



*Civil Service General Council
Staff Panel*

ANNUAL REPORT 2022

EUGENE DUNNE

CIVIL SERVICE GENERAL COUNCIL

STAFF PANEL



Contents

1. Review of 2022.
2. New Staff Panel Claims submitted to General Council 2022.
3. Main issue addressed at General Council 2022.
4. Disciplinary Appeals Board.
5. C&A Adjudication & Arbitration.
6. Pensions/ Superannuation.
7. Travel and Subsistence .
8. Annual Leave.
9. Blended Working Framework.
10. Civil Service Employee Assistance Service.
11. Appendix 1 Adjudications & Arbitrations 2022.
12. Appendix 2 T&S. Agreed Reports 2022
- 14 Appendix 3 Blended Working Agreed & Disagreed Reports 2022
14. Appendix 4 Civil Service Numbers.

1. Review of 2022

The early part of 2022 was dominated by the exit from Covid 19. The current position is contained in this linked update.

<https://nss.gov.ie/en/publications/information-on-covid-19/#:~:text=Duration%20of%20leave,and%20by%20ongoing%20medical%20certification.>

Agreement of a Blended Working Framework Document and consequent to this, an arbitrated finding on Flexi Time accrual, which addressed the issues which emerged as a result of varied patterns of attendance.

The need to adjust the Building Momentum Agreement under the provisions at 5.7 of that agreement, in recognition of the fundamental changes to the inflation rates which underpinned that agreement. This was agreed in October 2022
Details and link below.

Pay increase of 3% backdated to 2 February 2022

- Pay increase of 1% backdated to 1 October 2022

The agreement also contains two additional pay increases in 2023:

- Pay increase of 2% from 1 March 2023
- Pay increase of 1.5% or €750 (whichever is greater) from 1 October 2023

<https://www.gov.ie/pdf/?file=https://assets.gov.ie/233345/c931496b-db39-4bf4-ad71-e30e62ba5cd0.pdf#page=1>

The Staff panel collectively expressed its grave concerns regarding the perceived inadequacies of the of the C&A structures and in the context of of one Public Service model.

The Staff Panel reiterated in the strongest terms its desire that certain aspects of the workers rights catered for by structures available under the auspices of the WRC, should, as previously agreed, be made available to workers in the Civil Service.

The Civil Service Staff Panel lodged a document on this and awaits a response

There were 11 meeting of the Civil Service General Council Staff Panel in 2022 and 8 meetings of General council. The Staff Panel collectively expressed its preference to return to in person meeting of General council in line with changes to covid guidance, thus far this has not been acceded to by management.

There were 6 meeting of the subcommittee of Blended Working/Flexi Accrual
1 meeting of the Pensions / Subcommittee. Agenda items on Equality and diversity were tabled, A Red weather Protocol was agreed and there were 2 meetings on the issue of AL and 1 meeting addressing the issue of the carryover of AL in the context of Covid 19. T&S was adjusted in line with increases in costs.

2. Claims

January

1. Claim by Fórsa Trade Union

This is a claim by Fórsa seeking the introduction of a flexi time credit to allow civil servants to attend Irish Blood Transfusion Clinic locations to donate blood.

Basis of claim.

This claim seeks to provide a flexi credit to staff members partaking in a very important social duty. All the more important at a time of crisis in our health service. Cost of Claim Any cost attached to this claim would be minimal.

2. Claim by Fórsa Trade Union This is a claim seeking the extension of the age limit within which a parent can avail of parental leave. Currently parental leave is only available up to the child's thirteenth birthday. This claim seeks an adjustment to the fifteenth birthday.

3. Main issues addressed at General council in 2022

January

Annual Leave carry over.

SS. The staff Side emphasised the difficulties being experienced by members, in the context of Covid 19, relating to accrued Annual Leave and sought an extension of the temporary exemption from the requirement take all leave in the 3rd year. The Staff Side stated that significant pressures would be put on staff and managements in Departments, if the requirement to take accrued AL was now enforced. General Council Subcommittee sought as a matter of urgency.

OS. Extensive discussion on this had taken place with line departments and the Civil service Management Board would meet on Friday to define its position. The provisions of the Working Time act were cited as a rationale for the decision by management to terminate the current Covid related dispensation. The termination had been conveyed by Circular to all Staff and Unions in July 2021. Agreement to the requested Subcommittee was extended.

The non-application of the restoration of Overtime rates to Services Grades from July 2021

SS. It has been reported that the reversion to pre 2014 Overtime Rates as agreed, had not been implemented in some departments. DSP, Department of Agriculture and the CSO were cited as examples. This related to Service Grades and the 1 hour sacrifice which applied to them. Management were asked to confirm with line Department that the required adjustments are being applied.

OS. Confirmation of the requirement to apply the provisions as agreed was accepted. Discussion to follow with Forsa.

Sunday Premium

SS. Pension contribution are and have been taken from these payments, both new a historically. The 1 of January 2022 does not reflect this reality, this must be addressed.

Difficulties have arisen establishing who in fact were eligible and making payments. Meeting agreed.

NSSO Union Representations

The staff Side expressed its concerns regarding the need for prior written consent from members being supplied to the NSSO, before representations from Unions on their behalf will be accepted. Union need access on behalf of members and this impediment should be addressed.

OS to revert

Blended Working

SS. The Staff Side expressed its concerns that following the pausing of talks in November 2021 no progress has been made in addressing this issue.

The Staff side called for the resumption of these talks as a matter of urgency.

OS. The Civil Service Management Board will meet shortly as decide its position of this matter.

The Official Side will make contact on this matter.

Long Covid

SS. The Staff Side expressed its concerns that problematic emergence of Long Covid side effects have not yet been explicitly addressed, in the context of the Critical Illness Protocols.

OS. To talk off line.

February.

Introduction of a flexi time credit for civil servants to attend blood donation.

This Forsa Claim stems its belief that the public interest is served by employers facilitating the participation of staff in contributing to the common good. Staff should not be at a loss as a result of their altruism. This had been facilitated in areas such as Divorce proceedings.

OS. While the issue of the common good was accepted, misgiving were expressed regarding the particularity of this over other good causes, issues of exclusion might arise involving those unable to participate. Informal local arrangement were favoured over a particular rules based system.

OS to consider and revert.

Extension of parental leave from 13th to 15th birthday.

Forsa referenced circular 13/201, administrative arrangement had been introduced to allow extension to the 13th year. An extension of this would spread the availability and decrease pressures on management and staff.

OS. No plans existed to address this, the capacity of the OS to process this was not currently available.

The policy in place gave scope for an extension of 6 months on a needs based application.

OS the revert

Filling of the post of Adjudicator

The issue of the filling of the post of Adjudicator was again raised. seven months had elapsed and the position had not been filled. Options had been put forward by the Staff Side, which have not found favour with management. A one year extension and shared authority with two nominees in place was the latest iteration offered. the impact on the operation of the C&A process was becoming apparent, backlogs in cases were mounting.

OS. The workability of this was questioned, no counter proposal was offered, discussion to continue.

The intrusion of the Civil Service management Board into the negotiation of the proposed Blended Working Framework Document and the consequent hiatus which followed, was raised by the Staff Side.

This crucial measure had been delayed by 3 months as a result and the effects were still being experienced. The IR implications of this were raised. Line Departments were, in this instance, presenting positions adopted by the Board as "agreements" when they were not.

The Staff Side asked whether its concerns on this had been, as requested, conveyed directly to the CSMB.

No confirmation of this was forthcoming, no commitment was extended that they would be informed.

The OS however noted the Staff Side concerns.

April.

The provision of psychological support to staff across the Civil Service.

A case was made that it would be beneficial to Staff if they had recourse to Psychological supports, those working in the Civil Service were exposed on a regular basis to traumatic situations and supports were required.

Management should explore this issue.

OS. No plans to do this exist. The CSEAS do however provide supports.

A note from the Staff Side required.

The issue of On call allowances was raised by Forsa. Issue to be expanded upon offline.

The issue of 5-9 child Care raised by Forsa DCYA. For noting.

May.

Update on previous claim on parental leave.

The staff side indicated that pressure for recognition that an increase in the age limit for children to which Parental Leave applies was building and as such this formal claim was lodge. failing agreement a formal record of disagreement will be sought.

OS. there are no plans to extend the age limits that currently exist. Flexibilities do exist on a case by case basis. there are however ongoing discussions on leave.

SS The staff side will revert to the June meeting of General Council.

Update on previous claim for time off to donate blood.

OS. Reservations were expressed by the official side regarding the production of a binding central policy on time off for blood donation. A request for any details of local areas where problem have arisen was put forward. the perception of the OS was that this important humanitarian effort was being facilitated.

SS. A note to managers would suffice to remove any ambiguity which could surround the humanitarian effort. Details of problem areas would be supplied.

Delays in the transfer of Union Subs Standing Items.

Item to be removed with a view to more detailed information being supplied.

Outstanding issues regarding the finalisation of Flexi accrual documents were raised.

OS the engage on final documents.

b) The reversion to pre Headington Road hours, as agreed, was raised and the issuance of a formal circular requested.

OS A New draft will issue to the Staff Side for observations.

June.

T&S.

The staff Side outline its concern regarding the escalating cost of accommodation, subsistence and mileage, in the context of ongoing inflationary pressures in these areas and sought appropriate increases to reflect this.

The Official Side noted the SP position and indicated that papers on this were currently with the Minister, the details currently utilized to determine the cited costs, has been shared again with the Staff Side, discussions are ongoing and a position paper will be circulated.

FGE Footwear allowance.

The Staff Side sought a change to the implantation of the payment of this allowance, In line with other uniformed grade this allowance had been paid annually, this changed in 2012 in the period of financial crises, it was now paid on a bi annual basis. Some department were unaware of the allowance and the staff side requested that HR departments be notified again of this allowance.

The Official side agreed to talk on this and agreed to update line departments on the allowance.

Update on Blended Working Standing Items.

Concerns have arisen regarding the implementation of the agreed framework on Blended working by certain line Departments, in particular the interpretation of Dpers letter to HR managers was a cause for concern. DSP in particular have, in the view of the Staff Side, misinterpreted the findings of the Arbitration Board. Consistency of application is paramount, the 2 options contained in the Finding and the Pilot, should not be run in tandem in a given Department.

Concerns were raised regarding the fitness for purpose of systems in the Nsso with regard to the processing of various bespoke pilots. this was a matter for the General Council. a process for accessing the efficacy of the pilots had been agreed and a time line for this was required.

The Official Side agreed that this was a matter for the Council, the concerns on implementation of the pilots and the interpretation of the wording of the Arbitration Report was noted, it was accepted that there were systems problems in the NSSO, there had been "robust engagement" with the NSSO on this. An update on this will be forwarded.

An indicative date for the review of the pilots was indicated, but not set, September was the target date.

A Subcommittee to meet on this

Additional issues

Questions regarding the implementation of the finding of the Arbitration Board with regard to Assistant Legal Advisors in DFA was raised. the OS indicated the adjustment in pay were in hand. Concerns regarding a delay in the counter statement with regard to the process of SO & EO amalgamation was raised. the OS will look at this.

September

The application of the Overtime Devisor in the Civil Service.

Staff Side

The Staff side referenced the report of the Independent Body on hours and the fact that this body left it to the parties to address the issue of bringing the devisor used in the Civil Service into line with the actual hours now worked in the Civil Service.

The Independent Body had recommended that hours revert from the Haddington Road hours of 43.25, to the pre Haddington road hours of 41, this has now been accepted and implemented.

In this case this means the Civil Service management and the Staff Side.

The Staff Side wished, in accordance with the recommendation that the "parties enter into discussion on this", to meet with management on the Official Side to address this issue.

Official Side

The Official Side rejected the proposal to enter into talks on this and stated that this was not a matter for General Council to decide. Their position was emphatic. They stated that this should have been raised at the national pay talks and that this was now viewed as a new cost increasing measure. As such it was not appropriate. It was reiterated that this could only be discussed by the parties to the national agreement.

Staff Side

This interpretation was not accepted and the issue would be revisited.

WRC

Official Side

Following on from bi lateral discussion and correspondence between Forsa and the Official Side, an updated document on possible structures and methodologies, dealing with a possible approach to a transfer of certain aspects of the C&A scheme to the WRC, had been received from Forsa, The Official side will review this document.

Staff Side

A document from the Official Side on the submission was requested.

Additional Issues

The following issues were raised, Pay issues relevant to Border management Units, ongoing issues regarding the amalgamation of SOs and delay to counterstatement for arbitration and a jump increments issue. This will be addressed in bilateral correspondence.

October

Delays in the processing of referrals to Adjudication & Arbitration.

The Staff Side outlined its grave concern, regarding the attenuated delays, experienced by the Staff Side in getting any response to submissions for Adjudication & Arbitration, this in some cases can run into years.

No time lines exist for counter statements and the Side view this as a defect in the internal IR system which must be addressed.

The OS has had discussions with Forsa regarding this, it has also contacted the chair of the Arbitration Board and the Adjudicator regarding this. The issue of review of the internal IR system was noted.

Menopause Awareness in the Civil Service.

The Staff Side stated that this issue along with menstrual issues, are being raised across the greater Public service and that the Staff Side viewed the General Council of the Civil Service, as the Public sector leaders, to be at the heart of developing policies that both comprehend and address these issues.

As such the Staff Side wished to convene a subcommittee as soon as possible.

The Official side indicated that the CSEAS had established a working group reviewing supports and responses to this issue, a new PO was to be appointed with this as one area of responsibility.

Agreement to the establishment of a sub committee was expressed.

Delays in convening meetings of Subcommittee on Equality & Diversity Standing Items.

The Staff side expressed its frustration that despite repeated correspondence from the Staff Side, no meeting of this agreed committee had been convened. Again as the General council of the Civil Service has a lead role in developing agreed policy positions in these areas, consultation was mandatory. The Official Side acknowledged the ongoing contact and agreed again to convene this committee.

Reduction of the divisor for the calculation of Overtime from 43.25 to 41 hours.

The Staff side again raised the issue of the refusal of management to address the reduction of the divisor for the calculation of Overtime from 43.25 to 41 hours, in line with the procedure of engagement in the Report on the Review of Hours. The Staff Side stated that after a referral of this matter to PSAG by the Staff Side Secretary, PSAG had reverted this matter to the Civil Service General Council.

On this Basis the staff side sought the immediate establishment of a subcommittee to address this. The Official Side agreed to now establish this committee.

In Person meeting of GC

The Staff side stated that it had a preference for in person meetings of the Civil Service General Council meetings, going forward.

The Official Side reference its preference to apply the principals of the "Digital First Agenda", but would consider the staff side preference.

Delays in applying building Momentum increases

Following the recent agreed extension to Building Momentum, the Staff Side concerns were raised that overtime payment based on this agreement and backdated to February 22 have not been paid.

The Official Side acknowledged this, reference the need for manual adjustment of individual underpayment and agreed to pursue this with the NSSO.

Christmas Overtime payments

The Staff Side asked for the reissue of a circular dealing with derogations from delays in the payment of overtime over the Christmas period, if not up to a 2 month delay could arise in these payments causing hardship to staff.

The Official Side agreed to do this.

The Staff side again raised the issue of delay in payments to those in Boarder Management Units, ongoing correspondence has as yet yielded no results.

The Official side conceded this and agreed to progress this issue.

November

Long Covid in the context of the Critical Illness Provisions of the Civil Service Sick Leave Policy.

It was the Staff Side's understanding, stemming from previous engagement on this subject, that illnesses following Covid 19 and attributed to the effects of that disease, would be comprehended under the provisions of the Critical Illness Policy.

There is in fact no consistency across civil service employments in the application of this principal. The staff side asked that a circular be issued to line employers regarding this outlining the position on Long Covid and its treatment within the context of the Civil Service Critical Illness Policy.

No one from the Official side Sick Leave area was available to attend and as such no meaningful engagement on this issue was forthcoming.

It was agreed that correspondence would issue would issue.

Transition of certain aspects of the C&A Scheme to the WRC

The Staff Side reiterated its position that there had been an inordinate delay in processing the transition of certain element of the C&A scheme to the WRC. For over a decade an agreement had been in place between the staff side and the Official Side to create a gateway for civil service workers to full access to the WRC.

The staff Side noted that while the C&A scheme had served a purpose, it was a model based on 1952 norms. Civil servants as workers demanded the rights which were now available to their comparators in the Public Service and to all other workers in the state.

To this end the staff side had submitted a document in October outlining a new possible model which would facilitate this.

Under the terms of the C&A Scheme there was a requirement that management respond within two months, no response has been received.

In particular the staff side again drew attention to the near paralysis in the C&A Adjudication & Arbitration process, and the lack of engagement with established subgroups of GC on Annual leave, Equality & Diversity and like issues of importance to workers in the Civil Service. Despite copious correspondence and attempts by the staff side to convene meeting, these had not taken place. The issuance of circulars and surveys of staff, without consultation with the staff side was a grave cause of concern, Flexi accrual was cited. The weakness of the civil service oversight body being in essence the management side was cited.

It was the Staff Side view that the current system was non functional.

In the context of this non functionality the Staff Side expressed its collective intent to withdraw from General Council.

The Official Side stated that these were very complex and delicate issues, that the details and implications of such a fundamental change had to be worked through and the Minister needed to consider this and decide.

It was up to the Unions to decide to participate in the agreed structures or not. The paper submitted was being reviewed. The agreed subcommittees can be convened as a matter of urgency, good industrial relations are required, an interim solution to the cited problems with the current system can be found. these issues can be taken "off line".

The staff Side stated that it would not accept an open ended delay and cited the Forsa Conference in May 2023 as a deadline for resolution. The civil Service would now convene to discuss this, in the context off the Official Side position and will revert.

BMU

The Staff Side raised the ongoing problems in the Border Management Units.

As a product of exigencies, management had promoted and supported a mechanism to tailor hours of attendance in that area.

This had been rejected by Dper. Not to accept this agreed plan of action would be cost increasing, as cover must be provided.

The Official Side confirmed their position that that current rosters should be redesigned to comprehend business needs.

Staff Side to revert to members.

Domestic violence

The staff Panel flagged the issue of domestic violence in the context of upcoming legislation.

Equality & Diversity

Agenda items: Recruitment' – examination of data on successful candidates in competitions, training for interview boards & details of equality proofing measures.

Disability' – request for full data on numbers employed, training & career opportunities and accessibility of workplaces.

Gender- examination of data on pay rates, equal pay audits, atypical working arrangements & promoting advancement to senior & high profile roles.

Equality & Diversity Action Plan' – to bring together all the different policy strands, standards & targets. 'Nationality/Race/Ethnicity'.

Health & Safety at Work. Pay Systems' and 'Equality & Diversity Training.

Paid domestic violence leave.

Traveller internships.

Data

1. A breakdown of the number of male and female employees in the Civil Service.
2. The number of males and females employed in each Government Department.

3. The numbers of males and females per Grade employed in each Government Department.
 4. The number by gender participating in promotional competitions
 5. The number by gender offered promotion in each of these promotional competitions.
- Diversify
6. The number of those with a declared disability employed in the Civil Service by grade
 7. A breakdown by Department of these employees by Grade.
 8. A breakdown of these employees by gender.
 9. A breakdown of those with declared disabilities participating in promotional competitions.
 10. The number of those with declared disabilities offered promotion in those competitions.
 11. Data on self declared ethnicity and socio economic background.

Annual Leave

The Staff Side expressed its concern that no progress had been made on formulating necessary adjustments to the method of dealing with carry over leave, this problem has been apparent for some time and the staff side sought to progress this.

The Official Side stated that they were in contact with line employers, they offered to meet on this.

NSSO

The Staff Side raised its concerns regarding substantial delays in the payment of the increases contained in the extension to Building Momentum. in particular this affected those on off point pay rates. pensioners and those on promotion or allowances. Some progress has been made.

The Official Side acknowledged the delays, outlined the complexity of manual calculation of non standard pay, referenced correspondence on this with the Staff Side Secretary and confirmed the availability of staff in NSSO to deal with issues that may arise.

4. Disciplinary Appeals 2022. Anonymised

| | |
|---|---|
| Number of disciplinary cases heard in 2022 | 5 |
| Number of Disciplinary cases submitted but not heard/outstanding 2022 | 0 |
| Cases submitted but withdrawn | 1 |
| Appeal outcomes | Sanction upheld 3 Sanction partially upheld 1 Sanction not upheld 0 Sanction TBC 1 |
| Departments/Offices where appeals were lodged | Housing 1 Dper 1 Revenue 1 DSP 3 Tourism 2 |
| Probationers (Reversions) | |
| Number of appeals heard 2022 | 5 |
| Number outstanding | 3 |
| Number withdrawn | 1 |

| | |
|--------------------------------|---|
| Appeal Outcome | Sanction upheld 2 Sanction Partially upheld 1 Sanction not upheld 1 Sanction TBC 1 |
| Department/Office | Defence 1 Finance 1 DFA 3 Revenue 2 Tourism 2 |
| Outstanding appeals, not heard | Finance 1 DFA 2 |
| Appeals withdrawn | Revenue 1 |

5. C&A Adjudication and Arbitration 2022

Adjudication cases 2022

1. Civil Service Adjudication Finding Parties:

FORSA and Department of Agriculture, Food & Marine Issue:

Claim for compensation on behalf of Technical Agricultural Officers (TAOs) who are assigned as Vaccine Technical Team Coordinators (VTTCs) on the Badger Vaccination Pr

Arbitration cases 2022

1. REPORT OF THE CIVIL SERVICE ARBITRATION BOARD IN RESPECT OF A DISPUTE BETWEEN THE CIVIL SERVICE STAFF PANEL AND THE DEPARTMENT OF PUBLIC EXPENDITURE & REFORM REGARDING THE STRUCTURE OF FLEXTIME ACCRUAL PILOTING.

SCHEME OF CONCILIATION AND ARBITRATION FOR THE CIVIL SERVICE CLAIM.

The Board has been asked to determine a dispute between the Civil Service Staff Panel (Staff Panel) and the Department of Public Expenditure & Reform (DPER), concerning the structure of Flexitime Accrual Piloting.

TERMS OF REFERENCE The claim was submitted to the Arbitration Board in accordance with the provisions of the Scheme of Conciliation and Arbitration (C&A Scheme) for the Civil Service. The claim was considered by the Arbitration Board on 22/03/2022 and the finding was given on 06/04/2022.

2. REPORT OF THE CIVIL SERVICE ARBITRATION BOARD IN RESPECT OF A DISPUTE BETWEEN FÓRSA AND THE DEPARTMENT OF SOCIAL PROTECTION REGARDING THE SHIFT PATTERN FOR STAFF WORKING IN ISD OPERATIONS.

SCHEME OF CONCILIATION AND ARBITRATION FOR THE CIVIL SERVICE CLAIM

The Board has been asked to determine a dispute between Fórsa and the Department of Social Protection (DSP), concerning the shift pattern for staff working in the ISD Operations department. The claim is for this cohort of staff to be allowed continue with the current 12 hour roster. TERMS OF REFERENCE The claim was submitted to the Arbitration Board in accordance with the provisions of the Scheme of Conciliation and Arbitration (C&A Scheme) for the Civil Service. The claim was considered by the Arbitration Board on 24/01/2022 and the finding was given on 31/01/2022.

3. REPORT OF THE CIVIL SERVICE ARBITRATION BOARD IN RESPECT OF A DISPUTE BETWEEN FÓRSA AND THE DEPARTMENT OF PUBLIC EXPENDITURE & REFORM REGARDING PAY AND THE ASSISTANT LEGAL ADVISOR GRADE IN THE DEPARTMENT OF FOREIGN AFFAIRS AND TRADE.

SCHEME OF CONCILIATION AND ARBITRATION FOR THE CIVIL SERVICE CLAIM

The Board has been asked to determine a dispute between Fórsa and the Department of Public Expenditure & Reform (DPER), concerning Pay and the Assistant Legal Advisor Grade in the Department of Foreign Affairs and Trade (DFAT).

(Full Reports attached appendix1)

6. Pensions/Superannuation

1. Conditioning of allowances for pensions

SS. The Staff Side outlined the situation the complexity of this issue there are a large but unquantified number of allowance available in the Civil Service.

There is no commonly understood methodology available which defines whether or not these various, fixed, acting up, percentage, grade specific or PCW allowance are conditioned for pension purposes.

The staff side had previously been directed to contact all line employers to seek the number and type of allowance currently being applied in those employments and to seek the specifics of the pension status of those allowances.

the staff side indicated that this placed an unreasonable administrative burden on the staff side and requested a breakdown of the allowances deployed in each employment and a comprehensive description of the rationale employed in assessing these allowances for pension purposes.

OS. The Official Side agreed to clarify this, outlined that this was a complex issue and stated that the expectation, placed on the staff side, to seek information directly from line employers was not necessary. The Official side welcomed the reactivation of the Superannuation subgroup, as it provided an opportunity to address this and other issues of concern.

2. The refusal of DPER to allow civil servants recognition of previous service which did not meet the vesting period.

This agenda item relates to officers who had previous service in the Civil Service which was insufficient to entitle them to preserved benefits on retirement (this vesting period was 5 years but was reduced to two years in 2002). In this context, Circular 15/2019 explicitly affected the ability of those taking up employment from carrying previous service

Such officers, who have re-entered the service and are now in the Single Scheme, have been informed by DPER that the rules of the Scheme set out that they cannot transfer their previous service. Prior to the introduction of the Single Scheme, an individual with previous service could apply to have this service reckoned in their new scheme.

This seems a very unfair and inequitable situation as these officers, who would have had a legitimate expectation that their previous service would be recognised on re-entry, are facing a loss of up to five years' pensionable service.

While it is recognised that the Single Scheme operates on the basis of referable amounts, rather than service, a 'transfer value' mechanism could be used to address this. Transfer Values out of pre-

existing schemes are already used in certain circumstances such as to E.U Institutions and more frequently in Family Law cases where a beneficiary of a Pension Adjustment Order requests a Transfer Amount out to another Revenue Approved Scheme.

Failing this, it would appear that another possible solution is to apply the reduction in the vesting period retrospectively to officers in the Single Scheme with more than two years' previous service to give them a preserved benefit for this service on retirement.

As it stands, the only option open to officers caught in this predicament is to seek a refund of Spouse and Child contributions (not index-linked)

OS. The Official side agreed that this had emerged as a consequence of the cited circular and agreed to revert on the totality of the points made.

3. 6/95 issues relating to established and Unestablished Civil Servants.

SS. The Staff Side outline the inequity of the situation, which has arisen as a result of the changes which were implemented in Circular 6/1995 and the subsequent introduction of a 1/200rd booster payment for those on pay of less than 3.333 times the contributory state pension in 2005.

Comparable employees, employed prior to April 1995 and with the status of Established or Unestablished civil servants were treated very differently in terms of pension.

Those employed prior to April 1995, who entered a competition for establishment and with full service, would not get the booster payment of 1/200rd per year of service. They would be at a considerable disadvantage to comparators, who did not seek promotion and remained unestablished. This was an unintended consequence, of a provision which was especially introduced to address the issue of chronically low pensions for low paid civil servants as such this outcome was perverse. Details were provided. The number affected were not great.

OS. The Official side agreed that the description of the situation was correct and that this was an unintended consequence. A willingness to look at this was expressed, quantifying the number affected was an issue. Agreement to revert was given.

7. Travel & Subsistence Agreed Report

Civil Service Conciliation and Arbitration Scheme General Council Report 1556 Meetings:

Official Side Claim: Review of Motor Mileage rates Revised Rates and Arrangements

1. The rates and mileage bands in place since 1st April 2017 have been reviewed in the context of current motoring input costs.

The revised rates are based on a methodology that reflects changes in technology, road conditions, commuter behaviour, and car ownership patterns.

It also takes account of the commitments by Government in relation to the Climate Action Plan 2021 (CAP 21) and for the first time a dedicated rate is introduced for Electric Vehicles (EVs).

2. It should be noted that in support of the Climate Action Plan 2021 (CAP 21) and in the interests of administrative efficiency, it is the Department's intention to move at the time of the next review to a new single rate for all cars regardless of engine type. It is acknowledged that vehicle purchase is a medium term decision requiring future planning and that a move to a single rate will require a transitional period. In that context, discussions will commence with the Staff Side representatives.

3. As a first step in the transition to a single rate, the EV rate is being increased and is being set at the same rate as that applying to vehicles in the middle category of 1,201 to 1,500. Please note that

Officials wishing to claim mileage for an EV must reregister the details of their car after 1st September and declare the category being claimed.

4. Hybrid vehicles will continue to be recouped at the equivalent Internal Combustion Engine (ICE) rates and should not be claimed in the EV category.

5. Details of the revised rates are set out in Appendix 1 of this Circular and will apply from 1st September 2022.

6. The amount of mileage accumulated by officers between 1st January 2022 and 1st September 2022 will not be altered by the introduction of revised rates.

7. Mileage to date will, however, count towards aggregated mileage for the year.

8. All mileage claims in respect of the period 1st January 2022 to 31st August 2022 should be made before 31st August.

9. The rates listed in the Appendix to this report will be fixed for a period of three years. However, in the event of any future downturn in input costs, the rates may be adjusted to reflect the changing costs. This report recording agreement was adopted on July 2022.

Caitríona Fields Eugene Dunne Official Side Secretary Staff Side Secretary

General Council Report 1557 Domestic Subsistence

1. In accordance with General Council Report 1531 – 23rd April 2015

2. The staff Side and Management at the General Council under the Conciliation and Arbitration Scheme, agreed that the rates of subsistence for Overnight and Day Domestic Subsistence Rates would be reviewed annually

3. It was agreed that a formula of using the “eating out” and “accommodation” element of the Consumer Price Index (CPI) would be used for this purpose

4. The formula agreed for overnight rates is a combination of both rates with the breakdown of 80% accommodation to 20% eating out rate over a twelve month period and using the range of March 1st to March 31st the following year as the template for the review

5. The day rate is based upon the CPI twelve month percentage spread of the “eating out” element over the agreed period

6. The Overnight Rate was last adjusted in 2018, with the Pandemic inflation was static and until the current review period stood at 2.1%. The current CPI rates have triggered a rate change as it is above the 5% trigger and the cumulative rate is 13.5%

7. The Day Rates changed in 2021 the current rate of 1.7% is below the agreed 5% trigger point and there will be no adjustment to these rates

8. The revised rates will come into effect from the 1st of September 2022 This report recording agreement was adopted on July 2022.

Caitríona Fields Eugene Dunne Official Side Secretary Staff Side Secretary

(Full document appendix 2)

8. Annual Leave issues 2022

Engagement continued in 2022 on the substantive issue of carry over of Annual Leave, in particular the issue of the 3 year cycle, discussions continue.

There was additional engagement of the subject of carry over in the context of Covid 19, a moderation of the management position was secured.

9. Blended working

A Subcommittee of General Council was established in September 2021 to consider the draft Blended Working Policy Framework for Civil Service Organisations and meetings took place between September 2021 and March 2022.

Following discussion at the General Council Subcommittee on 8 March, the Official Side proposed agreement on the attached draft of the Blended Working Policy Framework for Civil Service organisations. This was agreed by the Staff Side.

Outstanding issues regarding Flexi Accrual were referred to Arbitration. This is reflected in Agreed Report 1554 and disagreed Report 1555. Resolution was achieved.

(Agreed&Disagreed reports Appendix 3)

10. Civil Service Employment Assistance Service.

The Employee Assistance Service continued its work in the context of exiting Covid and the introduction of blended working the last iteration of its Activity Report can be found at the link below.

<https://www.cseas.per.gov.ie/wp-content/uploads/CSEAS-Activity-Report-2021.pdf>

Annual Report 2022

Eugene Dunne

Staff Side secretary

Civil Service General Council

Staff Panel