2020. [CORRECT DATES?]

Conference also enables the NEC to take further decisions necessary to protect Fórsa members and ensure the safe conduct of union business in the context of the pandemic.

National Executive Committee

Covid-19 response

Motion 2

Conference expresses its deep solidarity with all workers, families and communities touched by the Covid-19 virus, here and abroad. Conference salutes the staff in all areas of the public, private and community sectors who rose to the many challenges presented by the pandemic, often in the face of risk to themselves and their families.

Conference reaffirms the union's commitment to cooperate with measures necessary to contain the virus, protect the health and safety of citizens and workers, and maintain essential services during this unprecedented public health emergency.

Conference commends Fórsa's and ICTU's rapid and effective intervention, which led to the negotiation of the Covid-19 Return to Work Safety Protocol, which applies to all workers regardless of their work location during the pandemic. By placing detailed and clear responsibilities on employers and staff, the Protocol hugely strengthened worker safety protections and saved lives by helping control the spread of the virus.

Conference also acknowledges the contribution of workplace 'lead safety representatives,' who have taken on substantial responsibilities on behalf of their colleagues, along with other workplace health and safety representatives, branch activists, and health and safety professionals.

Conference calls on the Government to oblige employers to report workplace-related Covid-19 outbreaks to the Health and Safety Authority (HSA), and to instigate a national assessment of the health and safety response to the pandemic, involving consultation with all relevant stakeholders, to ensure that health and safety powers and provisions – including the numbers and powers of HSA inspectors – are strengthened and adapted as necessary.

Conference also commends the staff of the HSE and other public health agencies for their response to the crisis, and calls for increased investment in health services and staffing to enable the delivery of high-quality health and social care provision, free at the point of delivery, in the Covid-19 era and beyond.

Conference instructs the National Executive Committee to redouble its campaigning efforts against the many injustices and inequalities – including in health, housing, education, childcare, and provision for migrants, older people and younger people – that have been laid bare by the pandemic.

National Executive Committee

Motion 3

The Covid 19 pandemic has highlighted the importance of coherent, efficient and accessible health care for everyone. Furthermore it has shown us that joined up thinking and provision based solely on need is possible when the political will is there to provide it. Forsa believes in the principle of health care for all, based on need, funded through central taxation and free at the point of use. Forsa will campaign to bring about the establishment of an all-Ireland National Health Service. This will be a high profile campaign and will involve working with the I.C.T.U. with appropriate political parties and with other relevant professionals and agencies who share or who can be persuaded to share the objective.

Motion 4

Forsa asserts the right of all workers to be treated with fairly and paid adequately. This right is a minimum standard upon which to base the future progress in the world. The Covid 19 pandemic has rightly focused attention on what are the important roles needed for society to function effectively for all of the people. During the pandemic to date it has become increasingly evident that workers in the most fundamentally important roles are often the workers experiencing poor working conditions, insecurity, lack of effective employment rights and pay that is too low to live on. This includes many workers caring for vulnerable people, workers in the supply chain for food and goods, retail workers, cleaning and maintenance workers and many others. Forsa will campaign with others for changes in law, regulations and practice to bring about a society where the value of key worker roles is properly valued and acknowledged. As a starting point we will aim to establish a situation where all workers are paid at least a minimum living wage, have basic health and safety measures monitored and enforced, have the right to defined contracts of work hours, sick pay, paid holidays, leave for family related matters and the right to organise and be represented by a Trade Union.

Probation Officers' Branch

Motion 5

Forsa recognises the emphasis placed by Government on addressing the problems of homelessness and rough sleeping during these early stages of the Covid 19 pandemic. Whereas the situation has been far from perfect, it is clear from the policy response to Covid 19 that if the political will existed to do so, the phenomena of "rough sleeping" could be properly and permanently addressed as could all other aspects of the current housing crisis. Forsa recognises that in a world focused on the effects of this pandemic, the attention of many people is now on what people should expect the society in which they live should look like in the future. With that renewed focus in mind Forsa asserts the right to decent housing for all people and will campaign for; increased capacity and improved standards of emergency accommodation, improved resourcing for social work and support services for people in housing difficulty, a comprehensive programme of building and acquiring local authority housing and a shift in public funding from a model based on private landlordism to a publicly funded and democratically accountable system of housing provision. Forsa has within it many members working in and around the housing field and these members will be consulted and involved in any campaigning and lobbying on the issue.

Probation Officers' Branch

Motion 6

The Higher Education Branch call on Forsa to advocate and promote measures in relation to the health, safety and wellbeing of its members in the workplace as a result of these unprecedented times

Higher Education Branch

Jobs and pay

Motion 7

Conference calls on the Irish Government and its counterparts across Europe to prioritise the creation and maintenance of quality jobs, capable of supporting decent living standards, as the central plank of economic and fiscal policy in the wake of the Covid-19 health and economic crisis. Only after a return to full employment should Irish and EU policy address the public debt that has arisen from the emergency, and this should be done without a recourse to failed 'austerity' policies.

Conference, therefore, calls for:

1. The maintenance (or reintroduction) of substantial Government spending on income supports at levels that can sustain individuals and families
2. Supports for business sectors most affected by the crisis, linked to the broader objectives of rebuilding and expanding employment capable of supporting decent living standards and underpinning workers' rights including the right to representation through collective bargaining, and
3. Job-creating State investment in infrastructure, a just climate transition, and high-quality public services including health and housing.

Conference notes that economic recovery depends on workers and their families having the capacity and confidence to earn and spend money in order to stimulate economic activity. Conference, therefore, directs the National Executive Committee to:

1. Work to ensure the restoration and improvement of pay in sectors of the economy that have experienced cuts in jobs, incomes and output during the crisis
2. Reinforce its campaign for pay justice in the community and voluntary sectors where, once again, workers have demonstrated their commitment and contribution throughout the emergency
3. Continue to work with other unions and organisations to address the gender pay gap, and
4. Seek to negotiate a successor to the Public Service Stability Agreement (PSSA), in order to satisfactorily address living standards, outstanding issues linked to the fiscal crisis of 2009-2013, and issues arising from the response to the Covid-19 emergency, while having the capacity to deal with specific grade and sectoral issues over time.

National Executive Committee

Reducing and reorganising working time

Motion 8

Conference believes that working time and working patterns across the economy need to be fundamentally reviewed and reformed in light of the experience of the Covid-19 crisis, and in response to the impact of new and developing technologies, the climate crisis, increasing caring demands, and demographic shifts including longer life expectancy.

Conference notes the successful introduction of home-working in sectors across the economy during the coronavirus pandemic, and endorses Fórsa's (August 2020) submission to the Government's public consultation on the issue. Conference instructs the National Executive Committee to lead a campaign for expanded access to remote working and other employee-friendly working time flexibilities, accompanied by safeguards for workers including those who don't want to work remotely.

Conference also believes that reduced working time can be an important mechanism for maintaining employment as new technologies replace or change traditional jobs, and for sharing the benefits of improved productivity that flow from automation and other technological developments.

Conference therefore calls on the union's National Executive Committee and senior officials to continue to work for a steady and managed transition to a shorter working week for all employees in the private, public and community sectors, and to include in this work the short-term goals of:

1. Increasing the number of public holidays from Ireland's internationally-low number of nine
2. Securing four-day week pilots in appropriate public and private/commercial employments
3. Addressing additional hours introduced as part of the response to the earlier 2008-2013 fiscal crisis, as well as the excessive hours consistently worked by certain grades at the height of the coronavirus crisis
4. Developing, promoting and negotiating the implementation of remote-working and other arrangements that can improve work-time flexibility to the benefit of workers, employers and the economy
5. Developing and promoting mechanisms for work-time flexibility for workers approaching retirement, in light of increased life expectancy and other demographic trends.

National Executive Committee

Union finances

Motion 9

That this Conference appoints Mary McPartlan, Gerry Monaghan and Tara Robertson as union trustees from the close of this 2020 National Conference until the close of Conference 2022, and appoints the following to the panel provided for in Rule 32 (iii); Gina O'Brien, Paul Carey, and Pierce Dillon.

National Executive Committee

APPENDIX 2

Motions considered out of order – Paragraph 4 of this report

Motion 10

This conference instructs FORSA to negotiate that the current rule of leave been restricted in year 3, only applies to anyone who has in excess of 12 days or more.

Education CS Clerical Dublin

Motion 11

This conference calls on the National Executive Committee to insist on the amount of EO Liabilities be made known as these are impeding an Internal EO competition being held.

Education CS Clerical Dublin

Motion 12

This conference instructs FORSA to negotiate with the department to have an Internal EO Competition, its vital Clerical Officers have promotion prospects.

Education CS Clerical Dublin

Motion 13

Proposal; This conference instructs the National Executive Committee to see an extension of the upper age limit to utilise parental leave in the Civil Service to the age of the child's 15th Birthday from the current age of 12 as per legislation (circular 13/2010)

Education CS Clerical Dublin

Motion 14

This conference instructs FORSA to have the restoration of the 6.57 hour day in line with the motions passed at the Bi-annual conference of 2018.

Education CS Clerical Dublin

Motion 15

This conference instructs that FORSA ensure that all branches receive their conference expenses at least 6 working days in advance.

Education CS Clerical Dublin

Motion 16

This conference asks that Forsa enable better communication for all members and their branches.

Education CS Clerical Dublin

Motion 17

This conference ask FORSA to listen to all their members and take their worries, concerns and comments on board going into the next round of pay talks. It's vital that all members are heard and feel FORSA is working for them and getting the best deal possible.

Education CS Clerical Dublin

Motion 18

Can Forsa rearrange Women activist or women only meetings for during the week and not weekends?

Education CS Clerical Dublin

Motion 19

That this Conference, noting that the financial position of the State and how it will approach any pay interactions in 2020 has changed, calls on the National Executive Committee to ensure that a mechanism is established to allow for the discussion and negotiation of anomalous and atypical pay matters arising outside of normal pay agreement negotiations.

OCFA Branch

Motion 20

That this conference looks to FORSA to negotiate in the next National Pay Agreement a mechanism to allow for cost increasing claims to be made to the Public Service Pay Commission where recruitment and retention issues arise in the Public and Civil Service during the lifetime of the agreement and /or where serious pay anomalies arise between current and previous general service grades and those technical/professional grades that were linked to them prior to the agreement.

Legal and Professional

Motion 21

That this Conference ensures that greater use is made of the Fórsa Communications Office, to defend the rights of public and civil servants and to explain the reality of the environment we work within.”

EASP Executive

APPENDIX 3

Motion received after the specified deadline – Paragraph 3 of this report

Motion 22

We call on this conference to note the lack of public response by Fórsa to Marc McSharry's ignorant and unfounded comments in relation to Public Service workers, and hereby censures Forsa full time officials for their failure to publicly repudiate these ignorant and unfounded comments. It further instructs Fórsa to ensure that in future, if similar comments are made by TD's , senators and ministers that are clearly ignorant and unfounded, Fórsa publicly stands up for the members and issues a timely response on behalf of our members who have worked diligently, conscientiously and with great dedication during this pandemic.

Revenue Executive Grades