



**FÓRSA**

# SERVICES & ENTERPRISES DIVISION

Organising to deliver for members

CONFERENCE **2023**

**AGENDA**

**3rd - 5th May 2023**

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# Conference timetable

## Wednesday 3rd May

- 13:00 Registration opens and issue of ballot papers
- 15.00 Registration closes
- 15.00 Opening address: Esther Lynch, General Secretary, ETUC
- 15.10 Chairperson's address
- 15.20 Appointment of tellers and scrutineers
- 15.25 Adoption of general standing orders
- 15.30 Standing Orders Committee report
- 15.35 Adoption of previous minutes and biennial report
- 15.40 Election arrangements
- 15.45 Public policy: Motions 1, 2, 3, 4, 5
- 16.45 Presentation by Strategic Organising and Equivalent Grades
- 17.00 Union strategy and other internal matters: Motions 18, 19, 20, 21
- 17.45 Presentation by Strategic Change
- 18.00 Address by Michael Smyth, Fórsa President
- 18.15 Conference adjourns

## Thursday 4th May

- 08.30 Registration re-opens
- 10.00 Opening Services & Enterprises Division video
- 10.10 Address by Katie Morgan, Head of Division
- 10.20 Terms and conditions of employment: Motions 6, 7, 8, 9, 10
- 11.15 Address by Livia Spera, ETF General Secretary, and presentation from Eoin Coates, ETF Head of Aviation
- 12.00 Pay, pensions and allowances: Motions 11, 12, 13, 14, 15, 16, 17
- 13.00 Conference adjourns for lunch
- 14.00 Conference resumes
- 14.00 Presentation of distinguished service awards
- 14.15 Guillotined motions
- 14.45 Presentation by Dr Tom McDonnell, Co-Director, The Nevin Economic Research Institute
- 15.15 Presentation by Liam Berney, Industrial Officer, Irish Congress of Trade Unions

# Conference timetable

## Thursday 4th May (continued)

- 15.45 Motions advisory to the National Executive Committee
- 16.30 Presentation by Billy Hannigan, former FÓrsa National Secretary
- 17.15 Any remaining Conference business
- 17.50 Closing remarks
- 18.00 Conference adjourns
- 20.00 Joint divisional Conference dinner

## Friday 5th May

- 10.00 Joint divisional session: Services & Enterprises Division and Local Government & Local Services Division
- 10.05 Presentation by Professor John Geary, Professor of Employment Relations, UCD
- 10.30 Address by Owen Reidy, General Secretary, Irish Congress of Trade Unions
- 10.45 Workshop with Jane McAlevey, International Trade Union Organiser
- 12.30 Panel discussion: Organising to deliver for members
- 13.00 Conference closes

# Standing Orders Committee

## Civil Service Division

Siobhán Daly  
Helen Lundy (Secretary)

## Education Division

Eileen Coman  
Niamh Jordan\*\*

## Health and Welfare Division

Gerry Foley (Vice-chairperson)  
Don Meskell

## Local Government and Local Services Division

Rose Marie Conroy (Chairperson)  
Audrey Warren\*

## Municipal Employees' Division

Tom Kavanagh  
Michael Ross

## Services and Enterprises Division

Teresa Kearns (Returning officer)  
Billy Gallagher

\*Kathryn Collins resigned from SOC in 2022 and was replaced by Audrey Warren, who transferred from the Education Division to the Local Government and Local Services (LGLS) Division.

\*\* Niamh Jordan was nominated by the Education Division Executive Committee to replace Audrey Warren on her transfer to LGLS Division.

# General standing orders for conference

1. These standing orders shall be read in conjunction with the rulebook of the union. If there is conflict on meaning, then the rulebook shall prevail.
2. The Standing Orders Committee shall recommend the timetable for Conference and the order in which motions and amendments submitted shall be taken. When the time allotted to a group of motions has elapsed, the chairperson shall allow the debate in progress to finish. S/he shall then proceed to the next group of motions, thus guillotining any remaining motions in the current section. Such guillotined motions may be taken up by the chairperson later in Conference as time permits. Otherwise, they are automatically referred to the appropriate executive committee.
3. Unless otherwise decided by Conference, only one motion may be before Conference for discussion at any time.
4. Individual motions and amendments should be proposed by a speaker from the appropriate executive committee or from the branch which gave notice of the motion or amendment. Where no delegate of that branch is present, the motion may be proposed by any other member of Conference. In the case of motions in common debate, all motions and amendments shall be deemed to be formally proposed, unless the Conference has been given advance notice that the proposer of a motion or amendment does not wish it to be proposed. There is no requirement for any motion or amendment to be seconded. Once the agenda has been adopted, motions may only be withdrawn with the agreement of conference.
5. Only members of conference as defined by Rules 16(i) and 20(ii) or the equivalent grade committee representatives as defined in Rule 25(ii)(e) of the rulebook may address conference<sup>1</sup>. This rule shall not preclude the Standing Orders Committee from making recommendations to conference, which shall be considered immediately by conference.
6. Unless otherwise agreed by conference, no member shall address conference unless s/he is proposing or speaking to a motion or amendment or:
  - (i) is raising a point of order; or
  - (ii) is raising a point of fact; or
  - (iii) is delivering the chairperson's address.
7. All speakers should address conference from the rostrum or microphone, and should announce her/his name and branch or committee. The proposer of a motion shall speak for not more than four (4) minutes, and all other speakers shall have not more than three (3) minutes. Members of the relevant Executive Committee and members of staff will be limited to three (3) minutes when clarifying points or answering questions.

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<sup>1</sup> In accordance with rule 16(iv) and with the exception of the casting vote of the conference chairperson, only delegates and members of the Divisional Executive may vote at a meeting of a Divisional Conference.

8. Where several motions and/or amendments submitted deal with the same topic, the Standing Orders Committee may produce a composite or comprehensive motion. If it is not possible to do this, there may be a common debate on the issue covered by the group of motions and/or amendments. The first speaker on behalf of the proposing branch or the first speaker on behalf of the DEC in the case of motions proposed by the DEC shall be deemed to be the proposer of the motion. Each proposer shall have a maximum of four (4) minutes. In the subsequent debate, no-one may speak more than once, but each speaker may refer to any of the motion(s)/amendment(s) then before conference, up to a maximum of three (3) minutes. Proposers of motions taken in common debate shall, subject to the discretion of the conference chairperson, have the right of reply but only in respect of the motion proposed by her/him and the right of reply shall be strictly confined to answering previous speakers on that motion and/or where clarification has been sought and the proposer shall not introduce any new matter into the debate. When the chairperson is satisfied that sufficient time has been allowed for debate, each motion and/or amendment shall be voted on separately in accordance with the relevant Standing Orders Committee report.
9. Amendments to amendments may not be moved, even under the terms of Rules 17(ix) and 21(ix) of the rulebook.
10. Except as otherwise provided, no member of conference shall speak to a motion more than once. For the purpose of this standing order, an amendment to a motion and a motion which has been amended shall each be considered to be a new motion.
11. Subject to the discretion of the conference chairperson, the proposer of a substantive motion, not in common debate, shall have a right to reply immediately before the motion is put to conference, provided that opposition has been expressed or clarification has been requested. However, the right of reply shall be strictly confined to answering previous speakers on that motion and/or where clarification has been sought and the proposer shall not introduce any new matter into the debate. The proposer of an amendment shall not have a right of reply.
12. The following types of motion may be moved at any time:
  - (i) Motion to "refer to the National Executive Committee or Divisional Executive Committee." The chairperson of conference will then ask the proposer of the motion or amendment if s/he agrees. If not, there will be a short debate on the motion to refer, before conference decides the issue by voting. If the motion to refer is defeated, the original debate will continue.
  - (ii) Motion "that the question be now put." This motion may only be put to conference if the chairperson is satisfied that a reasonable amount of time for debate has been allowed. If the chairperson is so satisfied, the motion shall be put without discussion.
  - (iii) Motion "that conference proceeds to next business." After this motion has been moved the proposer of the motion/amendment under discussion has the right to speak briefly against the procedural motion, which shall then be put without further discussion. If it is defeated, debate shall continue on the original motion/amendment.
  - (iv) Motion to "suspend standing orders." Such a motion shall state the purpose and period of time for which standing orders shall be suspended. This procedural motion must be passed by three-quarters of the delegates present and voting to be adopted.
13. If two or more members of conference wish to speak, the chairperson will call on the members whom s/he first observes, except that when a member of the Standing Orders Committee rises, s/he shall be the next to speak.
14. If, in the opinion of the chairperson, grave disorder has arisen, s/he may at her/his discretion, adjourn the meeting for a specified time.
15. Mobile phones may not be used in the conference hall while conference is in session.
16. No literature, other than conference documents - agenda, minutes, and reports - may be circulated in the conference hall without the express advance approval of conference by a simple majority of delegates present and voting.
17. No smoking or vaping is permitted in the conference premises.

# Brief outline of proportional representation system as used for Fórsa DEC elections

There are various electoral systems used in different countries and organisations to achieve what are considered in those areas to be democratic outcomes. In Ireland, we have multi-seat constituencies with a system of proportional representation (PR) with transferable votes. This applies if your first (or second etc.) choice is not elected or is elected with a surplus of votes. The 'left over' votes are then transferred to other candidates of your choice. There are some differences between the PR system used for Dáil elections and those used for Seanad elections - where the Panel elections and University Seat elections use further variations of the PR system.

**Fórsa decided to adopt an electoral system aligned to the Seanad Panel election system where each vote is treated as being equal to 1,000 votes.** While the Fórsa system is designed specifically for NEC and DEC elections, it can be used for elections at branch and other levels. Branches and equivalent grade committees/national professional committees are, of course, free to use any of the other Oireachtas models of PR should they wish.

## Ballot paper

In any election it is important that the ballot paper is accurate, with candidates listed in alphabetical order (by surname, then first name).

While the ballot paper may give instructions as to how to vote (e.g. mark, 1, 2, 3 etc. opposite each candidate in order of your choice), the ballot paper may not contain any advice or recommendation as to who to vote for.

All ballot papers should have security features. This applies especially where postal ballots are used or when voters have possession of ballot papers for a period before the vote. Security features could include a 'punched' watermark, different coloured ink/paper, signatures of returning officers and/or other features that make them difficult to reproduce.

The system of distribution of ballot papers must also ensure that only those eligible to vote receive ballot papers, and that nobody can receive more than one ballot paper. The ballot papers should be placed in a sealed box, which is stored safely until the count. Postal ballots received should be placed on arrival in the count center in a sealed container. It is essential that the ballot paper cannot identify the voter.

## Returning Officer

A Returning Officer, preferably agreed, should be appointed in every case as decisions may be required in relation to:

- The validity of ballots;
- The order of distribution of surpluses; or
- The elimination of candidates; or
- In relation to requests for re-counts.

While the Returning Officer may be assisted by various scrutineers (vote counters), only the Returning Officer can make decisions. Everyone else is there to assist only.



## Valid ballot papers

One of the first jobs of the Returning Officer is to identify any spoiled or invalid ballot papers. The latter includes 'forgeries' or any ballot paper that does not carry the security marks. All photocopies of ballot papers are considered to be invalid.

Spoiled votes are those where the ballot paper either does not contain any votes (but might include uncomplimentary remarks) or does not clearly indicate a preference (e.g. more than one candidate with the same preference or 'X' etc. marked against them). A ballot paper may be deemed valid for the first or second preferences but invalid for subsequent counts (e.g. ballot paper marked 1, 2, 3, 3, 3. This identifies the first two preferences but not subsequent preferences).

## First count

All of the valid ballot papers are sorted into parcels according to first preference vote. Each ballot paper is given a value of 1,000.

## The quota

The quota is calculated by adding all of the valid first preference votes and dividing that number by the number of places to be filled plus one (ignoring any fractions), and then by adding one to the result. For example, if the number of valid votes was 100,000 (100 votes at value of 1,000 each) and the number of seats to be filled was 4, the quota is 20,001 i.e.  $[100,000 \div (4+1) + 1]$ .

Once a candidate reaches or exceeds the quota, on the first or subsequent counts, that candidate is elected. It is not possible, using this quota system, for more candidates to be elected than the number of places to be filled.

## Distribute or eliminate?

The biggest causes of confusion in the PR system are:

- To decide whether to distribute one or more surpluses or to eliminate the lowest candidate(s); and
- If a surplus is to be distributed, how to calculate this and which votes, physically, are transferred.

In one-seat elections, (e.g. union president, treasurer, chairperson of division), this is easy. If one candidate exceeds the quota (50% plus 1 in this case) he/she is elected. If no candidate reaches the quota, then the candidate with the lowest number of votes is eliminated. More than one candidate may be eliminated at the same time; if for example, the total of the bottom two candidates does not exceed the votes of the next highest candidate.

In the single seat election, the lowest placed candidates are eliminated in order and their second preferences (or third preferences etc., if their second preference candidates are already eliminated) are transferred until one candidate either reaches the quota or only two candidates remain in the race. In the latter situation the candidate with the highest vote is deemed to be elected without reaching the quota. The ballot papers to be physically transferred in the case of eliminated candidates are the actual ballot papers showing the next highest preference. Where there is no remaining preference, then the vote is non-transferable.

However, where there is more than one position to be filled, the position becomes more complex.

In multi-seat elections (e.g. union vice president, 'ordinary' DEC members), the likelihood is that a number of candidates will exceed the quota on the first count. The surplus(es) in these cases may be very small in each case. The issue for the Returning Officer is to decide whether to eliminate one or more candidates or whether to distribute the surplus(es).

The Returning Officer will distribute the surplus(es) where the total value of all surpluses to be distributed exceeds the difference in votes between the lowest two candidates. This may alter the order of these lowest candidates and in particular the order in they might be eliminated or moved up the list. The Returning Officer will ordinarily distribute all surplus(es), (where available) before anybody is eliminated. When each surplus is distributed the lowest candidate will be eliminated.

The order in which surplus(es) are distributed is as follows:

- The greatest surplus(es) is distributed first;
- If there are two or more surpluses that are equal the first to be distributed is the surplus that arose on the earliest count;
- Where this is also equal the surplus to be first distributed is that of the candidate with the highest first preferences;
- If all of these are still equal, the first surplus to be distributed is that of the candidate who was first ahead of the other candidate at the first count at which they were unequal;
- If there was no such count (e.g. first count surplus only to be distributed) then the Returning Officer shall decide by lot\* which surplus to distribute first.

The order in which candidates are eliminated is as follows:

- The candidate with the lowest vote (total original and transferred) is first eliminated;
- Where two or more candidates equally have the lowest vote, the candidate who is first eliminated is that who received the lowest first preference votes;
- Where these are equal, the first candidate to be eliminated is that which was lowest at the first count at which they were unequal;
- Where these are equal (or cannot arise, as in the first count) the Returning Officer can exercise judgement based on a scrutiny of the preferences cast, however if the judgement of the Returning Officer is that they are still equal he/she shall decide by lot\* which of them is to be eliminated first.

Where the votes of the lowest two or more candidates together with the total surpluses to be distributed does not exceed the votes of the next highest candidate, these may all be eliminated together.

\*For the avoidance of any doubt "by lot" means a first preference paper of each equal candidate is placed in a hat and one is drawn out. The remaining paper (NOT the paper that has been drawn out) is the candidate to remain in the election.

## Physical transfer of ballot papers

Where a surplus is to be distributed, the number of second preference (or next highest preference votes if the second preference is already elected or eliminated and so on) is calculated and the ballot papers are placed in bundles by reference to the second (or next highest preference vote as the case may be). Non-transferable votes (if such exists) are placed in a separate bundle. A ballot paper is non-transferable if it does not indicate a preference for a remaining candidate (e.g. there may not be any second or later preference indicated or any such candidate(s) may be already elected or eliminated).

The value of each bundle of votes is calculated by assigning a value to each vote by reference to the proportion of the surplus votes (of the elected candidate whose surplus is being distributed). These bundles (of ballot papers) with the 'adjusted' value written on the top are then physically transferred to the bundle of the appropriate candidate's first and any other transferred votes.

Where a candidate is eliminated their second preference votes (or remaining preferences as appropriate) are transferred to the remaining candidate who is named next highest on their list of preferences. Each of these transferred votes (if original votes or votes already valued at 1,000 from other eliminated candidates) is valued at 1,000 each, exactly the value as if they were first preference votes. This does not apply where the eliminated candidates' votes contain original and transferred "surplus" votes.

The value of each of the transferred “surplus” votes in this case is based on the value allocated at the time of the transfer. The other original votes and preference votes (but not those not containing “surplus” votes- see last paragraph) transferred from other eliminated candidates are valued at 1,000 each.

## Elected without reaching the quota

Where at the end of any count the number of remaining candidates equals the number of vacancies remaining to be filled, they are deemed to be elected even if they have not reached the quota.

Where there is only one vacancy remaining and the highest placed candidate cannot be overtaken by any other remaining candidate (even if the next highest placed candidate were to receive the total value of any undistributed surpluses and the votes of all candidates to be eliminated) then that candidate is deemed to be elected.

## Result sheet

The Returning Officer should complete the result sheet as the election proceeds showing:

- (1) The total number of votes cast;
- (2) The number of spoiled votes;
- (3) The total valid poll;
- (4) The number of seats to be filled;
- (5) The quota;
- (6) The list of candidates and their votes, showing transferred votes etc., at each count.

This result sheet should be made available to all candidates and everyone else with an interest in the outcome of the election (e.g. a copy could be posted in the count center, conference hall, etc.). The Returning Officer will make the result sheet available to the candidates, and respond to any queries they may have, prior to making it available to others with an interest in the election.

## Re-count

The conference election procedures do not specifically provide for re-counts.

However, the Returning Officer may at any time during the count require a re-count or re-check of some or all of the ballot papers if he/she has any reason to be concerned that an error may have been made.

There is no specific provision for candidates to seek a re-count either in part or in total. However, a Returning Officer would be required to have regard to any points made by candidates as to why a full or partial re-count should take place when deciding whether to order such a re-count, (e.g. if a clear error was spotted, where in the judgement of the Returning Officer the votes are close enough for any possible error to have a material effect on any outcome).

It would generally be useful to agree the timescale within which candidates could seek a re-count. This is required for very practical reasons, including that the conduct or outcome of later elections may be dependent on the outcome of the election in dispute, e.g. at union conference the vice president elections are not held until the presidential and treasurer election results are known. The security of the ballot papers is also an important factor if there were delays in holding a re-count. As such, any requests for re-counts should preferably be made before the declaration of the results.

## Fórsa conference election procedures

Rule 19 covers the Divisional Executive and its officers.

The election of the Chairperson or Cathaoirleach is straightforward. A standard PR STV election is conducted, and the winner is elected.

Following that election, any candidates from the winner's constituency for the positions of Vice Chairperson or Leas-Cathaoirleach are excluded from the election and any preferences voted for any such candidate move to the next preference.

April 2023

# Standing Orders Report No.2

This report is a consolidated report including Standing Orders Committee Report No. 1.

## 1. Conference timetable

The foregoing timetable for conference is recommended.

## 2. General standing orders

The foregoing General Standing Orders are recommended.

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

## 3. Motions received

Twenty-nine (29) motions were received by the deadline. Twenty-one (21) are included on the agenda for debate.

## 4. Motions considered to be out of order

Three motions are considered to be out of order, as such, at this stage. The SOC has adjusted the union terminology in some to make them in order. A number of motions were considered by the SOC to be more appropriate to the national conference and this is indicated on the agenda.

## 5. Advisory motions

In accordance with the rules, and until otherwise determined by national conference, each divisional conference shall determine policy on pay, conditions and other matters affecting only the members in the division. However, divisional conferences may also consider other matters provided that they are not matters which are of sole concern to the members of another division or which conflict with policy as previously determined by the union conference.

Decisions of divisional conference in relation to such matters have the status of recommendations to the National Executive who shall decide on any action to be taken.

Where a motion covers a matter that has, or could have, both divisional and central (i.e more than one division) dimensions, it is recommended that unless the substance or text of that motion clearly requires otherwise, it should be presumed that it is intended by the proposers as a matter for action at divisional and not at central level within the union. As such, motions in this category would not be deemed to fall into the category of advice to the NEC. However, such motions cannot be portrayed as deciding anything other than divisional policy on the issues covered.

## 6. Amendments received

Two (2) amendments were received and no amendments were received late. Amendment to Motion three (3) is considered in order and appears on the agenda for debate.

Amendment to Motion twenty-nine (29) received is deemed out of order as it is not presented in the proper format for amendment.

## 7. Composite motions/amendments

There are no composite motions included on the agenda.

## 8. Common debates

There are no motions in common debate included on the agenda.

## 9. Guillotined motions

These will be taken during conference at the end of other sections if time permits, with the balance, if any, of guillotined motions being taken at the end of conference.

It is recommended that guillotined motions be taken in the order they were guillotined, with all guillotined motions in a section being completed before moving to the next set of guillotined motions.

## 10. Emergency motions

Branches are asked to advise the SOC of any emergency motions as soon as possible so that these might be included in a Standing Orders Committee report to conference.

## 11. Withdrawal of motions

Branches are asked to advise the SOC of any motions that they wish to withdraw so that these can be included in a Standing Orders Committee report to conference. Forms are appended to withdraw motions and nominations at the rear of this booklet.

## 12. Officer elections and votes

The outcome of the elections held during the course of Conference will be declared to Conference by Returning Officer Eileen Coman.

## 13. Standing Orders Committee

The Standing Orders Committee for the Services & Enterprises Division are Teresa Kearns and Billy Gallagher. Also in attendance from the National Standing Orders Committee will be Gerry Foley (Vice-Chair), Eileen Coman (Returning Officer), Niamh Jordan and Michael Ross.

## 14. Corrections

Correction - Paragraph 4 of SOC Report No. 1. The deadline for nominations and motions is under Rule 17(v) being the correct Rule for Divisional Conferences.

## 10. Legend on acronyms

As above, in order to preserve the integrity of what was submitted, acronyms and abbreviations are not amended and have been left as was submitted. To assist delegates and branches, a legend of acronyms that may be unfamiliar to them, is submitted below.

CIDs	(Employment) Contracts of Indefinite Duration
DAA	Dublin Airport Authority
DETE	Department of Enterprise Trade and Employment
DPER	Department of Public Expenditure and Reform
Erasmus	The Erasmus Programme ("European Community Action Scheme for the Mobility of University Students") is a European Union (EU) student exchange programme established in 1987
EU	European Union
FEMPI	Financial Emergency Measures in the Public Interest
HSE	Health Services Executive
IAA	Irish Aviation Authority
IALPA	Irish Airline Pilots Association
LEEF	Labour Employer Economic Forum
NEC	National Executive Committee
OSI	Ordnance Survey Ireland
PRSI	Pay Related Social Insurance

Rose Marie Conroy  
Chairperson  
Standing Orders Committee

April 2023

# Motions

## Public policy

### Motion 1 - Recruitment autonomy (Marine New Branch)

This Delegate Conference calls on the incoming Services and Enterprise Divisional Executive to seek autonomy for Semi-State enterprises to manage their own direct recruitment and that the present system of Departmental delegated sanction authority ceases. This will allow non-commercial semi-states focus on Work Force Planning independently without having to get sanction from their parent department for every position. Such a reform would be in line with the rest of the Public Sector and consistent with the unwinding of FEMPI.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 2 - Domestic violence (Services & Enterprises DEC)

This Conference notes the Work Life Balance and Miscellaneous Provisions Bill 2022 is currently before Seanad Éireann, and if enacted, will allow for five days domestic violence leave. Conference welcomes this improvement but recognises that five days is below the international best practice of ten days leave.

This Conference instructs the incoming Divisional Executive to utilise collective bargaining to negotiate ten days domestic violence leave within Services & Enterprises Division employments.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 3 - Cabin Crew Branch

This Delegate Conference calls on the incoming Services and Enterprise Divisional Executive to call on Government and all relevant stakeholders in airline industry (Aer Lingus/DAA etc) to pursue a policy of regionalisation/decentralisation, whereby all employment related to regional connectivity is, as far as practicable located in that region.

#### Amendment

Capitalise Airline and Industry and insert the before airline industry and add the word transport after the word airline.

#### Proposed Amended Motion to read

This Delegate Conference call on the incoming Services & Enterprise Divisional Executive to call on Government and all relevant stakeholders in the airline transport industry (Aer Lingus/DAA etc), to pursue a policy of regionalisation/decentralisation, whereby all employment related to regional connectivity is, as far as practicable located in that region.

Withdrawn  Amended  Carried  Not Carried  Remitted



## Motion 4 – Cabin Crew Branch

This Delegate Conference calls on the incoming Services & Enterprise Divisional Executive to liaise with Government regarding the introduction of recommendations and or legislation on additional annual paid sick leave days with regards to health issues affecting menopausal women in the aviation industry. There is an urgent need for this very real issue to be recognised by both government and employers. The symptoms of menopause in some women can be severe and may necessitate the taking of additional sick leave, which may leave the women at risk of being in breach of the employer's sick leave policy through no fault of their own.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 5 – Health & Safety Authority Professional Branch

Conference notes the prevalence of the use of external management consultants within both commercial and non-commercial state agencies. Conference calls on the Services & Enterprises Divisional Executive Committee to carry out a comprehensive review of the use of management consultants within these agencies. Conference calls that the review examine the following issues:

- Financial spend in Services & Enterprises Division employments on the use of management consultant:s
- Review of nature of work carried out by management consultants.
- Review of decision-making process of the management of state agencies when deciding to carry out such work internally or externally.

Conference calls upon the Committee to develop a strategy arising from this review to retrench work from the management consultancies back to staff within employments in the Service & Enterprises Division.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Terms and conditions of employment

### Motion 6 – Bogus self employment (Services & Enterprises DEC)

This Conference notes that bogus self-employment is predominant in the Services & Enterprises Division and commends IALPA, the Divisional Executive and FÓRSA in their efforts to tackle this issue for members, particularly in the aviation sector.

Conference further notes the efforts of the Irish Congress of Trade Unions in advancing this issue via the DETE working group for the determination of employment status.

This Conference instructs the incoming Divisional Executive to continue to advance this matter and tackle bogus self-employment in Services & Enterprises Division employments.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 7 – Collective bargaining (Services & Enterprises DEC)

This Conference welcomes the report of the LEEF High-Level Working Group on Collective Bargaining, and the EU developments in relation to collective bargaining.

Conference supports the efforts of Services & Enterprises Division branches, the Divisional Executive and Fórsa in their efforts to negotiate collective bargaining agreements with Services & Enterprises Division employments.

This Conference instructs the incoming Divisional Executive to utilise the recent developments at government level to advance collective bargaining within Services & Enterprises Division employments.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 8 – Precarious work (Services & Enterprises DEC)

This Delegate Conference notes the detrimental impact of precarious work arrangements in Services & Enterprises Division employments. In particular, Conference notes the upcoming 'Automatic Enrolment Retirement Savings System' states that 'eligible employees' will be automatically enrolled, which will cause concern for Fórsa Services & Enterprises members who are in precarious work and may not be deemed as employees.

This Conference instructs the incoming Divisional Executive to continue to oppose all unnecessary forms of precarious work in Services & Enterprises Division employments and support members in precarious work to be defined as employees.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 9 – Restructuring (Services & Enterprises DEC)

This Conference notes the significant amount of restructuring occurring in Services & Enterprises Division employments. Conference commends the efforts of the OSI Branch, and other branches, who have negotiated a protocol agreement for non-pay related matters, such as reporting lines.

This Conference instructs the incoming Divisional Executive to negotiate protocol agreements for non-pay related matters to further-protect members in Services & Enterprises Division employments that are restructuring.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 10 – EU Air Services Regulation 1008/2008 (Services & Enterprises DEC)

This Conference notes that the EU proposes to review the EU Air Services Regulation 1008/2008 and commends the efforts of IALPA in advocating to ensure the regulation is amended to improve protections for aviation workers in Ireland, and not to reduce protections.

This Conference instructs the incoming Divisional Executive to continue to advance this matter and campaign to highlight the importance of improving this regulation for aviation workers in Ireland.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Pay, pensions and allowances

### Motion 11 – Job evaluation scheme (Marine New Branch)

This Conference instructs the incoming Services and Enterprises Executive, with the assistance of the NEC to seek from DPER to put in place across the public service a job evaluation scheme, similar to the scheme currently being offered to HSE and IAA staff. This scheme will allow each member's role to be independently evaluated and, if appropriate, regraded upwards where the member is routinely taking on additional tasks.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 12 – Local Enterprises Branch

This Conference notes that staff across many local development companies have not yet had contractual pay increments restored following their suspension over 10 years ago.

We also note that many companies have failed to pay sufficient cost of living salary increases to their staff.

This Conference instructs the incoming Divisional Executive Committee to use all resources necessary to ensure that all staff in local development companies are restored to incremental pay scales and receive the appropriate cost of living salary increases.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 13 – State Enterprises No. 1 Branch

That this Conference asks the incoming Divisional Executive to recognise and support the ongoing work of the Division so that members who are also members of the North-South Pension Scheme will have an opportunity to review the category of their pension membership in the context of the remedy applied after the McCloud Judgement in 2018.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 14 – Eir Executive Branch

Conference instructs the incoming Executive to negotiate with eir to have the working from home tax free allowance of €3.50 paid to all staff that can avail of this facility.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 15 – Eir Executive Branch

In light of the immense importance of the health and wellbeing of staff and in order to reduce staff churn, Conference instructs the incoming Executive to negotiate with eir a fully paid health insurance plan for all employees.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 16 – Eir Executive Branch

Conference instructs the incoming Executive to immediately re-engage with eir on a special cost of living pay increase to compensate for the high inflation rate for all staff who were covered in the current pay deal.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Motion 17 – Eir Executive Branch

Conference instructs the incoming executive to seek an enhanced pension benefit between age 60 and the qualifying age for a contributory state pension for those members of staff that are also members of the eircom Defined Benefit Pension Scheme but paying full-rate PRSI contributions. As full-rate PRSI contributors, their pensionable salary is reduced by twice the value of the contributory state pension as per scheme rules. However, this leaves a shortfall for retirees between age 60 and the qualifying age for a contributory state pension.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Union strategy

### Motion 18 – Divisional strategy (Services & Enterprises DEC)

This Conference commends the Services & Enterprises Divisional Strategy and the efforts from Branches, the Executive, activists and staff to embed the strategy into the work of the Division.

This Conference endorses the Divisional Strategy and instructs the incoming Divisional Executive to continue to monitor and review the strategy on a regular basis.

Withdrawn  Amended  Carried  Not Carried  Remitted

### Motion 19 – Membership consolidation (Services & Enterprises DEC)

This Conference recognises the positive impact membership consolidation has had for some Services & Enterprises Division Branches and employments. This has assisted in identifying density, increasing membership, improving communications, and increasing leverage for members in certain employments.

This Conference instructs the incoming Divisional Executive to support branches to consolidate membership where a branch (or a number of branches) has identified that they would like to do this, or where activists have identified to the Executive that they would like support.

Withdrawn  Amended  Carried  Not Carried  Remitted

## Other internal matters

### Motion 20 – Services & Enterprises Divisional Executive Numbers (Services & Enterprises DEC)

This Conference notes Appendix C - Transitional Provisions, within the Fórsa Rule Book afforded the Services & Enterprises Divisional Executive 17 ordinary members until the conclusion of the Biennial Divisional Conference 2023.

This has afforded the Divisional Executive to include a broad range of activists from different types of employment and has been instrumental in broadening the diversity of representation at the divisional level. This Conference instructs the incoming Divisional Executive to advocate for 17 ordinary members for the Services & Enterprises Divisional Executive at national level, so we can retain this diversity and broaden our representation.

Withdrawn     Amended     Carried     Not Carried     Remitted

### Motion 21 – RSA Executive Branch

This Conference calls on the incoming Divisional executive to ratify the transfer of clerical officers working in the Road Safety Authority to the Executive Branch of the Road Safety Authority.

Withdrawn     Amended     Carried     Not Carried     Remitted

# APPENDIX 1

## Motions deemed to be Out of Order

### **Motion 22 – Improvements to membership records (Marine New Branch)**

This Conference instructs the incoming Services and Enterprises Executive, to request that Fórsa head office improves and streamline memberships processing. Some existing members are miscategorised into incorrect divisions and new members are reporting delays with processing online memberships. In addition, Branch Executives and local representatives need to be informed in a timely manner of new or lapsed members.

### **Motion 23 – Cabin Crew Branch**

That this Conference resolves to rethink the premise of all future negotiations of pay deals. While seeking to increase all levels of pay, Conference will be more ambitious in aiming to close the gap between those who are lower paid and those who are higher paid. Conference notes that pay deals that seek to apply percentage increases further exacerbate pay inequality.

### **Motion 24 – State Enterprises No. 1 Branch**

That this conference asks the incoming Divisional Executive to recognise and support the ongoing progress of infrastructure development across Fórsa (not limited to the Services & Enterprise Division) to provide a focus for addressing issues specific to North-South employments.

# APPENDIX 2

## Motions advisory to the National Executive Committee

### Motion 25 - Marine New Branch

This Delegate Conference calls on the incoming Services and Enterprise Divisional Executive to address the concerns surrounding members who are employed on Specified (Fixed) Purpose contracts, when in fact these should be Contracts of Indefinite Duration. While third party referrals under the Fixed Term work Act 2003 may help resolve these contractual issues, members should be spared the laborious and often lengthy procedural processes required. Many members have travelled on lesser fixed term/purpose contracts for a number of years with employers availing of loop-holes to stand over same. Fórsa seeks that staff on Specified (Fixed) Purpose Contracts in roles that are and will be in continuance long term are awarded CIDs.

### Motion 26 - Marine New Branch

This Conference instructs the incoming Services and Enterprises Executive, with the assistance of the NEC, to seek from DPER, the restoration of flexitime for workers availing of blended working across the civil and public service, so that flexitime can be accrued while working remotely in all organisations. The majority of members already have a proven track record of productive working from home during the pandemic. It is an insult to members that organisations are now not trusting members to continue working from home, but with more flexible hours. In addition, members have been more than patient to wait for so called pilot studies etc which concluded in 2022.

### Motion 27 - Marine New Branch

This Delegate Conference instructs the incoming Services and Enterprises Divisional Executive, with the assistance of the NEC, to request from DPER that the acting up continuous period of 84 days (\*circular 65/2018) before any payment is received should be reduced to the 2016 period of six weeks.

*\*Circular 65/2018*

*"Any acting-up allowance will not be payable unless the acting-up period exceeds a continuous period of 84 days. This means that the person who is appointed to act up in a sanctioned acting-up position will not receive payment until day 85 of their acting up period has been reached."*

## Motion 28 - Expansion of the Erasmus programme for civil servants to include public servants (Marine New Branch)

This Conference instructs the incoming Services and Enterprises Executive, with the assistance of the NEC to call on the European Commission to expand the current EU-wide Erasmus scheme that offers civil servants from EU Member States professional experience in another Member State to also include public servants in this scheme.

## Motion 29 - CE Supervisors Branch

That this Conference recognise the European Commission's prediction in February 2022 that Irish inflation would rise by 4.6% however this prediction has been completely underestimated, we support the unions campaigns to negotiate realistic pay increases to reflect the rise in the cost of living.

That this conference recognise that some of our members have reached the top of their limited pay scales and therefore have no opportunity for pay progression, we call on the union to support in these cases the extension of scales and introduction of long service payments for these members

That this conference recognise the need for clarification from government and guidance from the union around the pending introduction of auto enrolment in January 2024.



# APPENDIX 3

## Nominations received midday on Wednesday 15th February 2023

### Cathaoirleach/Chairperson (1)

Leonard Sheils  
An Post

### Nominating Branch

An Post  
Cabin Crew

### Leas Cathaoirleach/Vice-Chairperson (1) Nominating Branch

Patricia O'Sullivan  
Cabin Crew

Cabin Crew  
CE Supervisors

Leonard Sheils  
An Post

An Post

### Divisional Executive Committee (13)

Grace Conlon  
Teagasc General

### Nominating Branch

An Bord Pleanála  
Teagasc General  
Eir Clerical  
Eir Executive  
Local Enterprises  
Fáilte Ireland  
ATO B  
CE Supervisors

Cormac Craven  
Marine New Branch

Marine New Branch

Tony Dawson  
Fáilte Ireland

Teagasc General  
Eir Executive  
Eir Clerical  
Fáilte Ireland  
ATO B

## Divisional Executive Committee (13) (continued)

Geraldine Hickey  
IAA Executive

Ciaran Kissane  
State Enterprises No.1

Mark Masterson  
An Bord Pleanála

Brian Morris  
Health & Safety Authority Professional

Niall Mullally  
Cabin Crew

Dermot Mullen  
Cabin Crew

Andy Mullins  
Air Traffic Control

Ken Nolan  
CE Supervisors

James O'Loughlin  
ATOB

David Orford  
Local Enterprises

Patricia O'Sullivan  
Cabin Crew

Ian Patel  
Eir Executive

Leonard Sheils  
An Post

## Nominating Branch

Eir Clerical  
Eir Executive  
ATOB  
IAA Executive Grades

State Enterprises No.1

An Bord Pleanála

Health & Safety Authority Professional

Teagasc General

Cabin Crew

Air Traffic Control

CE Supervisors

Teagasc General  
Eir Clerical  
Eir Executive  
Fáilte Ireland  
ATOB  
CE Supervisors

Local Enterprises

Cabin Crew

Eir Clerical  
Teagasc General  
Eir Executive  
IAA Executive Grades  
CE Supervisors Branch

An Post  
Eir Clerical  
Eir Executive  
IAA Executive Grades

## Third Divisional Representative on NEC (1)

Leonard Sheils  
An Post

## Nominating Branch

An Post

## Standing Orders Committee (2)

Billy Gallagher  
RSA Professional

## Nominating Branch

Teagasc General  
Eir Clerical  
Eir Executive  
CE Supervisors

Teresa Kearns  
State Enterprises No.1

State Enterprises No.1

# APPENDIX 4

## Motion, amendment and nomination withdrawal forms

# Fórsa services and enterprises conference 2023

## Motion, amendment and nomination withdrawal form

.....Branch wishes to withdraw:

[Please use BLOCK capitals]

Motion number	<input type="text"/>	Amendment to motion	<input type="text"/>
Motion number	<input type="text"/>	Amendment to motion	<input type="text"/>
Motion number	<input type="text"/>	Amendment to motion	<input type="text"/>
Motion number	<input type="text"/>	Amendment to motion	<input type="text"/>
Motion number	<input type="text"/>	Amendment to motion	<input type="text"/>

Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....
Election .....	Nomination .....

Name of principal delegate .....

Signature of principal delegate .....

Date ..... Time .....

SOC signature ..... Date ..... Time .....





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 [Fórsa trade union](https://www.soundcloud.com/forsa-trade-union)

 [forsa\\_union](https://www.instagram.com/forsa_union)

 [forsa.ie](https://plus.google.com/forsa.ie)

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# FORSA