

FÖRSA



SERVICES AND ENTERPRISES DIVISION

2019-2021
Biennial report

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Organisation

Divisional Executive Committee

The following activists were elected to the Fórsa Services and Enterprises Division Executive Committee at the 2019 divisional conference, or were subsequently co-opted:

Niall Mullally (Chairperson), Steve Pilgrim (Vice Chairperson), Evan Cullen (third divisional representative on Fórsa's National Executive Committee), Gerry Clarke (elected October 2020), Grace Conlon, Cormac Craven, Tony Dawson, Pierce Dillon, Willie Doyle (resigned), Billy Gallagher, Geraldine Hickey, Carmel Keogh, Ciaran Kissane, Des Mullally, James O'Loughlin, Alan O'Neill (resigned July 2020), David Orford (co-opted), Ian Patel, Leonard Sheils, Michael Scully, Helen Sheridan.

Staffing

Angela Kirk was head of division until her retirement in September 2020, while Carol Foster was personal assistant to the division during the period covered by this report. Róisín Nolan worked as divisional organiser. In December 2020, Katie Morgan was appointed as head of division. Ashley Connolly was appointed acting head of division during Katie's period of maternity leave.

A number of assistant general secretaries provided industrial relations advice and services to branches in the division. Denis Keane and Ian McDonnell work on a full time basis with the division. Tony Martin, Lisa Connell and Lynn Coffey work with some branches across the division. Johnny Fox retired in March 2021. Both he and Angela Kirk had worked with the division for a number of years, and the division and its membership wish them well into the future.

Organising

Fórsa's Services and Enterprises Division is unique in the union as it represents members in private companies, non-commercial semi-state agencies, commercial state entities, community sector workers and public servants. The division has approximately 50 branches engaging with hundreds of employers, including multiple employers in the community sector. This brings a unique set of organising challenges and objectives that the division is striving to achieve in conjunction with the union's SORT project.

A number of initiatives were adopted following the 2019 divisional conference. These introduced a more strategic approach to organising and recruiting, linking industrial priorities with organising initiatives in the division. Overall our membership is growing, and our communications are reaching more and more members each week. It is important that we continue to build our campaigning voice, and that our organising efforts are robust enough to meet the demands and ambitions of the division, its branches and members.

Over the coming months, the divisional executive will be undertaking a strategic analysis of the division to ensure it is well placed to make sure that members, across all the sectors, have their voices heard. We will be engaging with all branches in the division to gather their views and help us map out how we move forward.

Incomes

Private and commercial sector pay

Private sector pay rose by an average of 3% in 2019, according to the respected annual survey carried out by Industrial Relations News (IRN) and the Chartered Institute of Personnel and Development (CIPD). The survey, published in March 2020, also contained a survey of employers' pay expectations for the 2020-2021 period, but these were largely upended by the Covid-19 crisis.

Nevertheless, the impact of the pandemic fell unevenly across the economy. Sectors like aviation, construction and hospitality were devastated, while others were either insulated or experienced unexpected growth. This was reflected in a March 2020 survey by the employers' body Ibec, which found its members split roughly evenly between those that planned to change pay plans in reaction to the crisis, those that did not, and those that were undecided.

But it was a bleak year for aviation workers. Despite Government income supports, Fórsa's 5,000 members in the sector experienced redundancies (Cityjet), lay-offs (Stobart), and pay reductions (Aer Lingus, Ryanair, IAA, DAA, and Shannon Airport Authority). After a year of reduced incomes and huge job insecurity, and with no early sight of recovery for the sector, the crisis continues to put aviation workers and their families under massive strain.

There was a more mixed picture in the broader private sector. Survey data published by IRN in January 2021 showed that 2020 pay bargaining activity was down on 2019, though half the agreements across firms were concluded after the onset of the crisis. Agreements in the pharma and medical devices sector included average increases of around 2.5%, falling to below 2% in engineering, services and the few retail companies where deals were reached. However the survey found some companies in all sectors paying 3% a year or more.

Government income supports

At the end of March 2020, the Government introduced financial supports for Irish workers and companies affected by the Covid-19 crisis. The temporary Covid-19 wage subsidy scheme (TWSS), which took effect from 26th March, was designed to avoid job losses and maintain employment relationships by temporarily subsidising employers' payroll costs. All Irish airlines have availed of the scheme, and Fórsa consistently criticised threats of redundancies and lay-offs in some airlines as contrary to its approach of maintaining employment relationships. More broadly, the union has repeatedly argued that State financial supports should not go to businesses that make staff redundant or off-shore work (see 'aviation' below).

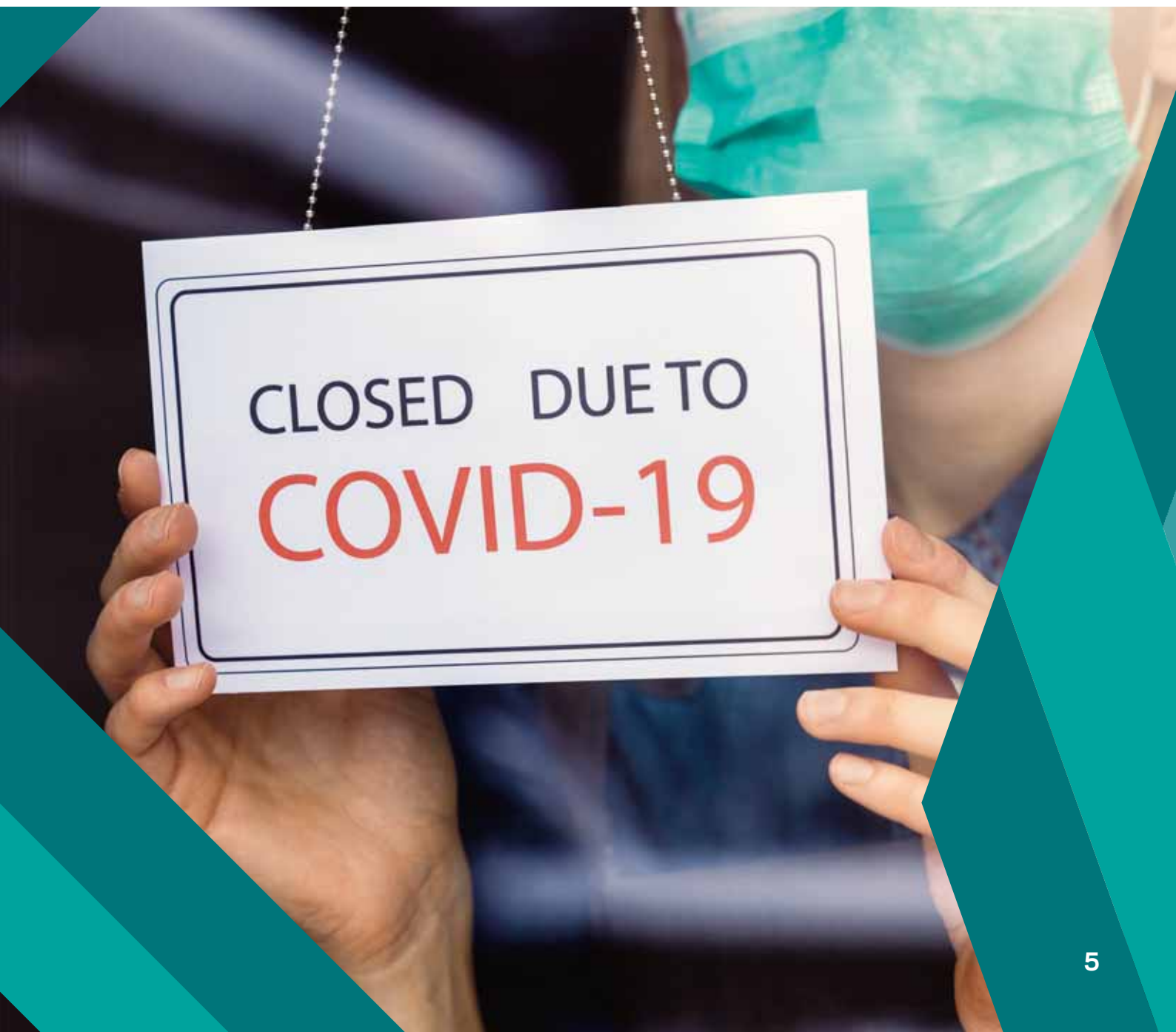
The Revenue Commissioners were tasked with the administration of the Temporary Wage Subsidy Scheme (TWSS) and, within the first six weeks of the pandemic, they had processed over €30 million in payments. July 2020 saw the introduction of the Employment Wage Subsidy Scheme (EWSS), which replaced the TWSS. The EWSS has been extended to run until 30th June 2021. As this report was finalised, some 49,000 employers, with some 537,000 employees, were registered under the scheme.

The Pandemic Unemployment Payment (PUP) was introduced for workers who lost their job because of the pandemic. Over 600,000 PUP claims were put into payment in the first two months of the pandemic, and there were over 650,000 people unemployed as this report was being finalised. Fórsa and other unions called for the reversal of reductions in the PUP, which were implemented by the Government in September 2020.

In March 2020, the Government suspended the legal right of employees to demand a return to work, or to be made redundant, after four weeks of lay-off. The suspension remains in place until June 2021, although it could be extended. ICTU has raised this issue with the Government as current legislation does not provide for lay-off periods as reckonable service. When unions raised the issue at the Labour Employer Economic Forum in early 2021, they were told that the Attorney General is considering the matter. It remains the subject of discussions between Government, employers, and unions.

In September 2020, the Irish Congress of Trade Unions (ICTU) also sought a review of the adequacy of supports for businesses closed down on foot of the pandemic, in order to protect incomes and secure jobs.

The Covid-19 restrictions support scheme (CRSS) was introduced in November 2020. It assists businesses impacted by Covid-19 restrictions. Eligible businesses can claim up to €5,000 in weekly payments. Some 97,000 claims, with a total value of over €350 million, have been paid to 20,900 businesses registered for the scheme.



Minimum wage

A February 2021 report from the Economic and Social Research Institute (ESRI) found that increases in minimum wage rates don't lead to higher labour costs or job cuts. The research found that a 2016 increase, which raised the minimum wage from €8.65 to €9.15 an hour, led to increased labour costs for just 3% of firms. The average labour costs in 90% of firms with staff on minimum pay increased in line with those of employers with no minimum wage workers.

Significantly, it also found no evidence that firms cut staff numbers in response to the minimum wage increase. Politicians and economists frequently cite job protection as a reason for suppressing low-pay protections. But the ESRI found the increase in the pay floor was effective at reducing wage inequality, particularly for younger workers.

In September 2020, the Irish Congress of Trade Unions (ICTU) withdrew from the Low Pay Commission, which effectively sets the minimum wage in Ireland, because of its recommendation for a paltry increase in 2021. Both Fórsa and ICTU made submissions to a Government consultation on an EU draft directive on low pay and collective bargaining.

Sick pay

Throughout the pandemic, the Irish Congress of Trade Unions (ICTU) has campaigned about the lack of statutory sick pay provision, which affects many thousands of workers in the private sector. On foot of union calls for a legal right to paid sick leave, the Government has committed to introduce a statutory sick pay scheme by the end of 2021. Fórsa and other unions continue to campaign to ensure that the scheme will be adequate, and that it does not replace superior collectively-agreed sick pay schemes.

Non-commercial state sector

The final instalment of the Public Service Stability Agreement (PSSA), which was worth 2% of gross pay, was implemented in non-commercial state agencies with effect from 1st October 2020. The pay adjustment meant that, over its three-year lifetime, the PSSA has brought pay adjustments of more than 7% for over 70% of staff, with slightly smaller percentage adjustments for the higher-paid.

Fórsa members in the public service, including non-commercial state agencies, voted by a margin of 94%-4% to endorse a new public service agreement called Building Momentum. Because of the Level Five Covid-19 restrictions on travel and assembly, the union conducted the ballot electronically for the first time. The agreement came into force with immediate effect, and runs until December 2022.

Building Momentum allows for two pay increases, each worth 1% of annual salary or €500 a year, whichever is the greater. This means the deal is worth substantially more for lower paid workers in percentage terms. A third increase, worth a further 1%, is available for grade-based bargaining for all public service grades. This can either be used to deal with issues affecting particular grades, or it could be taken as a straight 1% pay award.

Building Momentum

Pay at a glance

1st October 2021:

A general round increase worth 1% of gross pay or €500 a year, whichever is the greater. The €500 a year floor means those on lower incomes will receive a significantly larger percentage increase than higher paid staff.

1st February 2022:

The equivalent of a 1% increase in annualised basic salaries through a 'sectoral bargaining fund'.

1st October 2022:

A second general round increase worth 1% of gross pay or €500 a year, whichever is the greater.

Haddington Road hours

Building Momentum also addresses the additional hours introduced for many non-commercial semi-state staff under the 2013 Haddington Road agreement. This will be done through the establishment of an independent body by the end of March 2021. This body will make recommendations to begin the process of returning to pre-Haddington Road hours.

Roll-out of these recommendations will begin within the lifetime of the agreement, with €150 million available to commence implementation of the outcomes during 2022. Unions and management representatives will then engage proactively on what's necessary for the implementation of any remaining recommendations in the context of the 2023 budget estimates, which will be announced in 2022. Any successor to Building Momentum will deal with the implementation of remaining measures.

The proposed agreement cites a range of issues that the independent body must take account of, including the cost and service impact of addressing the HRA hours. These are set out in section four of the proposed agreement.

Productivity and other measures

Building Momentum retains the strong protections against outsourcing that have been a feature of public service agreements since 2010. In common with all previous public service agreements, it also includes certain productivity measures. It acknowledges the recent "unprecedented display of commitment, flexibility, hard work and agility in public service provision" and commits the parties to harness this momentum to meet the immediate challenges of 2021 and 2022.

Building Momentum includes a commitment that overtime and premium payments reduced or abolished under the 2013 Haddington Road agreement (HRA) will be fully restored by 1st July 2021. This includes the abolition of the hour of unpaid overtime introduced under the HRA. The deal says any costs that arise from these measures must be managed within allocated overtime budgets.

Like the last public service deal, the Public Service Stability Agreement (PSSA), Building Momentum contains a provision to review the terms of the agreement “where the underlying assumptions of the agreement need to be revisited.” However, the union negotiators successfully insisted that PSSA language, which linked this specifically to a worsening economic situation, was deleted. This creates the opportunity to seek a review of the package if the economic situation improves beyond expectations.

Every public service agreement has included restrictions on industrial action, and Building Momentum is no exception. The agreement sets out a detailed dispute resolution process, including an “industrial peace” clause.

Pensions

Fórsa gave a broad welcome to news that retirees aged between 65 and 66 will no longer have to sign on to receive social welfare income support in the year between retirement and qualifying for the state pension. But the union has criticised the fact that the benefit will only be paid at a flat rate of €203 per week, which is equivalent to the maximum jobseeker's benefit rate. Recipients no longer have to sign on at a social welfare office to qualify for the payment, and can now take up an education course and still avail of the benefit. Prior to this change, workers who had to retire at the traditional retirement age of 65 were required to sign on and be available for work.

The union also welcomed the suspension of plans to raise the age for eligibility for the State pension from 66 to 67 from January 2021. Fórsa continues to call for an end to forced retirement and a return to a State pension age of 65, which was in place until 2014.

Meanwhile, the rollout of the proposed auto-enrolment pension scheme was delayed for at least a year due to the Covid-19 pandemic. The Department of Social Protection said rollout would put too much strain on employers at this time. When implemented, the scheme will see employees automatically enrolled into an occupational pension scheme, with contributions from themselves, their employer and the State. In a submission to a Pensions Commission consultation on the long-term sustainability of State pensions and the social insurance fund, the Irish Congress of Trade Unions (ICTU) argued against the privatisation of the scheme. Fórsa and other unions want it to be managed and paid out as a pay-related top-up of the contributory State pension.

It was confirmed that existing policy on the application of pay increases to civil and public service pensions will continue for the duration of the Building Momentum public service agreement. In the main, this means that pension payments will be adjusted in line with pay adjustments for serving staff. However, this is done in a way that takes account of the fact that, in a small number of cases, pension payments currently exceed parity with pay. This is because pensions were not reduced by the same extent as pay during the last fiscal crisis. Pensions are adjusted in line with the Consumer Price Index in the case of the single public service pension scheme, which applies to all civil and public servants who entered public service employment on or after 1st January 2013.

Travel and subsistence

The standard rates of public service domestic subsistence, which apply in the non-commercial semi-state sector, were reviewed in 2019, in accordance with an agreed recommendation made by the civil service general council. As a result, the daily subsistence five-hour rate of €14.01 rose to €15.41, and the ten-hour rate of €33.61 increased to €36.97 with effect from 1st July 2019. In accordance with an agreed formula, and in line with changes to the consumer price index (CPI), there was no change in the standard overnight rate. However, the vouched accommodation rate for Dublin increased as a consequence of the increase in the ten-hour rate. There were no changes in motor travel or foreign subsistence rates during the period covered by this report. The current travel and subsistence rates are set out in appendix two.

The Covid-19 crisis

The first case of the Covid-19 virus in the Republic of Ireland was confirmed on 29th February 2020. In the same week, and on foot of representations from Fórsa and other unions, the Department of Public Expenditure and Reform (DPER) issued guidance that non-commercial semi-state staff who contracted Covid-19, or had to self-isolate, would receive basic pay including fixed allowances from day one. It also agreed that coronavirus-related sick leave would not be counted as part of sick leave records in cases where a worker had medical or HSE confirmation of the need to self-isolate. At the end of 2020, DPER adjusted the arrangement to limit this special leave with pay to 28 days unless the worker concerned had been attending the workplace in the 14 days prior to a positive test.

In March sweeping public health measures were introduced and the Government advised people to work at home if possible. The Government set out a phased timetable for the easing of Covid-19 restrictions from mid-May and Fórsa published detailed return-to-work advice to members, which was revised and reissued frequently on foot of developments. Fórsa officials also initiated detailed discussions on return-to-work arrangements and the implementation of associated safety protocols.

In September, the Government published a new approach to coronavirus restrictions with five levels of response linked to levels of confirmed Covid-19 cases and related public health metrics. The entire country was at level two when the six-month plan was launched, but Dublin and Donegal soon entered level three. The rest of the country soon followed.

From midnight on 21st October, the entire country entered level five, the highest level of restrictions, for a six-week period. This was subsequently eased in early December, but the entire country had returned to level five restrictions by the end of 2020. Official public health restrictions on workplace attendance were set to remain in place at least until early April 2021 as this report was finalised.

Protecting workplace safety

From the outset of the crisis, Fórsa issued general advice to members on reducing personal risk and helping prevent the spread of the virus, along with guidance on the actions members should take if they showed symptoms. This advice was generally based on prevailing HSE guidance, though the union generally advised more caution for pregnant women and more vulnerable workers. Sectoral and workplace guidance was developed by Fórsa divisions. Union officials and staff dealt with thousands of individual member queries on safety and related matters.

Working through the Irish Congress of Trade Unions (ICTU), Fórsa was at the forefront of the negotiation of an agreed national 'return to work safety protocol,' which was also summarised in the new Fórsa guidance. The protocol, agreed in early May, required employers to implement a number of measures in advance of staff returning to workplaces. At union insistence, it included a requirement for employers to recognise at least one Covid-19 lead worker safety representative, with more in larger employments.

As this report was finalised, Fórsa was engaged with senior officials of the Department of Public Expenditure and Reform (DPER) after the union raised concerns over sick leave arrangements for staff who suffer from 'long Covid.' This followed changes to DPER guidance on Covid-related sick leave, which could leave some long Covid sufferers with reduced incomes.

Between May 2020 and early 2021, some 47% of Irish workplaces were found to be in breach of Covid-19 guidelines following Health and Safety Authority inspections. Almost half of the 5,000-plus workplaces viewed by the authority didn't have proper measures in place to prevent the spread of the virus.

Economic and recovery measures

Throughout the crisis, Fórsa has worked intensively to support incomes and save jobs in the sectors like aviation (see below) that were hardest hit by the economic impact of the pandemic. Along with ICTU and the union-sponsored Nevin Economic Research Institute, the union called for enhanced supports to workers, businesses and communities. Fórsa argued that the crisis had demonstrated what can be achieved when the State mobilises financial, organisational and human resources for the common good, when people work together collectively, and when citizens have equal access to essential goods and services. It called for a fundamentally different approach to economic reconstruction to that adopted during the 2008-2010 banking crisis. Fórsa and Siptu jointly drew up detailed proposals, which were submitted to ICTU as it developed its demands for a massive fiscal stimulus, with public investment across a range of public service and infrastructure projects, as part of a plan for Ireland's recovery from the economic crisis caused by the Covid-19 pandemic.

The ICTU programme was published in late May as 'No going back: a new deal towards a safe and secure future for all,' which called for universal free public health care, a massive programme of public house building, a cap on the price of childcare, increased investment in education, and the scrapping of plans to increase the State pension qualification age to 67. The paper outlined proposals for a 'green new deal' to tackle climate change and called for higher taxes on wealth, as well as higher social contributions from employers.



Fórsa developed its approach to economic recovery with the publication of a detailed submission on 'Reopening the economy: The State's response and support for businesses,' which was presented to the Oireachtas Special Committee on Covid-19 Response in early June 2020. The submission called for business supports to be made conditional on employers' support for jobs that can sustain a decent income. It also covered a range of economic and workplace issues including the need for Government to continue to support incomes and demand, EU policy requirements, safety issues related to the return to workplaces, childcare issues, remote working and the organisation of working time, industrial relations and social dialogue, and Brexit.

Fórsa and other ICTU affiliates continue to maintain that public money allocated to businesses should be conditional on maintaining employment with decent pay and working conditions, including collective bargaining.

Childcare

In a submission to the Oireachtas Special Committee on Covid-19 Response, published in June, Fórsa argued that the Covid-19 crisis had highlighted shortcomings in Ireland's system of early childcare and education. It said that the inadequacies of the State's response to Ireland's high-cost, low-pay early years system was inadequate prior to the crisis, and called for the formalising of early childcare and education as a publicly-funded and publicly-provided public service.

While the Department of Public Expenditure and Reform (DPER) and other public service employers had agreed to a number of measures to assist staff with childcare during the period of school and crèche closures, Fórsa and other unions were critical of the Government's response, most especially on childcare provision for essential workers.

An Economic and Social Research Institute (ESRI) report, published in early May, had also criticised the Government's response. It said that over a fifth of the Irish workforce were essential workers, and that 100,000 of them had children under the age of 14. It criticised Government proposals to provide childcare to 5,000 health workers as inadequate. *Essential employees during the Covid-19 crisis* found that most essential workers were concentrated in low-paid sectors like retail and non-professional health grades, and couldn't afford extra childcare costs.



Remote working

In May 2020, Fórsa published detailed advice on remote working. *Working at home: Staying safe, connected, healthy and productive* contained advice on health and safety, setting up a workspace, breaks, staying in touch with managers and colleagues, and balancing work with home life and childcare. The guide also included useful tips on data protection, cybersecurity, and safeguarding mental health.

On 10th August, Fórsa issued the results of Ireland’s largest ever employee opinion survey on the issue of remote working. The study, conducted on behalf of the union by Amárach Research, found that 86% of respondents were interested in working remotely. Over 80% of those who favoured home working expressed a preference for a hybrid arrangement.

Over 4,300 Fórsa members completed the survey. Seven-in-ten of those who had worked at home during the Covid-19 crisis said remote working had been a positive or very positive experience. Over two-thirds of those who had not worked at home during the crisis also expressed an interest in having access to remote working. Concerns about home working related to four broad areas: Disconnection from the workplace; work encroachment on home life; costs and the appropriateness of home work space; and health and safety issues. The biggest single negative aspect of home working, cited by 69% of respondents, was the lack of interaction with colleagues. Worryingly, just 28% of those who worked remotely said a manager had asked them about their home working set-up from a health and safety perspective.

Fórsa then made a very detailed submission to the Department of Business, Enterprise and Innovation (DBEI) consultation on remote working. Informed by the union’s membership survey, the submission made 20 recommendations and called on the Government to open a dialogue with unions and employers with the aim of strengthening the legal framework around remote working. It said employers should be required to set objective criteria for determining the tasks and staff selected for home working arrangements, and that employees should have the right to refuse home working without having to give their reasons.

The submission argued that those working remotely should benefit from the same rights, guaranteed by legislation and collective agreements, as comparable staff at their employer’s premises. And it called for strong safeguards on health and safety, surveillance, privacy, data protection and cyber-security. It noted that additional household costs accrue from home working. “This was not addressed in temporary arrangements introduced during the Covid-19 emergency, but a different approach is required for long-term arrangements where employees are based at home for significant periods of work time,” it said.

In January 2021, Fórsa welcomed the publication of the Government’s remote working strategy, and called for engagement with trade unions and other stakeholders on the rollout of proposals to ensure fair access to remote working and proper protections for all staff, regardless of where they work. The Government strategy pledged to establish a legal right to request remote working, introduce legal protections on the right to disconnect, and review the treatment of remote working for tax purposes. It also confirmed the target of making remote working the norm for 20% of public servants.





Aviation

Fórsa has thousands of members in airlines, airports, aviation regulation and services. The aviation sector was amongst the hardest hit by the pandemic. Demand plummeted by over 95% at the onset of the crisis, and it remains extremely low. Unlike the last recession, when aviation was among the first sectors to recover, most industry observers believe it will be among the last this time.

As a result, most Fórsa members in the sector continue to experience or face wage reductions, lay-offs and redundancies. The union lobbied for more and continued State income supports, and has worked with its branches in the sector to manage and minimise the damage through negotiations with employers. The union has taken every opportunity to impress upon the Government that aviation companies which impose compulsory redundancies or off-shoring should not receive State aid.

In written evidence to the Taskforce for Aviation Recovery, which was established by the Government in June 2020, Fórsa said wage supports were essential to protect thousands of workers in airlines, airports and air navigation bases, along with an estimated 150,000 jobs in tourism, hospitality services and aircraft maintenance, which depend on aviation.

The body was largely composed of industry representatives, although Irish Congress of Trade Unions (ICTU) general secretary Patricia King was a member.

Fórsa's submission also called for tax and PRSI breaks for the Dublin Airport Authority, and the maintenance of Dublin airport charges at 2019 levels. In a controversial decision, the Commission for Aviation Regulation, which sets airport charges, had earlier recommended that the cap on Dublin charges should be reduced over the next five years. But with passenger numbers down 99%, the regulator conceded that the assumptions underpinning its decision were no longer valid and that it would have to be reviewed.

Fórsa also called for the establishment of a Shannon-specific task force, charged with developing a new business strategy for the airport, and Government funding for a 'Shannon route development fund' to help establish new routes and retain those under threat from other airports. Its submission said the separation of Shannon from the Dublin Airport Authority had failed, with 2019 passenger numbers down 8% before the pandemic struck.

In July 2020, Fórsa general secretary Kevin Callinan renewed his call on the Government to work with aviation unions and other stakeholders to develop a specific long-term plan, with Government support, to maintain employment in the sector. He criticised the prevailing announcements and threats of redundancies at some airlines, which he said was inconsistent with the spirit in which Ireland had risen to the challenges of the pandemic.

Fórsa made two written submissions to the joint Oireachtas committee on transport and communication networks. The union also attended, and gave oral evidence at, two hearings of the committee.

In evidence to the committee in November 2020, the union called for a joined-up government approach to ensuring the survival of the industry. It said staff support schemes needed to be retained, and that measures like affordable pre-departure Covid testing need to be explored. The union told the committee that any state support for the aviation industry must be on the condition of no compulsory redundancies or offshoring of services. The union welcomed the committee's report when it was published in December 2020. The report made a number of recommendations, many of them based on Fórsa's inputs on the need for a national aviation policy, the maintenance of income supports in the sector, State supports for Covid-19 testing at airports, and the establishment of a State airports authority encompassing Dublin, Shannon and Cork airports.

In further evidence to the Oireachtas committee in February 2021, Fórsa called for a flexible, industry-specific income support scheme for the next phase of the aviation crisis. It identified a risk that the Employee Wage Subsidy Scheme (EWSS), as currently constructed, would lack the flexibility required to underpin employment relationships in the sector, and proposed an aviation income support scheme similar to that in place in Germany. The German approach enables employers to reduce hours rather than laying staff off, with Government income support for the time employees can't work. The union called on the Central Bank to adopt European Banking Authority guidelines for the extension of mortgage payment breaks. The European guidelines do not apply in Ireland, where Fórsa argued that the application process was slow and onerous.

At a February 2021 meeting of the Labour Employer Economic Forum (LEEF), a high-level forum for economic dialogue between the Government, unions and employers, Fórsa general secretary Kevin Callinan pressed the Government to implement recommendations in the July 2020 report of its Taskforce for Aviation, and the December 2020 Oireachtas report on the emergency in the sector, which he said had been largely ignored. Calling for an aviation-specific LEEF sub-group under the Department of Transport, he repeated the union's call for enhanced, Government-led stakeholder engagement to avoid the devastation of Irish aviation jobs and capacity. A LEEF sub-group, chaired by Minister of State Hildegard Naughton, was subsequently established with representation from the industry and its unions, including Fórsa.



Lobbying

Fórsa members employed in aviation also engaged in a grassroots lobbying campaign aimed at securing greater State and political support for the industry. The campaign, co-ordinated by the union's Services and Enterprises Division, mobilised aviation workers in airlines, airports and other employments to write to their local politicians to seek support and highlighting the very precarious circumstances in the sector. The campaign emphasised the 140,000 mostly high-quality jobs in airports, regulatory bodies, international air traffic support and airline operators, and the many thousands more that depend on aviation in sectors like hospitality and tourism.

The message to TDs, senators and councillors was that the crisis facing the industry today will have an extremely negative effect on the Irish economy as a whole unless the industry receives urgent government support. The campaign further called for the Government to engage collectively with all interests directly involved in the aviation sector, which is vital for an island nation with a significant dependence on tourism and inward investment.

Fórsa members have also participated in the 'Recover Irish Aviation' campaign, which aims to secure a package of financial supports to the industry and stakeholder engagement to underpin recovery and rebuild Irish air connectivity.

Fórsa aviation sub-group

In the face of the challenges facing aviation, the union's Services and Enterprises Division established an aviation sub-group, which brings together the national secretary and officials assigned to the area with representatives from all parts of the industry, including regulatory bodies, authorities and airlines. The group is developing the union's collective approach to defending and representing members throughout this pandemic, and provides a forum for aviation representatives across the division. The group will continue to meet regularly with a focus on protecting employment within the sector, and on developing and supporting campaign initiatives.

Cabin crew

At the time of the 2019 Fórsa divisional conferences, Irish cabin crew were facing into their busiest ever summer, with the prospect of pay increases, significant recruitment, promotional opportunities and the announcement of new routes. Covid-19 changed that completely, bringing the industry and its staff to an unprecedented crisis. As this report was being finalised, cabin crew had endured over 12 months of reduced salaries, reduced working time, laid offs, job insecurity, and continued uncertainty. Many have incurred mortgage difficulties and other financial hardships that will be a burden for years. There is no certainty over when air travel will start to return to pre-Covid operations, and it is a received wisdom that aviation will be among the last sectors to recover.

Aer Lingus cabin crew in Dublin and Cork have been on 60% of pay, underpinned by the employment wage subsidy scheme (EWSS). The company's Shannon-based crew were initially on 30% of pay, which was later increased to 50%. In March 2021, the company announced that it was to lay off all cabin crew at Shannon in a decision described by Fórsa as devastating for the staff and for the Mid-West region.

Ryanair crew, including those employed in Crewlink and Workforce, the two agencies where Fórsa is recognised, agreed pay cuts and restructuring in June 2020. In November 2020, the airline laid off 50% of its Dublin cabin until the end of March 2021, when further engagement is expected. Its Cork operations are suspended, with a review due in March, and only one flight per day is flying from Shannon.

Cityjet imposed compulsory redundancies in July 2020. Stobart Air laid off 80% of its Dublin-based crew and all its Cork-based crew in April 2020.

Fórsa has been in daily contact with airlines and agencies throughout the crisis, and the work and commitment of the union's Cabin Crew committee, and representatives across all airlines, has known no bounds. They have shown true leadership during this time.

Pilots

Like all aviation workers, pilots are suffering from the economic impact of the pandemic. All CityJet pilots have been made redundant, except for a small number that transferred to operations in the Danish and Nordic areas. Aer Lingus is commencing a transatlantic operation from the UK, with the possibility that over 40 positions could be secured for pilots currently based in Ireland. The Irish Airline Pilots' Association, which became a part of IMPACT (now Fórsa) in 1998, is celebrating its 75th anniversary in 2021.

Airports

Fórsa's IAESA branch has been at the fore in defending member's pay and working conditions in the Dublin and Shannon airport authorities, and limiting pandemic-related job losses. The two companies had entirely different responses to the crisis. Dublin Airport Authority (DAA) reached an agreement with unions, which included restructuring, reduced working hours by 20%, and a 20% reduction in staffing through voluntary leaving options. This limited the number of job losses, and staff returned to full working hours in late March in an arrangement due to be reviewed in September 2021.

Shannon Airport Authority imposed a 20% pay cut, and cuts to working hours, without consultation with unions. It also imposed poorer voluntary leaving options than those agreed in the DAA. Following tense discussions, the union group referred the issues to the Labour Court, and discussions were continuing as this report was finalised. Fórsa and other unions are seeking an end to the pay cut, an agreement on working hours, criteria for a return to full-time working, and a mechanism for repaying the imposed pay cuts.

Irish Aviation Authority

Fórsa branches in the Irish Aviation Authority have worked to minimise the impact on job losses and changes to terms and conditions of employment. The company initially proposed cost containment measures that included a lay-off of 125 operations staff, and 35% pay cuts. Working through the company's internal dispute resolution board, Fórsa and other unions secured an agreement that included no lay-offs in exchange for a 5% voluntary reduction in working hours in the five months up to December 2020. A subsequent agreement saw salaries reduced by between 5% and 10% for staff earning more than €38,500 a year. This arrangement will continue as required for 2021, and will be monitored by the internal disputes resolution board. Unions will seek a reversal of the pay cuts when the impact of the crisis abates.

Fórsa and other unions were also involved in discussions on a new five-year collective agreement, as well as dealing with Government plans to separate the regulatory functions of the authority and merge the IAA with the Commission for Aviation Regulation. These proposals will also see the establishment of a new air navigation services company. Intense discussions, in which unions are working to protect pay and conditions are set to continue into the summer.

Non-commercial state agencies

An Bord Pleanála

Fórsa representatives have been meeting regularly with senior management at An Bord Pleanála to ensure safe working conditions after the agency was deemed an essential service that must continue to operate during the Covid-19 pandemic. Up to a third of staff are continuing to attend the workplace.

As this report was being finalised, the union was awaiting a meeting with management over proposals on planning applications in the marine area. Fórsa has said additional resources are needed to cover extra responsibilities related to the proposal.

Broadcasting Authority of Ireland

The Online, Safety and Media Regulations Bill 2020 will establish a new Media Commission, which will incorporate the work of the Broadcasting Authority of Ireland (BAI). The union is seeking a collective agreement to protect BAI staff during and after their transfer to the new agency. Fórsa has welcomed the bill's provisions to strengthen the regulation of a range of media including video sharing platforms, and to tackle a range of online harms across social media.

In March 2021, Fórsa made a written submission to the Oireachtas committee scrutinising the legislation, and said that that staffing in the new Media Commission would need to be adequate to the task of effectively regulating social and other media. The union also noted that the legislation establishing the commission specifically provides for a role for a recognised trade union to negotiate the transfer of staff from the BAI. It said BAI staffing levels have been inadequate since it was established on the eve of the last financial crisis, and that this must change if the Media Commission was to be an effective regulator. It said staffing in the new organisation would need to be at least comparable to current Data Protection Commission levels, and possibly greater.

Chester Beatty Library

As this report was being finalised, the Chester Beatty Library remained closed to the public under level five Covid-19 restrictions. Fórsa was pursuing improvements in the on-call allowance and associated conditions on behalf of members who operate out of hours security duties.

Economic and Social Research Institute

All Fórsa members in the Economic and Social Research Institute (ESRI) have been working remotely since March 2020. A longstanding claim for pay equalisation for staff who are currently paid on the pre-1995 pay scales was referred to the Workplace Relations Commission (WRC) following direct discussions with the institute. The union has since sought to have the issue referred to the Labour Court, but the Department of Public Expenditure and Reform has blocked this. Union officials were discussing next steps with the members concerned as this report was being finalised.

Environmental Protection Agency

Most Fórsa members in the Environmental Protection Agency have been working remotely since the Covid-19 pandemic struck in March 2020. The union is in ongoing discussions with the agency to ensure adequate health safeguards in areas like laboratory work, which can't be done remotely.



Fáilte Ireland

The vast majority of Fórsa members in Fáilte Ireland have been working remotely since March 2020. Some tourist offices reopened for a short summer season. But they closed again when infection levels rose, and there is no certainty over when they will reopen. A number of fixed-term posts have recently been advertised to assist with the many supports the agency has made available to the industry.

Health and Safety Authority

Staff in the Health and Safety Authority (HSA) played a hugely important role throughout the pandemic. Early in the crisis, additional staff from other areas of the public service were reassigned to the agency and they continue to play an active role in the workplace contact unit, which is the first point of contact for both employers and workers with health and safety queries.

In mid-June 2020, and on foot of union pressure for more stringent application of Covid-19 safety regulations, the Government announced that 500 agriculture, environmental health and labour inspectors would be given powers to enforce coronavirus workplace health measures under the guidance of the authority. At that stage, the HSA had assigned 67 inspectors to frontline enforcement, and Fórsa called on the agency to develop a business case for extra in-house inspectors.

The return to work safety protocol, agreed by Government, unions, and employers through the Labour Employer Economic Forum (see 'protecting workplace safety' on page 9,) requires employers to implement a number of workplace safety measures including appointing the Covid-19 lead worker safety representatives, preparing information and training for staff, taking steps to underpin social distancing, cleaning and sanitising premises, and assessing the need for personal protective equipment (PPE). HSA staff protocol provided templates, checklists and training material to support employers and workers in the implementation of the protocol.

In May 2020, Fórsa wrote to management outlining its expectation that Covid-related work would exhaust the authority's capacity beyond the phased easing of the restrictions. The union asked management to determine medium- to long-term staffing requirements, rather than falling behind and having to make the case retrospectively.

Budget 2021 included €4 million of additional resources for the agency, bringing its funding to the highest level since 2008. This additional funding will allow for the recruitment of additional staff to monitor the challenges of Covid-19 in the workplace, including compliance with the return to work safety protocol. Fórsa is engaging with management on the implementation of these recruitment plans.

Marine Institute

Most issues in the Marine Institute concern contracts of employment, employment rights, workforce planning, and securing agreement on a wide range of internal policies. The harmonious approach to issues, from both the union and management, is testament to the effective manner of the local representative group.

National Library of Ireland

As this report was being finalised, the National Library remained closed to the public under level five Covid-19 restrictions. Fórsa secured agreement that the pilot flexitime system will be regularised when members return to normal working arrangements. Workforce planning for 2021 was being finalised as this report went to print.

National Museum of Ireland

As this report was being finalised, National Museum premises remained closed to the public under level five Covid-19 restrictions. Fórsa is engaging with management over night-time working rosters and associated conditions on behalf of science and arts attendants. Discussions around workforce planning are also continuing.

Ordnance Survey Ireland

Most staff in Ordnance Survey Ireland (OSI) have been working remotely since the onset of the Covid pandemic. The establishment of Tailte Éireann, a new body that will amalgamate OSI with the Property Registration Authority of Ireland and the Valuation Office from January 2022, is the biggest issue currently in hand. This would see OSI re-join the civil service.

Pobal

All Fórsa members in Pobal have been working remotely since the Covid-19 pandemic struck in March 2020. Management conducted a review of grades in the 'Better Start' area, and Fórsa recorded its objections to the result for the early years' specialist grade. Neither the union nor the staff involved were allowed any input into the review, and the union has sought a new job evaluation for the grade. Fórsa will refer the matter to the Workplace Relations Commission (WRC) in the absence of agreement.

Fórsa looked to be included as a stakeholder in any discussions on the establishment of a new agency, called Childcare Ireland, after the Government indicated its intention to set it up.



Road Safety Authority

Fórsa pressed Road Safety Authority (RSA) management to suspend driving tests as soon as the Covid crisis hit in March 2020, on the grounds that conducting 50-minute tests in confined spaces was unsafe to candidates and testers, and inhibited broader public safety measures aimed at controlling the spread of the virus. The RSA reacted quickly, and all tests were stood down.

The union later entered weekly meetings with management over the safety protocols necessary to safeguard testers once they returned to work. We held weekly meetings with the lead worker reps and discussed all types of scenarios. Following these discussions, testers returned to doing tests in July, and no work-related Covid cases have arisen.

When the numbers of cases spiked again in the late summer, the union again sought a suspension of all tests, but the government designated driving tests for essential workers as an emergency service, and many tests continued to be scheduled. This decision has not changed despite the union raising the issue with RSA, transport department, the Department of Public Expenditure and Reform, and ministers.

Fórsa made public statements to defend its members following criticism of the agency's handling of tests during this stage of the pandemic, and the considerable backlog that inevitably arose on foot of its Covid-19 public safety response. The union also agreed to the recruitment of 40 short-term contract testers to deal with the backlog, and is continuing to discuss knock-on issues arising from this initiative.

Meanwhile, virtually all head office staff in the agency have been working remotely since the onset of the crisis. This hasn't affected the processing of work.

The union agreed to the extension of promotion panels due to the lack of movement during the pandemic.

Sea Fisheries Protection Authority

Agreement had been reached to implement the findings of a PwC report into an organisation and capability review of the Sea Fisheries Protection Authority. But management then aggressively pursued a policy of implementation without consultation or agreement with the union. This left the union with no option but to ballot members for industrial action, and this resulted in a 94% vote for action on an 80% turnout. Industrial action notice was served on the authority and the union's disputes committee outlined plans for 12 national and local days of action.

The authority referred the dispute to the Workplace Relations Commission (WRC) conciliation service, and the union accepted an invitation to attend a conciliation conference. The initial conciliation meetings yielded no agreement. But, discussions in the WRC resulted in a proposal a mediated process, which was underway as this report was being finalised.

Teagasc

Most Fórsa members in Teagasc have been working remotely since March 2020. Fórsa has been seeking the introduction of family-friendly arrangements in the agency, and successfully negotiated the introduction of schemes in 2020. This is a first step, and further improvements are being sought.

A number of longstanding grade and staffing claims are under discussion with Teagasc management, but this process has slowed because of the Covid situation.

Companies and commercial state agencies

An Post

The majority of Fórsa members in An Post have been working remotely since March 2020, and this has raised a number of issues which the union continues to address. The union has also consistently engaged with management to ensure that the correct safety protocols are in place for those who continue to attend workplaces.

Following a claim by Fórsa and other unions in the company, management agreed a loyalty payment to acknowledge the hard work of all staff in relation to quickly adapting to the changed Covid emergency.

The group of unions also agreed a one-year pay agreement, which was accepted by 95% of union members in a ballot. It included a 2.75% award for 2021. The deal also includes a commitment to review the existing pension situation, including the sustainability of the widening gap between base pay and pensionable pay, by the end of 2021.

The union is also in discussions over company proposals to transform how An Post's head office is organised. Management wants to relocate from the historic O'Connell Street GPO premises to a new Head Office as part of this transformation. A survey conducted by Fórsa found that staff overwhelmingly preferred to remain in the GPO, but the company has repeatedly indicated its intention to move. Intense discussions in relation to this are likely to commence shortly.

Coillte

Fórsa's Coillte branch has successfully been protecting the pay and conditions during the pandemic. The union reached an agreement that the company would not to impose pay cuts, and management agreed to avail of the Government's wage subsidy arrangements and address any tax implications that arose for staff.

The union has also been in discussions on a successor to the 2017-2021 'pathways to 2020' collective agreement. These discussions will likely see a new four-year agreement, which will address the union claims on pay, working conditions, annual leave and graduate-entry terms and conditions. The union is also seeking improvements to annual leave, bereavement leave and parental leave. The outcome of negotiations will be put to a ballot of members.

Drogheda Port Company

In late 2020, Fórsa concluded a pay agreement in Drogheda Port Company, which included a general 2% pay increase, backdated to September 2019 and valid until September 2020, plus a general 3% increase from September 2020 for an 18-month period. The deal was accepted unanimously.

eir

Fórsa and other unions negotiated a three-year pay agreement for eir staff, which is worth 2% a year. Some staff transferred to Tech Mahindra, under TUPE 'transfer of engagement' protections, after eir outsourced most of its IT operations in 2016. The contract was recently reviewed and another company, NTT, won the contract. This means the same staff are currently going through the second TUPE process in four years. Fórsa and the Communication Workers' Union are currently in negotiations with NTT in relation to the transfer.

Institute of Public Administration

Most Fórsa members in the Institute of Public Administration (IPA) have been working remotely since the Covid-19 pandemic struck in March 2020. The longstanding IPA job evaluation programme was finally concluded and a working group was established. It is made up of two house committee members, management and an independent chair. The two Fórsa reps undertook a huge amount of work to deliver a transparent process that allowed all members to have their job reviewed, and a significant number of staff subsequently had their jobs regraded.



Irish Water

Pay discussions in Irish Water produced a pay agreement worth 2.5% in 2021, and talks are underway on a potential three-year pay agreement. Fórsa is raising concerns about the company's approach to pay banding and performance awards system in these discussions, which are likely to be difficult.

Unions are also engaged in talks with the company on the Government's decision to establish Irish Water and Gas Networks Ireland as two separate national utility companies. The Government's proposal to establish Irish Water as a national utility would also impact on Fórsa members in the local government sector, and representative groups within the wider trade union group are working collaboratively to safeguard workers' terms and conditions of employment.

P&O Maritime

Fórsa represents shore-based staff and ships' crew in P&O Maritime, the private shipping company that operates the Marine Institute's two research vessels. The company recently secured the contract to continue operating the two vessels, and the union is about to enter discussions with management to secure a pay agreement for the next three years. The current agreement, which expires at the end of April 2021, secured annual increases of 2%, 2.25% and 2.5% over the last three years.

Premier Lotteries Ireland

Most Premier Lotteries Ireland staff have been working remotely, although some are required to attend workplaces because of the nature of their work. Fórsa negotiated a loyalty payment to acknowledge the flexible staff response to Covid-related changes in the work environment.

The current pay deal is due to expire at the end of March 2021, but it hasn't been possible to conclude a new agreement under the current Covid restrictions. An offer made by the company does not reflect its recent record profits. Fórsa was awaiting a final management offer as this report was being finalised. If this is still unacceptable, the union will refer the matter to the Workplace Relations Commission (WRC).

Vodafone

Fórsa's Communications branch has effectively represented members in Vodafone, a company that continually seeks to frustrate and undermine the ability of the branch to function as an equal partner. Efforts to represent members and pursue legitimate claims are habitually met with inactive responses or no response at all, while referrals to the State's dispute resolution machinery are used to avoid real engagement.

Despite this, Fórsa has secured favourable outcomes for members in individual grievance cases, as well as reasonable pay increases that emerged from a third-party process for members who had been excluded from pay determination for many years. Efforts are underway to address significant inequalities in annual pay reviews, and the union is challenging the company's arbitrary decision to make changes to pension benefits. This issue has been referred to the Labour Court.

Voluntary and community sector

Community employment supervisors

The funding of community employment (CE) schemes continued during the Covid-19 pandemic, and staff are carrying out their duties within public health guidelines.

In July 2020, the union met Minister for Public Expenditure and Reform (DPER) to discuss the outstanding 2008 Labour Court recommendation, which said an agreed pension scheme should be introduced for the supervisors and assistant supervisors. The minister said he wanted to fund a proposal to resolve the long-standing dispute, and subsequently instructed senior officials to engage with their counterparts in the Department of Social Protection (DSP).

Fórsa and Siptu submitted a joint proposal, consistent with the one submitted to the relevant minister in 2014. Work on a proposal to resolve the problem was being finalised between DPER and DSP as this report was being finalised.

The union is also working to ensure that the terms of the enhanced redundancy agreement for CE Supervisors is honoured, and on the reactivation of the community and voluntary high-level forum, where unions can raise sectoral issues directly with the relevant government departments.

Local enterprises

Fórsa and other unions with members in the community sector are carrying out a strategic analysis of organisations in the sector under the auspices of a new group established by the Irish Congress of Trade Unions. The group is placing particular emphasis on membership density in publicly-funded but privately-run local enterprises, and union rights to representation at board level.

APPENDICES

Appendix one: Travel and subsistence

Standard domestic subsistence rates

Effective from 1st July 2019

Overnight rates remain

Normal rate €147.00	Reduced rate €132.30	Detention rate €73.50
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Day rates

10 hours or more €36.97	5 hours but less than 10 hours €15.41
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Vouched Accommodation (VA) Domestic subsistence rates (for use in Dublin only)

Effective from 1st July 2019 will remain

Vouched Accommodation (VA) rate VA Rate	Accommodation Vouched cost of accommodation up to €147.00	Plus	Meals €36.97
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