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Membership

of the Northern Ireland Committee 2012-14

Chairperson	Ms P Dooley	UNISON
Vice-Chairperson	Mr B Campfield	NIPSA
Members	G Murphy	INTO
	C Murchan	Newry Trades Council
	A Hall-Callaghan	UTU
	J Pollock	UNITE
	L Huston	CWU
	P Collins	UCU
	B Lawn	PCS
	E Coy	GMB
	E McGlone	UNITE
	P McKeown	UNISON
	M O'Rourke	SIPTU
	M Morgan	NIPSA
	S Searson	NASUWT
	K Smyth	USDAW
	T Trainor	UNITE
	G Hanna	IBOA
	B Campfield	NIPSA
 Ex-Officio	 E McGlone	 President ICTU (July 11 to 2013)
	J Douglas	President ICTU (July 13 to 2015)
	D Begg	General Secretary ICTU
	P Bunting	Asst. General Secretary

Attendance At Meetings

At the time of preparing this report 19 meetings were held during the 2012-14 period. The following is the attendance record of the NIC members:

P Dooley	17	B Campfield	14	E McGlone	16
L Huston	10	M O'Rourke	13	P Collins	14
M Morgan	16	C Murchan	12	S Searson	15
B Lawn	10	Kieran Smyth	15	J Pollock	5
T Trainor	18	A Hall-Callaghan	16	P McKeown	16
G Murphy	15	G Hanna	4	E Coy	2

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Most of the photographs in this report were taken by Kevin Cooper (NUJ) to whom we are grateful.

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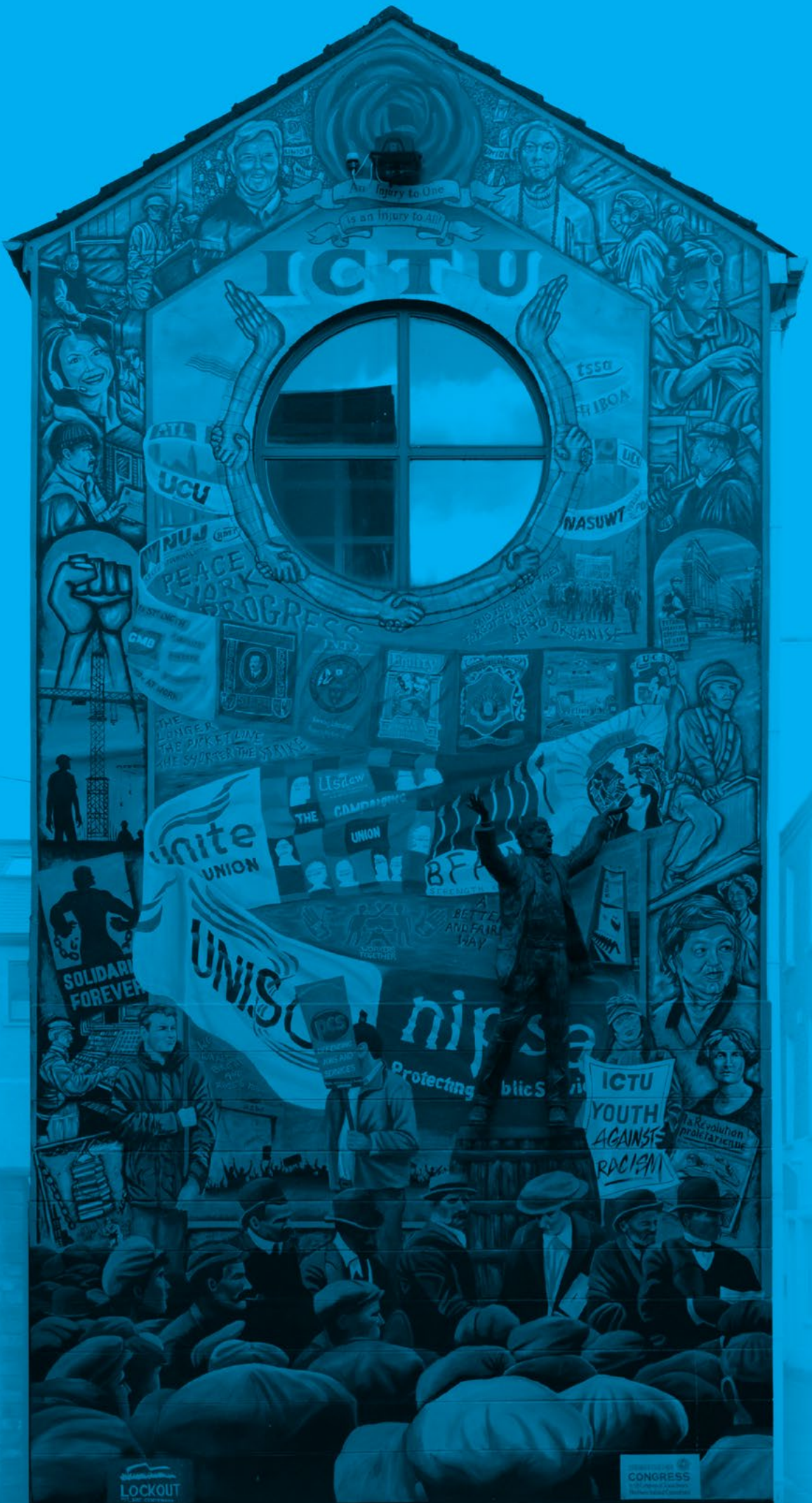
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a Introduction





Peter Bunting

Assistant General Secretary, ICTU

This report to the 2014 Biennial Delegate Conference outlines the main activities of the Northern Ireland Committee since 2012. These have been dominated by a campaign of resistance to the austerity cuts imposed by the Stormont administration and the UK's coalition government of Conservatives and Liberal Democrats.

The NIC has been well served by the committed and efficient leadership of the Chair, Pamela Dooley of Unison, and she has been well served by the dedicated commitment of her vice-chair Brian Campfield and all the Committee members who have their own constituents to serve in their daily duties.

Pamela Dooley has assiduously chaired the work of the Committee, and acts as its public face, engaging with the media, stating the NIC position during protests and rallies and on one sad occasion, leading a silent commemoration for a murdered worker, Prison Officer David Black.

We, as the largest civil society organisation in Northern Ireland represent more humanity and greater interests than

the loud voices speaking for business and minority interest groups seeking to maintain a flawed economic system.

The trade unions of Northern Ireland have taken on this responsibility at all levels. We have engaged with elected representatives at all levels, from local councils to the NI Assembly and Executive and Westminster, in many forums set up to address the economic crisis, the most substantial of which is at the restored Bi-Lateral Forum with the First Minister and Deputy First Minister.

There has been plenty to protest against and lobby for over the past two years. The great achievements the past century, from trade union rights and votes for women, to the creation of the welfare state, the NHS and the prioritisation of full employment after World War II, to the spread of social, cultural, educational and employment rights in recent decades - all are under siege as never before.

Congress has resisted and will continue to resist this attack on our fundamental rights and liberties. With our friends in the Republic of Ireland, Scotland, Wales and every region of England, we have been at the forefront of the challenge to the ideology of austerity.

The political realities we confront have led to stronger alliances with our colleagues across these islands, with constant cooperation with the TUC's of England, Scotland and Wales, utilising the structure of the Trade Union Council of the Isles to pressurise the devolved governments and the Westminster regime. We have listened to the experience of our union comrades in the US. From where Karen Nussbaum of Working America came to tell us of how unions can make a difference in a very hostile environment.



Former NIC chair Avril Hall-Callaghan and current NIC chair Pamela Dooley

In Northern Ireland, that vanguard role of opposition has been intensified by the structure of the NI Assembly, which does not have a formal system of 'opposition' to the decisions made by the mandatory coalition, which comprises all five parties with more than one MLA.

As a consequence, the Trade Union Movement is the opposition, and has acted as such in the committee rooms of Stormont and lobbying MLAs on its granite steps.

We are the opposition outside the offices of ATOS, defending the rights of welfare claimants with disabilities. We are organising public meetings against cuts and closures to care homes and A&E units. We are challenging the enforced 'consensus' on the economy in the broadcasting studios and newspapers offices. We are spreading our message by social media, public actions and the example of trade union representatives in the workplace.

We have balloted for industrial action and have engaged in the largest single day of strike action in the history of Northern Ireland.

We have marched against austerity and cuts and for a society which is peaceful, just and fair. And we will do so again and again because our analysis is correct. Austerity is not working and cannot work. We are determined to stop it being imposed on the people of Northern Ireland by Westminster or by Stormont.

The campaign against cuts will succeed if the public believe that there is a more compelling alternative to the drumbeat of austerity from the Tories, their Liberal enablers and their sponsors in the corporate press. Part of that alternative narrative must include a healthier and more socially inclusive society as well as safe workplaces with secure jobs. That is why Congress and its affiliates campaigned assiduously for an inclusive and meaningful Bill of Rights and why we oppose the fascist BNP on our streets, in our workplaces or on the airwaves. Working for a better society means supporting those individuals and communities challenging sectarianism as well as lobbying for a comprehensive government strategy for a shared future.



Karen Nussbaum of Working America, Belfast 2013

That is why we have demanded action from our political class to address the political vacuum they have created and to take collective action on projects and initiatives which are vital for our economy and society. We need to build a new political momentum in which our politicians work together in the best interests of all the people, addressing a series of vital issues which are crucial for the social and economic wellbeing of Northern Ireland.

There is too much unfinished business going as far back as realising the promise of the Good Friday Agreement and the St Andrews Agreement. The current NI Assembly has two years to go before its mandate expires - we cannot simply sit around while the parties in power prevaricate on vital projects, from much-needed infrastructural investment which supports private sector jobs, to a Bill of Rights for all, a vital part of any social infrastructure which empowers citizens.

We want more than fast roads and faster broadband – we need safer streets. The well of sectarianism is deep and there are groups and individuals and even

elected politicians who peddle myths and misrepresentations about the 'other side'. Challenging this requires resolute, unified and consistent action, from the hop of the hill at Stormont to every street corner.

Safer streets and secure workplaces complement each other. Congress President Eugene McGlone led Congress representations to the Department of Employment & Learning to ensure that changes to the system of resolving workplace disputes were more fair and efficient for all parties. Further representation was made to ensure that employees were adequately represented at the Industrial Tribunal and on Fair Employment Tribunal Panels.

I look forward to this BDC, which will be instrumental in defining our destiny not only over the next two years, but for many more. If we have learnt anything from the experience of the past five years, it is that the future may be unpredictable, but it is rarely dull. Let us hope for an invigorating series of debates and ideas which will embolden and enlighten our progress in the years ahead.

A2 Obituaries

The Committee records with regret the death of a number of colleagues who would be well known to delegates.



Inez McCormack at the unveiling of her portrait with Unison colleagues Pamela Dooley and Patricia McKeown

Inez McCormack

Regional Secretary of Unison, past chair of NIC and the first woman President of Congress.

Speaking after Inez's passing in January 2013, her successor as Regional Secretary of Unison, Patricia McKeown, noted: "Much has been said and written about Inez over the years. She is held in the highest regard across the International Trade Union movement. She holds a special place in the heart of the US Trade Union movement where her work not only on our own peace process but also against repression of workers everywhere has been acknowledged at the highest level. Inez constantly battled on shifting sands on some of the most controversial issues such as discrimination, child sexual abuse, rape in marriage and as a weapon of war and a woman's right to choose. Her vindication lies in the fact that many

of the issues on which she broke the mould are now seen as safe ground for those who came later.

In the union we have always known her true worth. It lies not solely in her remarkable journey, engaging with power systems dominated by disrespect for women in general and the working class in particular. It lies especially in her unselfish and unshakeable belief that ordinary people, given a chance, can change the world.

Ironically it was a Tory Secretary of State who once told her "I have worked out that you are loved in low places and loathed in high places". She took that as affirmation that she was doing the right thing. So did we.

Inez enters the history books with many 'Firsts' to her name. The first woman union official to be appointed by the National Union of Public Employees (NUPE). The first woman to become Chair of Northern Ireland Committee of ICTU. The first woman to become President of the modern day Congress. The first contemporary woman trade unionist to be portrayed on stage by 'A' list stars such as Meryl Streep and Catherine Deneuve.

We have basked in the reflected glory of her extraordinary achievements. For Inez, all these accolades were merely tools to progress an agenda built on her feminist beliefs and her abiding desire to see equality, justice and the affirmation of human rights as a normal way of life rather than the continual struggle against selfishness, prejudice, intolerance and exploitation which it still is today. Behind those election results, awards and tributes lies the story of a woman who broke the mould and never give up. A woman who having broken down so many barriers made sure that she

constantly opened the way for other women to come behind her so that their struggle might be lessened. She instilled that philosophy in those of us she leaves behind."

Bob Crow

General secretary of the Rail, Maritime & Transport Union

Congress General Secretary David Begg has extended his condolences and deepest sympathies saying: "Bob was a deeply committed and principled trade unionist who was tireless in defence of his members' interests and was a passionate advocate for working people everywhere," Mr Begg said.

"A regular visitor to Ireland with members on these shores, Bob was well-known and highly regarded here.

"He was hugely respected across the wider trade union movement and in progressive circles. We are the lesser for his passing.

"On behalf of the Irish trade union movement, I would like to extend deepest condolences and sympathies to all who were close to him and to the membership of the RMT."

Bob addressed the May Day Festival in 2010, bringing with him as special guests from England, the Easington Colliery Band, fraternally sponsored by the RMT. The brass band led the parade through Belfast and also performed a special concert at the Dockers Club, Pilot Street, Belfast.

Felix McCrossan

– GMB and past President of Strabane Trades Council

Colin Lowry

– Irish Secretary EETPU (now Unite)

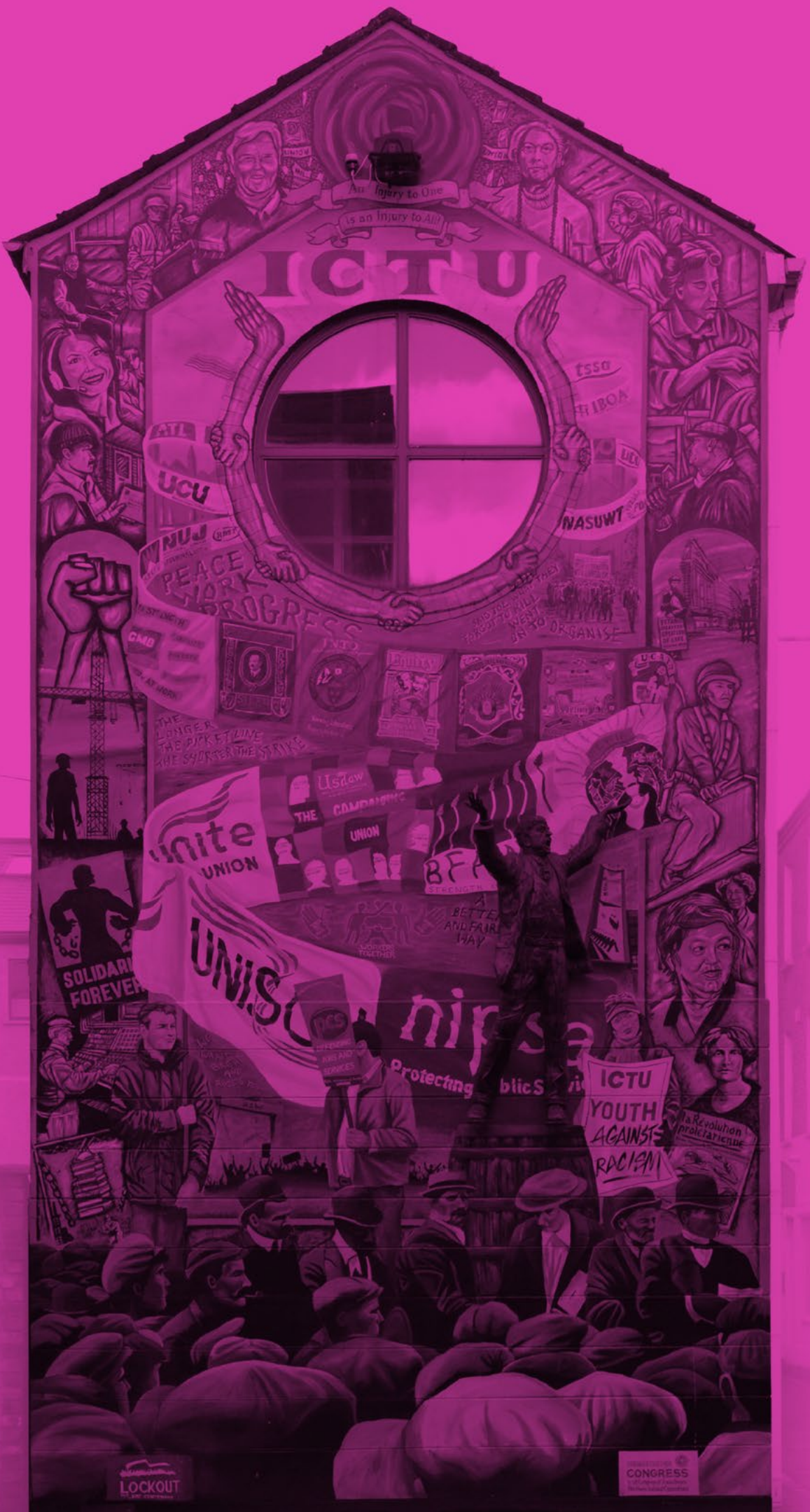
Sean Morrin

– Unison



Bob Crow Belfast May Day 2010

9 Conference Resolutions



B1 Introduction

The June 2012 meeting of the Northern Ireland Committee gave consideration to a paper containing recommendations for progressing resolutions adopted at the April 2012 BDC.

As in previous years, the NIC has pursued a wide range of actions in relation to the Resolutions. The following provides a broad outline of the actions taken. More detail is contained in the body of the Report.

B2 Resolutions

Resolution 1 Austerity Measures

Congress raised these issues with the First Minister and Deputy First Minister (OFMDFM) through the Bilateral Forum and also with DETI ministers and officials, and in numerous public statements, publications and rallies. Defending jobs and services and promoting alternatives to austerity has formed the central part of the NIC's work.

Motion 2 Austerity Programme

This motion was remitted.

Resolution 3 National campaign

A Declaration of Joint Action was agreed and sent to the media and all affiliates. Further action was pursued through the Trade Union Council of the Isles. The NIC organised the Belfast rally against the cuts in October 2012, which was part of a UK-wide day of action.

Resolution 4 Coalition against the Cuts

The NIC and its sub committees including the People Jobs and Services committee has worked to develop an ongoing campaign against austerity. See also the trade union and civil society campaign against welfare 'reform' and the leading role of unions against the G8.

Motion 5 Standing Up for Standards

The Education Trade Union Group has raised this issue as part of ongoing work to highlight impact of austerity measures in education sector.

Resolutions 6 Labour Party

A letter was sent from NIC to Labour Leader, which was followed up by meetings with the Shadow Secretary of State for NI.

Resolution 7 Financial services sector

This resolution calls for a campaign highlighting issues within the financial services sector.

The NIC continues to be informed about developments within the financial services sector and has produced information on the sector as part of the campaign against austerity. ICTU Youth targeted financial institutions for leafleting against cuts in that sector.

Resolution 8 Manufacturing

Actions taken within the Sectoral Groups working as part of the ICTU Commission. NERI assisted Unite with 'Growing the

Economy' paper launched in Stormont in November 2013. The NIC has agitated for more efficient use of public procurement to ensure that local companies benefit from government contracts.

Resolution 9 Regional Pay

Part of the ongoing work that the NIC is conducting with NI Executive.

Resolution 10 Programme for Government

Part of ongoing work of NIC. Also formed core of agenda for bi-lateral forum with OFMDFM.

Resolution 11 Programme for Government

Part of ongoing work of NIC. Also formed core of agenda for bi-lateral forum.

This matter was also brought to the attention of the enforcement agency – Equality Commission NI.

Resolution 12 Welfare Reform

Formation and activity of ICTU Welfare Reform Group, this issue also forms a core part of the work of other sub committees including the Disability Committee and women's committee; This matter was also referred to the People, Jobs and Services Committee. Members of the NIC and the Secretariat attend the Welfare Reform group co-ordinated by the Law Centre. A series of statements, leaflets, posters and protests were co-ordinated on the subject.

Resolution 13 Public Health

This was referred to the Health Services Committee to develop a strategic framework on public health.

Resolution 14 & 15 Age Austerity/ Winter Fuel Allowance

Part of the ongoing work of the Retired Workers Committee as part of their campaign and involvement in various lobbying platforms, including the National Pensioners' convention and the Age Sector Platform.

Resolution 16 People's Charter

This Resolution and its contents NIC as part of the campaign against austerity. Work has begun on a NI version of the People's Charter and People's Assembly through NIC and affiliates.

Resolution 17 Eradicating Child Poverty

This resolution was referred to a number of sub committees including the Education Trade Union Group with a view to linking with organisations working on child poverty. The NIC continues to link with such organisations through its participation in the Equality Coalition and Human Rights Consortium.

Resolution 18 Elderly Care

Referred to the Health Services Committee to be considered as part of their ongoing work, consider linking with the Retired Workers Committee.

Resolution 19 Ending Homelessness

To be considered as part of the core campaign against austerity and welfare 'reform'.

Resolution 20 Attack on the confidentiality of Academic Sources

The matter was raised with the Secretary of State for NI.

Resolution 21 LGBT Equality

ICTU LGBT committee as part of their ongoing work and to the Equality and Human Rights Committee.

Resolution 22 Healing Through Remembrance

This was referred to the Equality and Human Rights Group as part of ongoing work on Dealing with the past. The NIC addressed issues including Dealing with the Past through its submission to the Panel of Parties conducted by Dr Haass.

Resolutions 23 Denial of Justice

The matter was raised with the Secretary of State for NI and the Minister for Justice.

Resolution 24 Human Trafficking

This was referred to the Equality and Human Rights Committee and the Education Trade Union Group. The ETUG organised a Briefing session on human trafficking which was open to all affiliates. The NIC gave evidence to the Justice Committee as part of it's examination of the Private Members Bill on Human trafficking.

Resolution 25 Defend Higher Education

Education Trade Union Group as part of ongoing work.

Resolution 26 Governance in Higher Education

Education Trade Union Group as part of ongoing work.

Resolution 27 Education

Education Trade Union Group as part of ongoing work

Resolution 28 Support Staff

Education Trade Union Group as part of ongoing work

Resolution 29 Trade Union Engagement

Education Trade Union Group as part of ongoing work

Resolution 30
Training Schemes

Education Trade Union Group as part of ongoing work. This was also addressed by NERI in its paper on youth unemployment.

Resolution 31
A Call to Action

Ongoing work of NIC, the Congress North-South Committee and newly established Sectoral Groups. An enabling motion was discussed and passed at the all-Ireland ICTU BDC in 2013 in Belfast. Progress continues on this matter.

Resolution 32
Unions and Retired members

A letter was circulated from the NIC to all affiliates, and a similar motion was passed at the 2013 ICTU BDC, presently being progressed by the Executive Council.

Resolution 33
North West Regional College

Education Trade Union Group as part of ongoing work.

Resolution 34
Attacks on Employment Rights

Part of NIC campaign to protect facility time and engagement on review of employment rights.

Resolution 35
Trade Union Rights

Part of NIC campaign to protect facility time and engagement on review of employment rights conducted by the Department for Employment and Learning.

Resolution 36
Trade Union Facility Time

Part of NIC campaign to protect facility time and engagement on review of employment rights.

Resolution 37
National Pension Scheme

Ongoing work of NIC

Resolutions 38
Agency Workers Regulations

This is a standing item on the NIC's agenda each month, monitoring and collating information on developments on Agency Workers.

Resolution 39
Charter of Rights for the Community Sector

Motion was withdrawn.

Resolution 40
State Pension

This is part of RWC ongoing campaign around state pension with older people's campaigning groups.

Resolution 41
Devolution of Functions of OFCOM

The NIC wrote to OFCOM in relation to this.

Resolution 42
Ban Cage Fighting

The motion was remitted.

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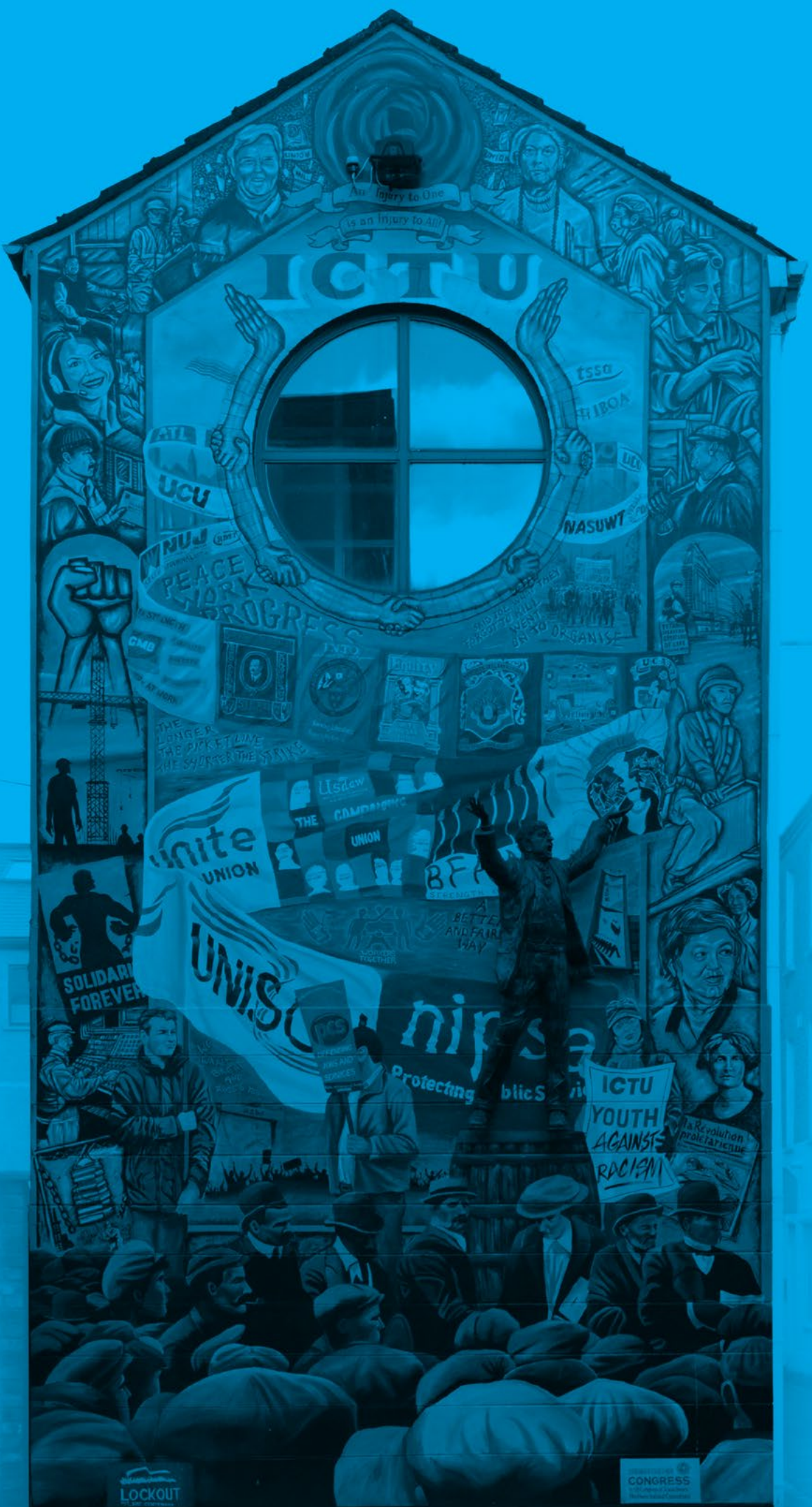
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e Trade Union Organisation





C1 Officers of the Northern Ireland Committee 2010-12

At its meeting held in May 2012, the Committee elected the following Officers:

Chairperson:

Pamela Dooley (Unison)

Vice-Chairperson:

Brian Campfield (NIPSA)

C2 Staff

The following refers to the staff in the Northern Ireland Office during 2012-14, some of whom have moved on to other employment or retirement:

Assistant General Secretary

Peter Bunting

Education, Training & Lifelong Learning

Kevin Doherty

Equality & Social Affairs

Clare Moore since May 2013
(Pauline Buchanan)

Communications

John O'Farrell

Project Officers

Kasia Garbal
Gillian Belch
Magda Chudzikiewicz

Administrative Staff

Julie Gorman Eileen Gorman



C3 Women's Committee

The work of the Women's Committee is contained in Section G of this report, along with the other equality committees.

C4 Youth Committee

The Youth Committee continues to be a vibrant part of our work and organisation and has been integral to the anti-cuts campaign as well as being active in addressing issues facing young people in Northern Ireland.

The Youth Committee has been involved in a range of events over the past two years including:

i. Campaigning

The Youth Committee attended numerous events, rallies and demonstrations to protest at job losses, attacks on services and show solidarity with striking workers. The committee was well represented at the Pride Marches in Newry, Derry and

Belfast and at May Day Parades in Belfast. They also provided a speaker at the G8 protest and the Demand For Action rally on January 31.

In particular the committee played an important role in the continuing campaign against the budget cuts. During this campaign the committee provided speakers to rallies and assisted our local trades' councils in running stalls.

In May, ICTU Youth, along with the International Brigades Commemoration Committee, organised an anti-fascist night in the Sunflower Bar. A youth activist from Barcelona and ICTU Youth chair Pádraig Mackel spoke at the event.

The Youth Committee and Belfast Trades Council were also involved in the Fairer World Festival, a series of public events highlighting the global issues which the 2013 G8 meeting in Fermanagh preferred not to be highlighted. These events included concerts, lectures, debates, film screenings and comedy and were



ICTU Youth, May Day 2012

all extremely well attended. A brochure was also published and social media platforms were utilised to challenge the 'achievements' of the G8 and to promote the March in Belfast on 15 June. ICTU Youth and the Belfast Trades Council are planning to hold similar festival around the week of May Day 2014 with a view to making it an annual event.

In October we were involved in the organising of a protest outside the office of Health Minister Edwin Poots to demonstrate against his homophobic bigotry. The lunch time protest was well attended and gained the support of a wide range of groups.

The ICTU Youth committee is currently in the process of working with a number of outside organisations with a view to drafting a Youth Charter.

A number of ICTU Youth activists were also instrumental in establishing the Red Star Samba Collective.

ii. Education & Training

The committee has continued to work closely with and was supported by Trademark. A number of activists are attending a CPD course in Equality Studies delivered by the University College of Dublin and Trademark. The youth committee continues to be committed to political education in the trade union movement. In December, the committee hosted a public meeting on the privatisation of the NHS, which was addressed by UNISON's Patricia McKeown. In January, we hosted a talk on climate change by Dr John Barry of Queen's University, Belfast. The committee was also involved in discussions with members of political parties and ex-combatants through the Messines Project as part of our continuing anti-sectarian work.

In November, the northern and southern committees of ICTU Youth held its first all-Ireland conference in Dublin, which was a resounding success. Activists from Ireland, Greece and Spain shared their experiences and lessons of activism in their respective countries.

iii. Communications

During 2013 and 2014, we made significant progress in developing our communications and raising our profile within the movement and beyond. We continue to utilise our website (www.ictuyouth.com), Twitter and a Facebook page which currently has almost 500 fans.

C5 Global Solidarity

Funding from the UK Department of Foreign & International Development ended in 2008 for the position of a NI-based Global Solidarity Officer. The Global



The start of the G8 Protest 2013



Solidarity Officer based in Dublin had taken over the activities, until a renewed Global Solidarity Committee for NI-based activists and affiliates met in February 2014. A programme of work is being planned at present.

Despite the absence of a NI GS committee, there are international issues which trade unions in NI have been involved in raising public awareness, notably human trafficking, the human rights situation in Columbia and the political and humanitarian crisis afflicting the Palestinians. Links made with campaigning organisations informed our response to the G8 summit in 2013.

In August 2012, the NIC organised a vigil at Belfast City Hall for striking South African miners who had been massacred during a confrontation with police at Marikana. Speaking before a brief respectful silence for the deceased, NIC chair Pamela Dooley told the assembled:

"No worker should be intimidated, threatened or beaten at work.

All workers have the right to strike.

No worker should ever die defending the right to go on strike.

No worker should ever face death or injury during a strike.

That includes police officers, who should not face death while policing strikes.

Workers only ever advance when they go forward with a strong, single voice.

Only then, can they face down the intransigence of their employers.

The mine owners, Lonmin, were once called Lonrho -the London & Rhodesian Mining Company famously described by Tory Prime Minister Ted Heath as "the unpleasant and unacceptable face of capitalism."

Now, they threaten their mourning workers that they will be sacked if they do not return to work immediately.

This is what happens when workers are split. The most militant voices do not prevail. Instead the most reactionary win.

This is as true in Northern Ireland as it is in South Africa."

When it seemed likely that the UK and other western powers were preparing to intervene militarily into the ongoing Syrian conflict, the NIC recalled the anti-war coalition to prepare opposition events. Fortunately, the threatened military actions were rejected by elected MPs in the House of Commons, but the civil war in Syria shows no sign of being resolved. The scale of the horror enveloping that country was made clear to NIC members in 2012 when they met Mother Agnes Mariam of Aleppo, who was visiting Belfast and briefing peace activists on the situation in Syria.



Trade Union Friends of Palestine

(TUFPP) hold formal meetings on a monthly basis in Belfast with the aim of promoting the implementation of ICTU solidarity policy on Palestine. TUFPP also has a broader network of trade union activists who contribute to the work of TUFPP by organising within their affiliate organisation and their local areas. A number of affiliates support the work of TUFPP by financial donations and are formally represented at meetings. TUFPP distributes frequent reports and articles on the situation in Palestine and on developments in the Palestinian civil society Boycott, Divestment and Sanctions (BDS) campaign. TUFPP has continued to

work closely with Congress, and with the Congress Global Solidarity Officer, in addressing issues of Israeli human rights violations, injustice and in the implementation of ICTU policy, particularly regarding support for the BDS campaign. TUFPP have promoted a trade union-led boycott campaign strategy, and with the sponsorship of a number of unions and trades councils have produced a Boycott Israeli Apartheid poster and postcards which have also been distributed internationally. TUFPP have produced a number of leaflets and briefing documents on Palestine including a widely circulated and detailed analysis of Histadrut.

Academics for Palestine: TUFPP have supported this important initiative through their UCU links and close working relationship with academic colleagues in the south. TUFPP have sponsored the production of a pamphlet, and a tour of high profile Palestinian and Israeli academic speakers to Irish universities to support the 150 plus Irish academics who have signed the boycott pledge.

TUFPP have worked closely with NIC-ICTU in the establishment of a steering group of lead negotiators in public sector procurement, with a view to implementing ICTU BDS policy in the

Refugees from Zimbabwe at the G8 Protest 2013



public sector. TUPF sponsored the participation in a planning seminar by two Norwegian representatives, including from the leading Norwegian public sector union, to help plan for effective intervention in this area.

TUPF continue to produce information and briefing material, including a pamphlet on the Russell Tribunal on Palestine.

TUPF have also organised a number of meetings on Palestine to increase awareness of the situation and to promote ICTU policy. TUPF supports affiliates in the drafting of conference motions and in the implementation of their own policies. We have made a range of materials available for delegates at ICTU BDC and have organised fringe meetings at ICTU BDC addressed by Palestinian representatives. We have established a close working relationship with the recently formed Palestinian Trade Union Coalition for BDS, which encompasses all the main Palestinian trade union bodies including the PGFTU.

In November 2012, Congress organised a peace rally in response to an escalation of violence in and around Gaza, with Israel's enormous advantage in firepower devastating the weak infrastructure in Gaza and killing large numbers of civilians. Introducing the rally, NIC chair Pamela Dooley spoke of the shared concern of many civil society organisations: "Our many Palestine solidarity groups have come together to speak with one voice. I pay tribute to the work already done by those groups including:

- Trade Union Friends of Palestine;
- Ireland Palestine Solidarity Committee;
- Ireland Friends of Palestine and all its groups;
- Sadaka;
- Queen's Palestine Solidarity;

- Belfast Islamic Centre;
- NI Muslim Family Association;
- The Centre for Global Education;
- The Peace People;
- Palestine Aid, and the many trade unions solidarity groups.

As we meet here today even the hills of Belfast are calling for an end to genocide in Gaza. A ceasefire has been announced and there is every danger that the international spotlight will once again go off the Palestinian people.

It is our intention to keep it on them. Our call is clear.

- The Israeli war on Gaza must end;
- The Israeli Siege of Gaza must end;
- The occupation must end; and
- Palestinians inside Israel itself must live free from Apartheid, discrimination and repression.

Government and the press alike must cease their incessant attempt to apportion equal blame. There is no equality in this equation.

TUPF briefed the NIC in the summer of 2013 and held a successful seminar on BDS in November 2013 from which a joint steering group has been established to develop the BDS agenda.

Belfast TC Paddy Mackel welcomes delegates





Newry Trades Council activists pictured with NIC member Cara Murchan

C6 Trades Council Consultative Committee

Trades Union Councils (TUCs) bring together union activists and members to work and campaign around issues affecting working people in their local workplaces and communities. They have been the backbone of, and at times the instigators of, many trade union campaigns that have sought to unite affiliates and communities behind common issues.

The Trades Councils have assisted the Northern Ireland Committee by campaigning on a range of issues. These issues have covered:

- The impact of Austerity policies;
- Campaigns against cuts in services, particularly health;
- The Minimum Wage;
- The G8 in Fermanagh.

The Trades Councils were particularly active in organising local protests in support of the anti-austerity protest in October 2012, working with local trade union branches and community organisations, as well as public representatives. Since the onset of the recession, they have played an essential

role in mobilising mass public opposition to the cuts.

The early effects in NI of 'austerity measures' and the trade union-based campaign of resistance has resulted in a growth in trades councils.

Ballymena and Antrim, East Down, and Lisburn trades union councils have been recently re-established and the Causeway Trades Union Council is the latest welcome addition. This covers the Coleraine, Ballymoney and Moyle council areas.

They have joined nine other long established councils in Belfast, Craigavon, Derry, Fermanagh, Newry, North Down and Ards, Mid Ulster, Omagh, and Strabane.

The councils come together at the Trades Councils Consultative Committee (TCCC) to share information and initiatives, and to develop and coordinate joint campaigns.

There is also an All-Island Trades Councils Consultative Committee which provides a discussion and planning forum for representatives from all trades councils, north and south.

Over the last two years the councils have been particularly active in organising local protests in response to the impact of public service cuts, working with local trade union branches and community organisations, as well as public representatives.

They have been instrumental in alerting local communities to the scale and social and economic consequences of the cuts and raising awareness that there is an alternative to the government's neoliberal agenda with the aim of mobilising mass public opposition.

The Trades Councils were central to opposition to the G8, working with others to organise the Fairer World Festival and the rallies against the G8 in June 2103.

As well as continuing to oppose the consequences of public spending cuts locally on health services, education provision and unemployment a key priority that the trades councils are engaging with now involves highlighting the dangers contained in the Welfare Reform Bill.

Other issues they have worked on include: providing solidarity to workers engaged in industrial action; supporting trade union recruitment campaigns; engaging with local media; working with migrant communities; raising awareness of social and economic deprivation, particularly in the North West; supporting local community initiatives such as the 'Pink Ladies' campaign in Derry; lobbying the local council and fighting for the payment of young workers at a winter festival in Newry; having the Minister for Education address a public meeting in Craigavon; organising protests against a visit by the BNP leadership to Belfast; campaigning against hospital closures and other job losses in Coleraine, such as the

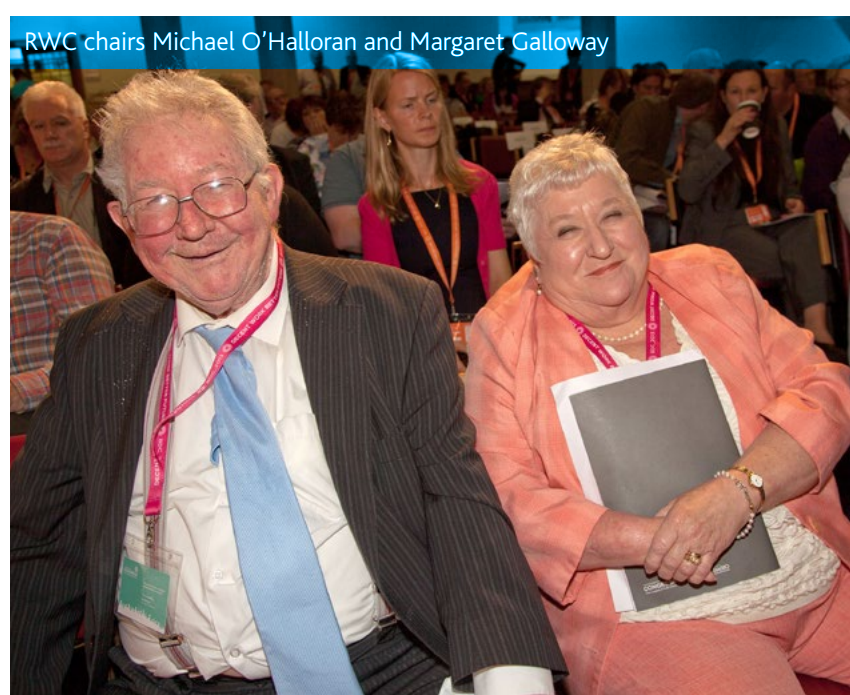
threats to relocate the DNVNI service to England; publicising international human rights abuses such as in Palestine, and opposing costly wars prosecuted by the government.

Unfortunately the councils have also had to continue to organise protests in response to paramilitary violence in NI.

To maintain and develop this work the TCCC appeals to unions to ensure that they affiliate to, and encourage their members and activists to engage with trades councils in their local areas.

C7 Retired Workers' Committee

The Retired Workers' Committee (RWC) continues to forge ahead with an ambitious agenda under the chair of Margaret Galloway. The Committee is actively represented on the National Pensioners Parliament at a regional and UK-wide level, and its members are also active in many different arenas, including the Age Sector Platform.



RWC chairs Michael O'Halloran and Margaret Galloway

Work is ongoing with the RWC from the Republic on a number of joint strategic initiatives and issues, and a North-South meeting of the two Retired Workers' committees was hosted in Unison by Congress President Eugene McGlone in 2012, with a follow-up N/S meeting in Liberty Hall in 2013, hosted by SIPTU General President Jack O'Connor.

The RWC was also involved with the Age Sector Platform in campaigning on several issues:

- A basic state pension set above the official poverty level which is linked to the higher rate of earnings or prices,

and paid alongside other existing concessions, to provide some financial security for all;

- Increase the winter fuel grant in line with energy prices;
- Provide improved access to social and long-term care to maintain dignity in advanced years;
- End discrimination where it adversely affects the opportunities, goods and services available to older people;
- The dignity code for people in care homes, which was adapted by the ICTU at its all-Ireland BDC in 2013;
- The Hands Off campaign, for the retention of universal benefits such as free travel and other modest benefits;

This campaign has been continued through the Age Sector platform and NPC meeting politicians at Westminster and Stormont.

Since BDC 2009, Retired Workers have gained the right to speak to a motion on older people's affairs at both the all-island and the NI BDC, ensuring that retirement from the place of work does not mean an end to involvement in the trade union movement.

In 2012, a motion was passed at the NI BDC requesting a mapping exercise of union services to retired members across the movement, with the aim of establishing best practice across all unions.



Fermanagh TC delegate and CWU veteran John Martin



May Day 2013

C8 May Festival

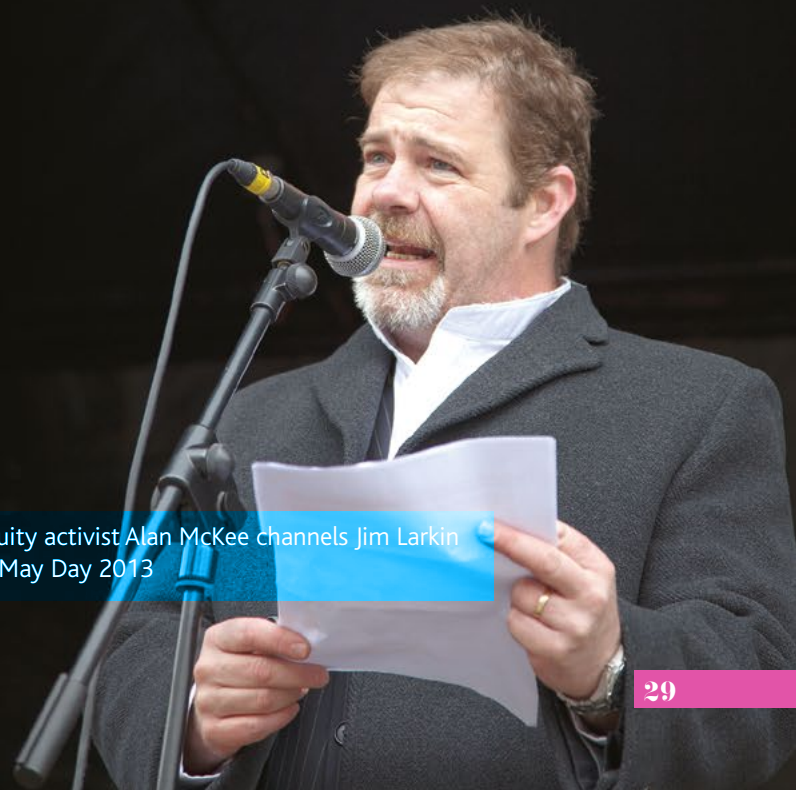
May Day 2013

Congress was particularly pleased to work with Belfast City Council as part of the Council's Decade of Centenaries programme. To chart the rise of the Labour Movement from the early 1900s, and particularly around the 1907 Dockers and Carters strike and 1913 Lockout, Congress and the Council commissioned a series of events including lectures on the themes of women and labour, migration and labour, the 1913 lockout and the industrial landscape in Belfast in the 1900s.



A special show to chart the rise of the movement was commissioned for this programme. Written by local singers and musical historians Jane Cassidy and Maurice Leydon, *1913 Words and Music* was performed in Belfast City Hall and also included performances from fiddler Nollaig Casey and Dublin singer Barry Gleeson.

Equity activist Alan McKee channels Jim Larkin at May Day 2013



analysed and shared learning from regions dealing with conflict with a focus on the role of trade unions in the development of shared and just societies.

The 2013 conference brought together trade unionists, activists and academics from Britain, Ireland, Iraq, Palestine, the Basque Country and Andalusia who spoke about the challenges faced by trade unions in societies in transition.

For more information:

<http://www.trademarkbelfast.com>

<http://www.centreforprogressiveeconomics.com>

Trademark are:

Joe Law
Dr. Stephen Nolan
Alice McLarnon
Kellie O'Dowd
Mel Corry
Eleonore Perrin
Tomas Gorman

C11 Union Post

Launched in February 2009, The Union Post has quickly become Ireland's foremost trade union publication.

Published by Brazier Media in association with the Irish Congress of Trade Unions, the online magazine has built up an extensive and growing readership across the island, keeping trade union officials and members briefed each month on developments in the industrial, political, legislative and economic fields as well as on campaigns, meetings and conferences.

Last year, it also played a significant role in galvanising support for Congress's Better & Fairer Way campaign – with numerous editions of the magazine reporting the unprecedented mobilisation of popular resistance to the government's cuts agenda.

Apart from The Union Post's digital edition – at www.ictuni.org – the magazine also features as a pdf download on more than 15 other trade union websites, including SIPTU, Mandate, CWU, NIPSA, UNITE, UNISON, TSSA, PSEU, PCS, CPSU, INMO, INTO, NUJ, UTU, NIC-ICTU and ASTI.

The magazine is emailed to each of Congress's 55 constituent unions and 33 Trades Councils where it is then forwarded to officials. It is also emailed to thousands of media contacts and trade union activists across Ireland and beyond as well as hundreds of political parties, charities, international trade union organisations, statutory bodies and government departments.



C12 A Call for Action

At the Congress Biennial Delegate Conference in July 2009, a motion was passed calling for a Commission to be established to review trade union organisation in Ireland, including structures and procedures, with the objective of optimising effectiveness through co-ordination of resources in the best interests of working people and their families. The Commission was established in April 2010 and reported to the 2011 ICTU BDC in Killarney.

The members of the Commission were David Begg, Jack O Connor, Peter McLoone, Eugene McGlone, Patricia McKeown, Avril Hall-Callaghan, Philip Bowyer, Philip Jennings, Sally Anne Kinahan and Peter Bunting. Liam Berney from the Congress Secretariat acted as Secretary to the Commission.

Conference adopted the Report of the Commission in full, including analysis, conclusions and recommendations. At the outset, it highlighted the necessity of urgency and determination to make significant changes in the coming twelve months.

Following BDC 2011 the ICTU Executive Council adapted an ambitious Action Programme to advance the key recommendations agreed at the 2011 BDC.

The Action Plan prioritised the development of a new strategic plan for the trade Union Movement which offers people an alternative to the severe free-market approach which has imploded in recent times. The Strategic plan is to reflect an 'All Island' outlook and will become the platform for our political, industrial and organising strategy for

the medium-term. The plan is to be developed under the direction of the General Secretary.

Education and training provision is another priority addressed in the Action Plan with a view of putting in place a trade union learning facility to re-assert the values of social solidarity and an alternative vision of society based on them: potentially leading to the establishment of an All Island Workers' College.

Similarly, the need for a strategic communications policy which addresses the scale of activity required to connect with union members, unorganised workers and civil society generally is being taken forward by the Communications Group set up by the Executive Council.

The Commission Report was very clear in stating that 'there is a need to consolidate capacity to attain critical scale, eliminate duplication and to achieve real focus on the essential tasks which face the movement'. This is being addressed through the recently established Resources Task Group, the first task of which was to conduct a survey among unions to identify the extent of the resources and resourcing of unions on the Island and to establish the potential for greater synergies across the movement.

The commission of the Union recognised the level of change required would necessitate fundamental changes to the constitution and rules of Congress. A special motion was passed at the ICTU BDC in 2013 to debate and decide upon the exact nature of the changes to be implemented.

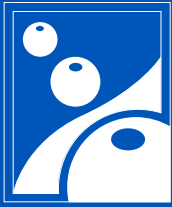
Rally Against Austerity

In October 2012, the NIC organised a major march and rally against the Westminster government's austerity policies. The Belfast rally was held at the same time as rallies in Glasgow and London. There were speakers from the trade unions, community sector and students' movement (plus a song or two)

Among the thousands who marched, several well-known citizens joined in, including Equity members Marie Jones who was a founder of Charabanc Theatre company and better known as a writer of International acclaim and Peter Mullan (recently in the film *War Horse*). Ian McElhinney currently in *Game of Thrones* also endorsed the march. Maggie Cronin of the recent Oscar winning short film *The Shore* was there on the day as was Alan McKee.

Leading the health workers was Paddy Barnes, fresh from his Olympic triumph.





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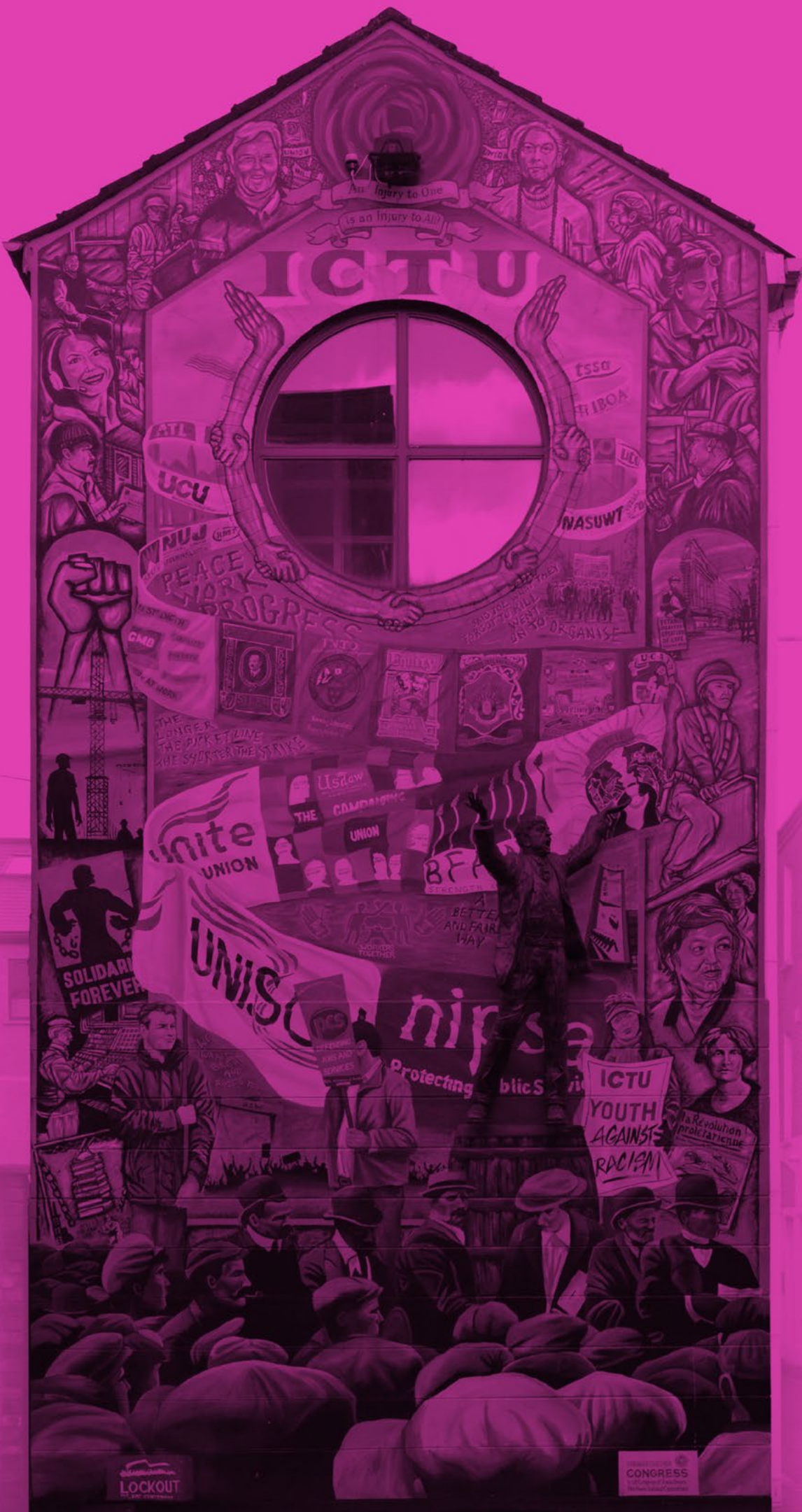
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d Trade Union Education

Training and Lifelong Learning



D1 The Trade Union Education Programme

The NIC ICTU Education and Training Programme is delivered in partnership with the North West Regional College (NWRC) with bases in Belfast and the North West. The NWRC can provide in other locations by arrangement.

The NIC ICTU Education and Training Programme is mapped over to the Qualifications and Credit Framework which means that as well as gaining important accreditation, trade union reps undertaking courses also have the opportunity to gain nationally recognised qualifications.

The programme offers Representatives to undertake progression through a range of pathways including:

- Union Reps Pathway;
- Safety reps Pathway;
- Union Learning Reps Pathway;
- Trade Unions Today Pathway.

These qualifications take the form of

- Awards (which are short courses);
- Certificates (longer courses such as 10 day programmes);
- Diplomas (those courses run over a year such as the Diploma in Occupational Health and Safety and the Diploma in Employment Law);
- Higher National Certificate (a new course in Trade Union Studies).

A number of new courses have been added to the Programme including:

- Diploma in Equality;
- Social Media;
- ICT;
- HNC in Trade Union Studies;
- Women in Leadership;
- BME leadership course.

NIC ICTU Education and Training have also developed new courses that have attracted attention beyond our normal audience including:



The Belfast IBOA training suite opened by General Secretary Broderick and DEL Minister Steven Farry MLA

- An Introduction to Economics;
- Political Economy;
- Governance (aimed at those seeking positions on public bodies).

More new course will be available in the coming year.

NIC ICTU Education and Training also offer a very wide range of unaccredited short courses for unions to develop the potential of union representatives.

For details of the full range of available accredited and unaccredited courses, or if you wish to arrange bespoke training please contact NIC ICTU Education and Training.

Education for a Better Society

NIC ICTU have become concerned at the rise in community tensions over recent years, along with the growth in racist and xenophobic attitudes towards migrant and ethnic minority communities in NI which are fuelled by false scare stories in the media and the baseless fear mongering of the so-called "respectable" British political parties trying to outdo each other for votes.

In response to this propaganda, which becomes widely accepted in society, and to resource union representatives to deal with such divisive issues in the workplace, NIC ICTU Education and Training, in conjunction with Trademark, have introduced a section into the core Trade Union Education courses challenging sectarian and racist attitudes.

Specific course on these issues are also available on request.

Apprenticeships

The Minister for the Department for Employment and Learning announced his intention to review Northern Ireland's Apprenticeship and Youth Training system in 2013. In conducting the review, DEL established a panel to advise the process and Congress was invited to participate in this.

In submitting a response to the pre-consultation phase, Congress noted the following:

A system of Apprenticeship training which both provides the apprentice with a highly valued gateway to skilled employment and career progression and also provides the economy with skilled and well-rounded employees must have certain characteristics.

Apprenticeship should be 'special'. Acceptance on an Apprenticeship, to have value, should represent an achievement in itself. Widespread use of the nomenclature 'apprenticeship' at Level 2 or below devalues the concept of entry within and towards a skilled trade.

ICTU believes that Apprenticeships should be at level three or above, we believe that anything below this level is not an apprenticeship.

The ICTU welcomes consideration being given to legislating for apprenticeship. The Apprenticeship framework must be clearly defined and all partners must be clear about their roles, responsibilities and obligations. ICTU understands that NI is one of the few places in Europe where there is no legislative underpinning for Apprenticeships. We would support the defining of apprenticeships in legislation and believe that this would enable apprentices, employers, trade unions,

providers and the Government to be clear about their respective roles and responsibilities.

ICTU is pleased to note the Minister's intention to address equality issues which exist within the current apprenticeship system. In the most recent statistical bulletin 2007 – 2013 produced by NISRA, it is clear that some of the groups protected under section 75 are vastly under-represented in the apprenticeship programme. For instance there were only 7 people who declared themselves as disabled on a level 2/3 apprenticeship programme as at April 2013. It is difficult to assess the gender breakdown over the range of apprenticeship programmes. Anecdotally ICTU would assume that females are under-represented in STEM apprenticeships however the gender breakdown for each apprenticeship programme does not appear on this bulletin although we assume that this is available. We would suggest that the gender breakdown for each of the apprenticeship programme is published within this bulletin.

ICTU will await the full public consultation to assess what the Minister is proposing in terms of addressing traditional equality imbalances within the Apprenticeship system. However we would suggest that this work will require considerable resources as well as a system of partnership working with trade unions, statutory bodies such as the Equality Commission and NGOs such as the Women's Tec.

ICTU is also concerned that in the equality breakdown, only 7 of the section 75 groups are listed. No information appears for political opinion or sexual orientation. In order to properly impact assess the apprenticeship programme, the Department must collect data relating to each of the nine equality grounds.

The full consultation was launched by DEL in early 2014 and Congress will respond fully to this.

During this period, Congress also responded to the Department for Employment & Learning (DEL) consultations on:

- Tuition Fees;
- Educational Maintenance Allowance
- Steps to Success – future employment related training programmes.

Copies of the full response are available from the NIC office.

D2 Union Learning

The Union Learning programme in Northern Ireland continues to flourish and the Department for Employment and Learning confirmed that a further period of funding from 2011 - 2014 would be available under the Union Learning Fund.

Applications were sought and successful projects were:

CWU	UNITE	BFAWU
UCATT	USDW	UNISON
TSSA	PCS/NIPSA	
IBOA	RCN	

ULF projects continue to engage with union members in the workplace, offering learning such as English and Maths as well as information communication technology. As well as engaging adults back into education, union learning is also a way of engaging people with the union. Union Learning Reps are key to this work. Congress continues to train and support Union Learning Reps to work within their workplaces and unions to promote the value to learning.



Union Learning Reps at UL conference 2012

Essential Skills Awards

The Department for Employment and Learning continues to organise the annual Essential Skills Awards with a special category for trade union learners.

Congress is delighted that every year sees high quality nominations from essential skills tutors representing the hard work that trade union learners put into courses. Union Learning Fund Projects are supported by monthly Project Officer meetings and by regular monitoring meetings.

who works at McVities in Manchester and has been very successful in attracting migrant workers into Union Learn programmes.

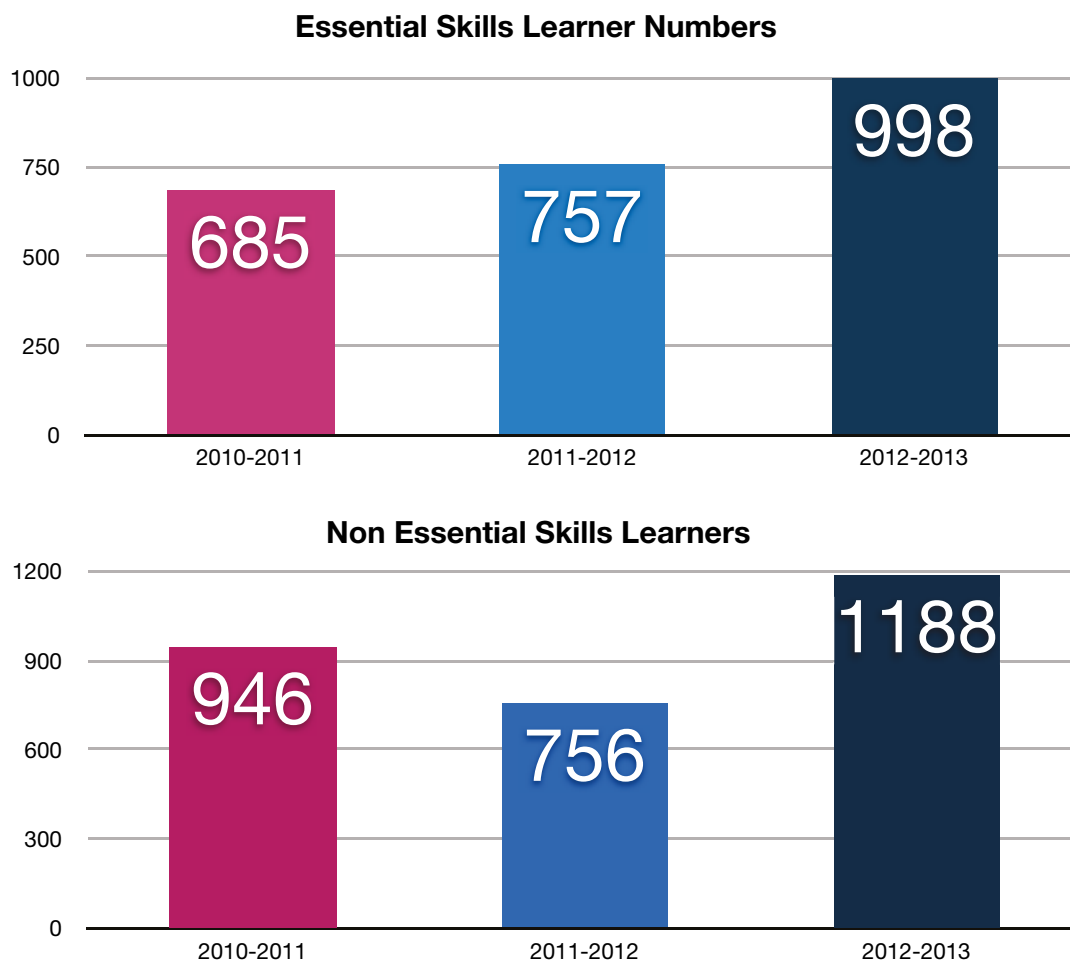
In 2013, the ULF conference was addressed by the TUC's head of Learning Tom Wilson and the DEL minister Dr Stephen Farry, who told delegates:

ULR Development Conference

In March 2012, a successful conference of Union Learning Representatives was held in Belfast, at which over 60 ULRs discussed the challenges ahead and focused their discussions on reaching the 'hard to reach' work colleagues who would benefit from additional skills. The highlight of the event was a keynote speech from the UK's ULR of the year (2011) Jonathan Waterhouse (USDAAW),



TUC head of learning Tom Wilson addresses ULR conference 2013.jpg



"My Department's aim is to ensure that every adult has the opportunity to obtain the skills they need to succeed in life and work. Skills and employment are the foundation on which a successful economy is built and they are essential for individual prosperity, personal fulfilment and a fairer society."

There are currently ten union learning projects operating in workplaces across Northern Ireland, funded through the Department for Employment and Learning's Union Learning Fund. These projects are aimed at improving workplace skills in a variety of areas such as Deaf Awareness and Sign Language training as well as providing a second chance for people to gain Essential Skills qualifications in Literacy, Numeracy and ICT. These projects have also helped to train and

support Union Learning Representatives, establish learning centres and facilitate learning agreements with employers. The Minister continued: "I would also like to mention the very significant trade union education programme which my Department also continues to fund. It is a programme that offers union members – and indeed non-members – important training on a broad range of employment rights and employment relations issues."

"The importance of developing a highly skilled and motivated workforce with a strong 'can do' ethos cannot be underestimated. Learning is empowerment; it opens up opportunities for individuals to succeed and, through their efforts, promotes Northern Ireland as a great place to work and do business."

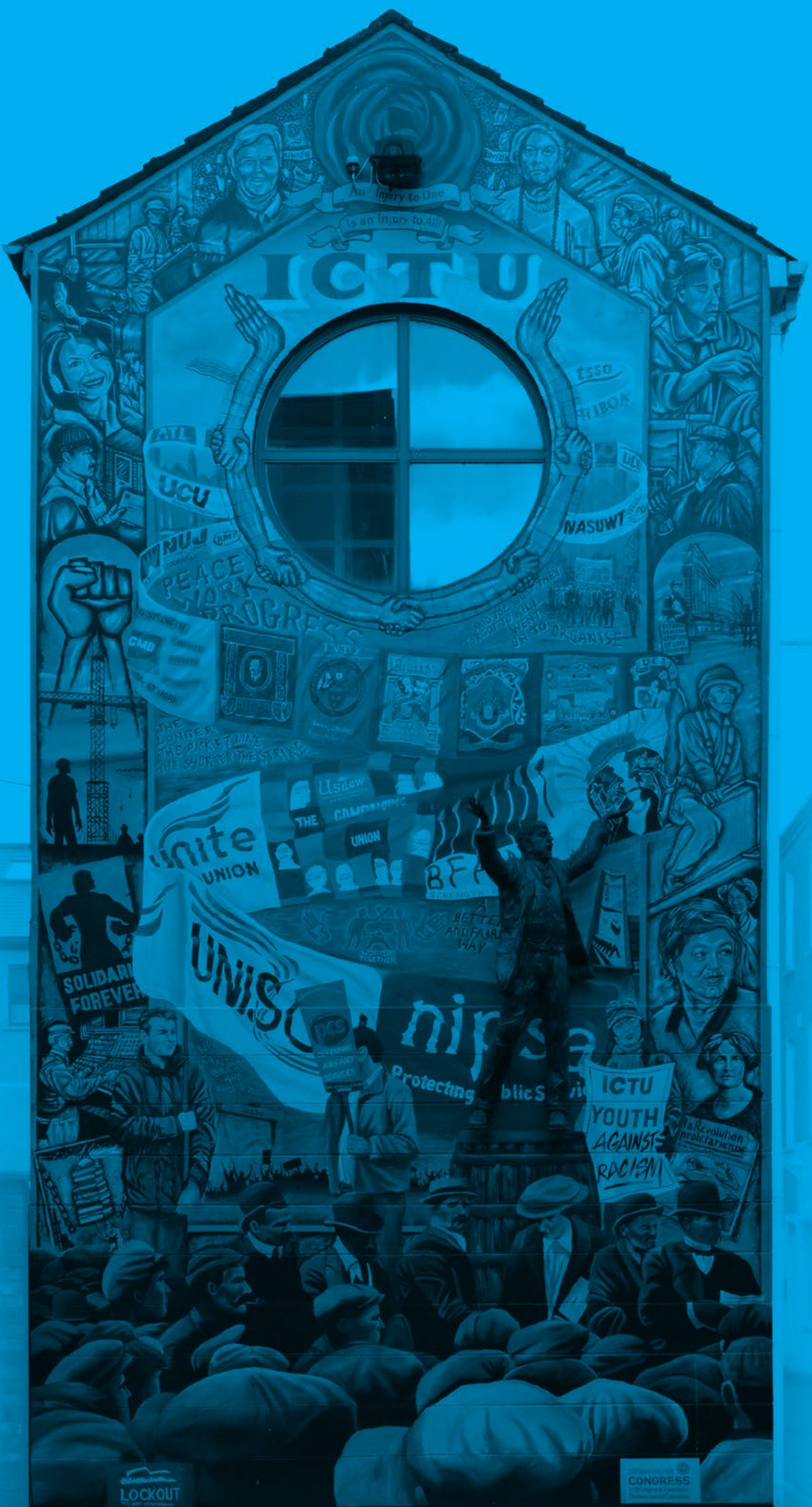


Winner of Essential Skills Award 2013, Geraldine McKinney (USDW), pictured with DEL minister Dr Stephen Farry and ICTU AGS Peter Bunting

Trade Union Education a

Training and Lifelong Learning

e Political & Economic Report



E1 Introduction/Overview

The response of the devolved government in Stormont to the UK's triple-dip recession has been as disappointing as the implementation of commitments made 15 years ago on Good Friday.

Unemployment is at a rate not seen since the Agreement was signed. All of the trade unions across Northern Ireland supported the Agreement and campaigned for it, and we have no regrets for doing so. We should never forget that there are hundreds of people alive today who would have been killed or injured or imprisoned or exiled, had the Agreement never been reached. That fact alone makes all the effort worth it.

However, if the price of freedom is eternal vigilance, then the price of ensuring that we are progressing and not regressing is vigilance by an active citizenry through an inclusive civil society.

Sadly, we are regressing on certain fronts - most notably, equality, human rights and political participation. We have also seen

the abolition of the Civic Forum, which could have acted as a social conscience for the Assembly and Executive.

We have seen the clear commitment to a comprehensive Bill of Rights sidelined. The promised Single Equality Act has never materialised. There is no agreement on any strategy to address sectarianism. Nor do we have agreed or effective strategies on sexual orientation, gender, disability, race, older people, young people, and the long promised anti-poverty strategy.

In 1998, we in Northern Ireland were global leaders on equality and human rights tools. Now we are a decade behind Britain and other EU states. It is unacceptable that key elements of EU anti-discrimination Directives have not been transposed into domestic law.

There is also the fact of declining participation in elections, especially by the younger voters, a creeping non-vote of no-confidence in our emergent 'political class'. There is a real concern that the peace process has become the property of the political parties rather than the



ICTU silent vigil held for the memory of prison officer David Black

people. Add to this, the current scandal of youth unemployment at its highest since 1995 and the visibility of young people in recent protests and disturbances, adds to the sense that we are letting down the supposed beneficiaries of the Agreement.

The NIC upholds the right of all to freedom of expression. When we exercise our right we also take our responsibilities seriously.

Responding to the street protests of December 2012 and the attempted murder of a woman police officer, the NIC called for a halt to all protests, pickets, and violent and verbal attacks related to the issues of flags, on any building in Northern Ireland.

The NIC also called on the elected representatives in the NI Assembly and local government to suspend motions calling for the raising or lowering of flags with immediate effect.

The trade union movement has years of experience of bringing people onto the streets to protest against violence from all perpetrators, and for equality and justice, but there are rules that we follow. The first priority is the safety of all who participate and who witness the protest - no one gets hurt. That means dealing with the civic authorities well in advance and ensuring that the protest is well-stewarded by competent people who are clearly identifiable. We always co-operate in advance with the PSNI, Road Service, Translink, local government and anyone else who may be affected, to ensure that everyone goes home safely.

The NIC statement on the December protests concluded by stating that:
"Calling for others to take to the streets and then walking away from the consequences is the act of a coward."

THE NIC still believe that a comprehensive strategy to address sectarianism should be a priority for the devolved administration and that the social benefits of a rights-based society would match the economic impact of a Northern Ireland free of division.

Meanwhile, there remain those wedded to the futility of violence. In November 2012, they assassinated Prison Officer David Black as he drove to work. Yet again, trade unionists from all communities took to the streets to express their horror and sadness, as we have done in leading public protest at crimes perpetuated by paramilitaries from both sides.

Congress still believes that, as a respected independent and neutral body in the eyes of competing marginalised groups, it has a duty to respond to requests to act as a good-faith facilitator on a range of problems that still bedevil Northern Ireland.

The benefits of 'stability' have not trickled down. While there has been a peace dividend for some, the patterns of disadvantage have remained unchallenged and on issues like health inequality and educational access, the problems are growing.

There are policy choices which can extend inclusiveness and make the weak feel powerful without blocking roads or besieging their neighbours. Stormont ministers have constantly used the line that the money is not there for investment because HM Treasury control the cash supply.

They can, however, do something which will cost very little in monetary terms, but could bring huge social dividends.



USDAW marches on May Day

A Bill of Rights for All

A comprehensive Bill of Rights and an allied campaign of encouraging people to take part in the decisions which affect their everyday lives, would deepen the roots of democracy and dialogue.

Congress presented evidence to the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement on the urgent necessity for the completion of a Good Friday Agreement, in tandem with the completion of promoting equality of opportunity and *Dealing with the Past*.

The obstruction of a Bill of Rights by political parties and the refusal of agreement on genuine strategies towards an equal and shared society may be due to party political resistance to the wide scale participation of the people, a prerequisite of the success of such strategies.

Not enough people feel that they are being listened to and they can't afford lobbyists or sufficiently excite the local press. Congress is fighting to ensure that these voices are heard. Politics should not be the exclusive preserve of specialists, of what Peter Robinson revealingly called "the political class."

This was a major commitment of the resources of the movement and our allies across civil society, and involved months of lobbying Stormont, street protests, mass leafleting and public information sessions on proposals which will deepen poverty and disadvantage in our society.

For instance, in August 2012 community-based welfare rights and women's groups - together with Congress - organised a protest outside the offices of ATOS Health Care, the private company which operates the Medical Referee Service, to support the "Atos Games" - Showcasing Disabled People's anger that ATOS had the brass neck to sponsor the London Paralympics.

The function ATOS Health Care performed was previously delivered by the public sector but was privatised in 2010.

Since then, disabled clients have been unable to be examined at Royston House because ATOS claim they cannot facilitate evacuation in the case of an emergency. In addition, new assessment criteria for disability benefits made it much more difficult for disabled people to obtain and retain the relevant benefits. Cases such as this persuaded many that justice was on the side of the protestors, and several further protests and lobbies have been organised since, at the ATOS offices and on the steps of Stormont.

At the time of writing, the Assembly treads with care, as they have lost the argument with the public and the unions. ATOS stay silent and decrees that people with end stage cancer are 'fit for work'. There was similar public outrage at the revelation by workplace whistleblowers of plans to withdraw from NHS residential care in every Health board area. The swift response from unions and the infuriated eloquence of 90-year-old residents caught the media's attention, which translated into public anger aimed at a Health Minister who was forced to back off and apologise.

One of the reasons why so many unions went out on strike in November 2011 was the 'reform' of public sector pensions. The NI Assembly passed a truncated version of the Westminster Act in early

2014, with some gains for NI workers. At present, the secondary legislation is being negotiated by unions and management on a scheme-by-scheme basis. The affiliated unions engaged in a long series of talks with DFP officials and the relevant Assembly committee, before intense engagement with MLAs ahead of the Bill's Consideration Stage, where some important concessions were won.

The tide is turning against austerity among the general public, not merely because of the inefficiency and unfairness of the measures, The moral argument against austerity is understood and supported by voters for all parties, and that is why marches and protests, such as in November 2011, October 2012 and on every May Day, are supported by ever bigger crowds, all of whom are saying 'Enough!'

Public Engagement & Organisation

As the largest civil society organisation in Northern Ireland, Congress has engaged with elected representatives at all levels, from local councils to the NI Assembly, the Executive, the Oireachtas and Westminster, in the many forums set up to address the economic and social crisis caused by austerity and political inertia.

A major cut in Corporation Tax, touted as the silver bullet for the NI economy, is now unlikely to happen. This represents a major political success for the union movement, as we were the only significant body opposed to tax haven status for Belfast. Opposed to us were those who were going to profit from a cut, who did not fully understand the consequences, or just went with the manufactured consensus.

We must acknowledge the help we received from economists and other tax experts who contradicted the simple and misleading narrative of the tax cutters, most especially Richard Murphy of Tax Research UK.

The assistance from Richard and others in TradeMark's Centre for Progressive Economics and the related Betty Sinclair Winter School helped elevate the level of our engagement with the purse-wielders and decision-makers.

Our capacity was also augmented by the presence of an economist from the **Nevin Economic Research Institute (NERI)**, which has already made significant contributions to the policy debate around the economy (see below).



The NHS' 65th Birthday is marked at the 2013 ICTU BDC

NERI adds to the intellectual strengths already present in the movement – especially the considerable expertise within affiliate unions about their sectors.

We have a talent pool of considerable depth all of whom grasp the technical details and political context of healthcare, education, equality, human rights, pensions, migration, manufacturing, agri-food, retail, Europe, social security, local government, justice, culture, and all of the cradle-to-grave issues which affect each citizen.

This knowledge is on top of the wisdom we have learnt as trade union representatives and as negotiators.

Our expertise on employment law has been recognised by at least one government department, the Department of Employment & Learning, which refused to import wholesale the Westminster government's plans for Employment Law, and instead convened a new **Labour Relations Agency Roundtable** for Northern Ireland, with equal representation for trade unions and employers (see below).

This has the aim of utilising the legal fact of devolution to create the most appropriate framework for industrial relations in workplaces across NI.

Making the links between the divergent experiences of our members and the wider campaign for the preservation and extension of a decent society has been a crucial aspect of our campaigning strategy. We have argued with Stormont ministers that we must use whatever fiscal levers we have to at least offset the worst of the recession. That is why we have supported those initiatives when they have arisen, such as the limited stimulus programmes announced by the

Finance Minister and Belfast City Council's Investment Programme in February 2012, which aimed to assist unemployed young people with a bursary scheme, a pre-employment support programme and a new apprenticeship scheme.

The **ICTU Biennial Conference** was held in July 2013, in Belfast for the first time since 2005, at which Congress president Eugene McGlone welcomed over 800 delegates and guests to his home city. Specific motions on Northern Ireland related to the continuing struggle with austerity policies, sectarianism, and the completion of the Belfast Agreement, although most motions discussed and passed had a real relevance to the lives of working people – their pay, conditions, safety, dignity, opportunity and rights.



Peter Bunting Addresses the 2013 ICTU BDC in Belfast



David Begg speaks to BDC delegates



Jimmy McKeown from UCU addresses the BDC, shortly before his retirement



Unite delegates at the BDC

Fulfilling the promises made in 1998 remained a major issue for trade unionists who supported the **Good Friday Agreement** and campaigned for many years for the parties to agree to work what they had signed and to restore the institutions for the good of all of the people of NI. The results to date have been meagre and mediocre.

On the fifteenth anniversary of the signing of the Agreement, the NIC issued a statement expressing its frustration at the lack of progress, and the sectional interests who have delayed and blocked many worthwhile initiatives, while and at the same time imposing the worst of Westminster's heartless policies with a resigned shrug.

The NIC statement concluded: "The Agreement is not perfect for everybody, but it is still the best future for us all, together. Complete it."

Political Paralysis – a Demand for Action

By the summer of 2013, it became more and more obvious that a crisis was brewing at the top level of devolved politics. The NI Executive was not functioning while the rhetoric of blame

was being amplified with each comment from the main political parties. A vacuum was opening and into the void rushed those unrepresentative groups whose every action and statement was intended to divide the people along sectarian lines.

The flags protests dragged on, occasionally flaring into street violence at increasing intervals. Paramilitary groups also increased tensions with a series of armed attacks on police officers and murders and assaults on innocent civilians and alleged criminals.

Outside of 'normal politics', we have been confronted with significant paramilitary activity from those who claim to represent the working classes in both main communities. Allied to the threats from such groups, we have seen a rise in inter-communal tension rooted in the flags protests, contentious parades and the legacy of the past. There is no doubt that these involved in these protests are motivated by strongly held principles, actions which we in the trade union movement are not opposed to provided that such are not engaged in to offend others and increase tension, but ultimately they are damaging an already hard-pressed economy.

Political paralysis costs money. The £80 Million Social Investment Fund has belatedly started to trickle money down to deprived communities, while spending £400,000 on Consultants. The A5 road project has so far cost £60 million and is going nowhere. The Maze-Long Kesh Development Centre has been stalled over its Peace Centre, leading to the loss of £18 Million in EU funding. Further EU funding opportunities have been threatened or lost due to inter-Executive disputes over Narrow Water Bridge (£14.5 Million) and the unseemly spectacle of DFP and DARD fighting in the High Court

over the Common Agricultural Fund, described by Lord Chief Justice Morgan as “a case about political failure.”

Recent research from the Centre for Cities highlights what the trade unions had been saying for months. The recession is still in force in Northern Ireland and the ‘recovery’ being touted by the Westminster coalition government is largely a revival of the fortunes of London and the South -East of England. NI has the lowest rate of business start-ups in the 64 cities surveyed, with one of the lowest rates of patents granted. The private sector is still too weak to lead any jobs recovery for our young unemployed. For school leavers and graduates, the best chance they have to find a rewarding job is to move, thus worsening the ‘brain drain’ and leaving Northern Ireland behind, in so many ways.

The Centre for Cities research reveals that Belfast has the third highest rate in the UK of working age people with no qualifications. Current trends suggest that this may not improve with few options of quality jobs for our educated young workers. We will continue to be a low-skill and low-wage backwater with few incentives to stay or invest. Welfare Reform, which should be rejected by the Assembly, will ensure that the poor remain excluded through cuts to tax credits, disability benefits and Employment Support Allowance - benefits intended to support the working poor. Areas of multiple deprivation suffered the most during the conflict. Now they are taking the brunt of austerity, the most marginalised communities in a region which is peripheral to the ‘recovery’ centred on London. One-in-four of our young people is unemployed, many for over a year. A lost generation is being created in front of our eyes and we have no clear strategy to address the issue.

Over ten years ago, the NI Executive prioritised public health through its Investing for Health strategy. The promises of that strategy have been replaced with the flawed strategy called Transforming Your Care. TYC knows the cost of everything and the value of nothing, and is leading to privatisation through stealth and has led to scandals such as the attempted mass closure of elderly care homes last year. Unified actions by trade unions, communities and the relatives of people in care homes has delayed the closures, but the flaw is with the TYC strategy.

On the other hand, we have seen endless delays with the implementation of the Education & Skills Authority, a unified body which might take a holistic view of our education system and begin to address the shocking levels of academic under-achievement, which in turn delivers those young people who are most likely to be out of work and not in training.

Almost half of the children who qualify for Free School Meals leave school with less than five GCSEs, two-thirds leave school without qualifications in English and Maths and there is a higher proportion of boys in that depressing statistic. These are the young men whose anger and alienation make them perfect recruits for shadowy groups opposed to peace, progress and equality. In the past year, dozens of young men have been convicted and imprisoned for public order offences and even more serious crimes, effectively blighting their lives forever.

Northern Ireland needs radical changes made to our education system. Many agreed with the First Minister’s characterisation of the inbuilt religious segregation as ‘benign apartheid’, but words are not enough anymore. The children need to be integrated, to learn

and play together, and to remain together through to second level. The farce of two faith-based privatised 11-plus exams should be scrapped. We are spending a fortune segregating children by creed at 4 and class at 11, while claiming that we do not have enough resources to take care of our most vulnerable citizens, in the last days of their lives.

Some ministers respond by saying that they are doing all that they can - the problem is that they are not doing nearly as much as they could, if there was a shared unity of purpose in the NI Executive - and it is obvious that there is not. It is time for action.

At the level of the NI Executive, the fault lines seemed to be not only social or economic issues, but on long-running arguments on symbolic concerns about flags, emblems, parades and Dealing with the Past. On those, stalemate had been reached.

An attempt to break the stalemate by utilising the expertise of Richard Haass and Meagan O'Sullivan floundered – again along sectarian lines. The failure of the Haass talks was a symptom of the core problem, and it was the core problem that the NIC attempted to highlight with a series of public interventions in early 2014.

Like many other representative bodies, Congress met with Richard Haass and supplied a written submission to the Panel of Parties (see below). The failure to agree a way forward on the topics involved were not a surprise to us – merely another example of political stalemate.

The NI Executive is structured to ensure that all Stormont Executives are coalitions. As in other states and regions, such an arrangement necessitates

accommodation on an almost daily basis. Compromises on policies such as Health, Education, Welfare, Transport, Public Services and the Economy are essential in order to maintain overall political stability.

In Westminster, the coalition government is functioning sufficiently well to agree policies which are radical and, we would contend, damaging to the voters of NI – none of whom voted for the Tories or the Liberal Democrats. In Stormont, we have a dysfunctional coalition which should be standing in united opposition to many of those policies, especially Welfare Reform and attacks on the pensions and jobs of public sector workers.

The ICTU is a confederation of over 50 autonomous trade unions representing a collection of interests in two jurisdictions, but for whom reaching consensus on agreed policies are essential for the greater good of over 800,000 trade union members on the island of Ireland.

On a daily basis, Trade Union representatives are negotiating with employers and governments on a wide range of policy interests and on terms and conditions of employment. Workplaces work better when fair compromise is reached by parties who mutually respect each other. So does society. So does politics.

The NIC organised a lunchtime rally, entitled Peace, Work & Progress - A Demand for Action, for the centre of Belfast on 31 January. Due to appalling weather, the turnout seemed disappointing, but this was belied by the huge volume of support expressed, especially online, by local grassroots community organisations, the major civil society groupings and the trade union movement in England, Scotland, Wales and the Republic of Ireland.

The message remains the same. It had to reinforced the following week, when threats were made to a teacher, Catherine Seeley. Speaking on behalf of the NIC Peter Bunting said:

"Workers have a right to go to work without fear and also have the right to hold personal political views and join political parties, if they so wish. Legislation and the Belfast Agreement are both clear on the right to hold political opinions. The history curriculum and its teaching are also clear, and it is defamatory to accuse Ms Seeley of indoctrinating her classes, just as it is insulting to the intelligence of her students.

"However, history students ought to know that for much of the 'Troubles' and for too many periods over the past century-and-a-half, the perception that you were the 'wrong sort' was often enough to get you expelled from your work, or even murdered.

"Political leaders need to speak out strongly now and condemn the treatment of Ms Seeley. We have also seen in the recent past 'tit-for-tat' expulsions and a cycle of retaliation that escalates, ruining careers and lives. Working people are under enough pressure already without the additional stress of fearing their colleagues, or the people for whom they provide services.

"Our political leaders have a duty to their own supporters - if they will not defend the political rights of others, then how can they protect the rights of their own supporters?

"Politics works best when it takes place in public. People should not be ashamed to join political parties and make it public. This is a free speech issue at its most basic, and is the norm in modern democracies."

SUBMISSION TO DR. RICHARD HAASS AND THE PANEL OF PARTIES IN THE NI EXECUTIVE ON PARADES AND PROTESTS; FLAGS, SYMBOLS AND EMBLEMS AND RELATED MATTERS; AND THE PAST

Introduction

The Irish Congress of Trade Unions (ICTU) represents workers and their families on the island of Ireland. Uniquely in Europe ICTU spans two jurisdictions. It represents approximately 775,000 workers throughout Ireland, including 215,000 workers in Northern Ireland.

Congress is the largest and most politically and culturally diverse civil society organisation on the island of Ireland. We have played an active role for many years in the pursuit of peace, equality and pluralism as defined by the United Nations:

"In our increasingly diverse societies, it is essential that persons and groups having plural, varied and dynamic cultural identities should live together in harmonious interaction and proper accord. Policies that seek the integration and participation of all citizens are an earnest of social cohesion, vitality of civil society and peace. Defined in this way, cultural pluralism is the policy offshoot of cultural diversity. Since it is inseparable from a democratic context, cultural pluralism is conducive to cultural exchange and the flowering of the creative potential that sustains life in society".

Congress also advocates on behalf of our members families and their communities. Consequently, we believe it is our responsibility to also speak out for the significant section of our society classed as "economically inactive" and who belong to the areas and groups of greatest need. The majority of people in this category have not significantly benefited from the peace process. In large part they suffer adverse impact as a consequence of historic and persistent patterns of discrimination which were to have been eradicated as a consequence of the peace process, but have not been significantly challenged. There are a number of empirical studies which evidence the continued marginalisation of working class communities incorporating both sides of the divide specifically on health, education, housing and other public service delivery.

Congress and its affiliates have been in the vanguard of the enactment of pieces of equality legislation in Northern Ireland such as:

- Equal Pay Act 1970 (Northern Ireland) 1970 (as amended);
- Sex Discrimination (Northern Ireland) Order 1976 (as amended);
- Fair Employment and Treatment (Northern Ireland) Order 1998 (as amended);
- Northern Ireland Act 1998;
- Equality (Disability, etc) (Northern Ireland) Order 2000.

Throughout the conflict Congress has been to the fore of ensuring that the unrest did not spill over into workplaces. Congress has been universally recognised as a trusted independent civil society body as exemplified by the huge support it has achieved through the holding of public rallies against sectarian murder irrespective of who the perpetrators were and are.

In 1993, Congress, in collaboration with Confederation of British Industry NI, issued a joint declaration of protection for all workers in employment by declaring that "discrimination or victimisation in employment is unlawful and unacceptable and that every employee has the right to work free from intimidation or harassment on the grounds of religious belief or political opinion". That joint declaration went further, stating:

"The company declares that its premises shall be a neutral working environment. It therefore prohibits the display of flags, emblems, posters, graffiti or the circulation of any material or deliberate articulation of slogans or songs which are likely to give offence or cause apprehension to a particular group of employees."

The CBI and NIC-ICTU went further by agreeing that the following sanction would apply for anyone engaged in discrimination, intimidation, victimisation or harassment as follows:

"Jointly condemn intimidation or harassment by word or actions, and commit themselves to take all reasonable steps to secure the safety of employees from intimidation or harassment in the workplace by persons of other religious beliefs of political opinion. Such intimidation or harassment should be regarded as an offence of gross misconduct which may warrant dismissal."

In 1998 we recommended to our entire membership that they vote in support of the Good Friday Agreement. The key commitments in the Agreement recognised by Congress as having the potential to create a fair and just future included the provisions on equality of opportunity, human rights, a Bill of Rights for NI, with a particular emphasis on socio-economic rights, and a firm commitment to deal with legacy issues and the past. The vast majority of our members voted in favour of the Agreement.

Since political devolution we have supported the political process by constructively engaging with elected representatives; by returning to public campaigning in support of the peace process during the periods of suspension of the NI Assembly; and by bringing workers onto the streets in significant numbers on several occasions in response to those who have sought to undermine the peace process through acts of violence and intimidation.

Congress has also been engaged in embedding the peace process through practical action, e.g.:

- Acting as facilitators for decommissioning;
- Facilitating agreement between the Northern Ireland Prison Service and Republican prisoners in Maghaberry Prison;
- Chairing talks in an attempt to find a resolution to certain sensitive parades;
- Congress continues through its partner body Trademark (previously Counteract) to engage in workplace training on all elements of diversity, anti-sectarianism and anti-racism;
- Established a trade union campaign for equality and education arising from the publication of *A Call to Action: Educational Disadvantage and the Protestant Working Class*.

Congress is a full member of the civic society umbrella organisations the Equality Coalition and the Human Rights Consortium and in these capacities we have campaigned with our partners to make the GFA commitments on equality and human rights a reality.

From 2007-2008 we fully engaged in the Bill of Rights Forum, alongside our civic society allies, the churches, the business community and the political parties. We chaired the largest working group on social and economic rights. Throughout that process we witnessed constructive engagement by all participants but a deeply disappointing opposition to equality and human rights by the unionist parties at the conclusion of the process.

At the Bill of Rights Forum all key stakeholders deliberated on issues including parades and protests, flags, symbols and related matters, cultural identity, and the rights of victims and survivors who were all the subject of extensive engagement. We recommend the dialogue continue.

Our allies in the Committee on the Administration of Justice (CAJ) and the Practice and Participation of Rights Project (established under the auspices of ICTU) and the Human Rights Consortium) have already produced their submissions to this process. They have our support.

Context

Congress is concerned that 15 years after those days of hope for the future we now face an extensive roll-back on the state's equality obligations; an abject failure by the British Government to introduce a Bill of Rights for NI; and the complete failure of the local administration to introduce a comprehensive, inclusive and supported process for dealing with the past and legacy issues. This situation is:

- Undermining the peace process;
- Creating dysfunction in Government decision-making;
- Deepening inequality for areas and groups of greatest need;

- Attacking and attempting to sectarianise long accepted equality and human rights criteria for resource allocation such as objective need;
- Creating a void in society which is being filled by extreme elements and increasing sectarianism.

In June 2013 US President Barack Obama stated that there were people in our society who had not *"reaped the rewards of peace"*. He emphasised that there was still much work to do and he particularly emphasised that; *"lack of jobs and opportunities.....are not tangential to peace; they are essential to it"*.

The Irish Congress of Trade Unions takes this as clear recognition of the need to address the current and persistent patterns of inequality in mainstreamed, time-bound and targeted initiatives.

15 years after the Good Friday Agreement the evidence of a roll-back on commitments to equality and human rights and the unfulfilled commitment on dealing with the past is overwhelming.

One of the starkest realities is the reduction in life expectancy for people from the most disadvantaged groups and areas. The creation of a just and equal society was what the people signed up to 15 years ago. In 2013 however, men living in the 10% most deprived areas here can expect to live almost 12 years less than those living in the 10% least deprived areas. For women, the gap is more than 8 years.

The elephant in the room is the complete resistance of current Government to comply with the law of the land and produce an Equality Impact Assessment of health inequalities, most especially on the basis of religious belief and political opinion. It is our belief that this is being deliberately avoided in order to disguise the fact that the failure to deliver on the GFA commitments has copper-fastened inequality and the patterns of discrimination.

In the period 1966 to 1999, 3636 deaths are recorded as a consequence of the conflict. Since the peace agreement there have been over 3000 suicides. Suicide, with a 234% gap between the most and least deprived areas, is inextricably linked with poverty, unemployment and the legacy of the conflict. Rates have soared since 1998 with a total of 313 suicides recorded in 2010 alone – the highest figure ever recorded in Northern Ireland.

The right to health, education, housing, work social security, an adequate standard of living and to public services including social care, are fundamental human rights which are increasingly being denied to a large section of the people of NI. Throughout our peace process people are dying from what the Institute of Public Health and the World Health Organisation describes as "a preventable disease – inequality". This is perhaps the greatest failing of our current political system. Had the tools of equality and human rights been utilised in a fashion which placed them above party politics, we would today have different and better outcomes.

Parades and Protests

Congress fully supports the right of all to parade, the right to protest and counter protest. As this matter is essentially a civil right, Congress fully supports that decision making in these matters continues to be undertaken by an independent body. Current regulations are incorporated in the Public Processions (NI Act) 1998 (PPA) which empowers the Parades Commission to take decisions on restrictions on parades and counter protests. Congress is fully committed to the right of freedom of assembly but has concerns over how our legislation currently deals with the disruption to community life and the adverse impact on relations both within and between communities.

Having deliberated on how improvements on these matters could be implemented in Northern Ireland Congress recommends the following:

- As a genuine mark of respect for those who live in areas where various organisations seek to parade, it should be mandatory where inter-community protests may develop, that both the marching organisations and the local community groups engage in dialogue
- Such talks should be chaired by experienced facilitators to achieve an agreed resolution prior to submission to an independent body for adjudication. (The facilitator should be accepted by both groups.)
- Facilitators should report to the independent body on the genuine attempts by both parties to seek a resolution.
- Based on the facilitators' report the independent body will then make a determination. It is an imperative that such a determination is enshrined in legislation and supported by all political parties and members of civic society.

However, Congress supports the views expressed by Maina Kiai, the UN special rapporteur on the Rights to Peaceful Assembly and of Association, Mission to the United Kingdom of Great Britain and Northern Ireland, 29 May 2013. The special rapporteur emphasises that the decisions of the Parades Commission should be fully rooted in the human rights framework as this constitutes an objective and justifiable means of balancing the competing interests inherent in the process. Furthermore, this report stresses the positive role of civil society organisations in facilitating dialogue between communities. It is instructive to read that Maina Kiai also calls on the competent authorities to:

"Ensure that blatant and provocative violations of the parade commission's determinations are prosecuted".

Congress is of the opinion that any violation of an independent bodies determination in this area requires sanctions but supports the CAJ view:

"CAJ recommends a policy framework be introduced to ensure that powers to sanction persons for un-notified processions / counter protests, or related offences, are exercised in a consistent and ECHR compatible manner".

Flags and Emblems

Congress fully endorses the view as cited in 'A Shared Future' (2005), that *"developing and protecting town and city centres as safe and welcoming places for people from all walks of life.....freeing the public realm from threat, aggression and intimidation while allowing for legitimate expression of cultural celebration"*.

Congress is fully cognisant of the sincere emotional attachments illustrated by citizens across Northern Ireland to flags, symbols and emblems. NIHRIC Advice (2008) states:

"Public authorities must fully respect, on the basis of equality of treatment, the identity and ethos of both main communities in Northern Ireland. No one relying on this provision may do so in a manner inconsistent with the rights and freedoms of others".

Congress concurs with the view of the ECHR in referring to "the hallmarks of a democratic society" infers that democracy does not simply mean that the view of the majority must always prevail in this context. However in the context of the flying of what is deemed the 'Union Flag', Congress agrees with the Flags Regulations (Northern Ireland) 2000 which applies primarily to those buildings occupied "wholly or mainly" by "members of the Northern Ireland Civil Service" and not Local Government.

In the general Guideline context (P18 of the NIHRIC Paper):

"States should promote integration by respecting the claims and sensitivities of both minority and majority groups regarding the display and use of symbols in shared public space. While being mindful of freedom of expression, States should avoid the divisive use of symbols and discourage such displays by non-States actors. Where appropriate, opportunities to promote inclusive symbols should be sought".

Congress accepts the OSCE's Ljubjana Guidelines on Integration of Diverse Societies which recognise that the "inappropriate use of symbols can cause tensions and incidents that can escalate into conflict and intercommunity violence". They suggest, which we fully support, that in respect of flags and emblems displayed on local government buildings, that "based on principles of inclusiveness and good governance achieving a balance between the reasonable interests of all groups in society". Congress believes that the Union Flag should be flown on Local Government buildings on the designated days as applies to the Northern Ireland Assembly Building.

Congress has no immediate solutions to the display of flags, emblems and symbols on lampposts, kerbs, etc. We are experienced enough to know that it is terribly unfair, if

not downright dangerous, to allocate the responsibility of removing such material to local council workers. The responsibility for ensuring that public property regaled with emblems, etc., which may cause offence to others working, shopping or going about their lawful business in that location and for whom such regalia cause offence should be dealt with under legislation enacted by the State. It should also be the responsibility of investors, shareholders and business proprietors to ensure that their enterprises are not utilised for the display of offensive regalia. This was exemplified in Belfast by a decision to ensure that a local branch of KFC would lose its franchise if it did not remove offensive graffiti. This is a matter which may well fall under what could be construed as sectarianism however it has been a failure in Northern Ireland that there is no legal definition of sectarianism other than the ECRJ definition of racism which when replacing the word racism for sectarianism reads as follows:

"Sectarianism shall mean the belief that a ground such as religion, political opinion or language, nationality, or ethnic origin justifies contempt for a person or a group of persons, or the notion of superiority of a person or a group of persons".

It would be our view that the term 'culture' should be included in this draft definition for enactment and legislation in Northern Ireland.

Legacy of the past - Transitional Justice

It is the view of Congress that it is quite evident that many in Northern Ireland, and other external actors, believe that there are two views of how to deal with the issue; one is best described as drawing a line in the sand and moving on. It is our considered opinion that this is not a sustainable strategy towards building the peace process in Northern Ireland. Congress views the treatment of the Eames/Bradley Consultative Group on the Past had some very good recommendations but unfortunately were lost in emotional response to their view on reparation for victims. Congress agrees with the viewpoint of the OHCHR, (Reparations Programme 12):

"Compensation is important but reparations work best when seen as part of a comprehensive justice policy, rather than as an isolated effort. The situation was worse when this is the only redress on offer, with no truth telling, criminal prosecutions or significant institutional reforms. This may give the impression that reparations are a bribe to buy the silence or acquiescence of the victims".

It is obvious from a review of past bodies established, both judicial and non-judicial, that the legacy of the past incorporating four major principles, e.g., truth, justice, accountability and redress, are still outstanding and inhibit an acceptance of building a just and peaceful Northern Ireland. In that context, there appears to be a competition for the establishment of a hierarchy of victims. Congress believes that this is an impossibility and a barrier to progress. There are many types of victims arising from the conflict in Northern Ireland other than those who have been killed, injured or members of extended families of these categories.

Congress acknowledges there are many people in NI suffering from Post Traumatic Stress Disorder allied to a huge range of mental health issues arising from the negative impact of trauma inflicted or sustained by immediate family members, extended family members or indeed those who have witnessed violent related actions. Congress also acknowledges that there are a large number of campaigning groups from both the major communities seeking truth/investigation into particular actions or circumstances which for them demands closure.

To attempt to compile a hierarchical table of victims is beyond the competency of any lay person. Congress is of the view that to build on the peace in Northern Ireland, the buy-in of the vast majority of Northern Ireland citizens is essential. We are of the opinion that both the NIHRC and the CAJ indicate a way ahead in the conclusions and recommendations of their respective documents: *Dealing with Northern Ireland's Past - Towards a Transitional Justice Approach* (pp. 17 & 18) and the Independent CAJ Recommendations to the Multi Party Group on *Dealing with the Past – Investigating Troubles-Related Deaths*.

Conclusion

Congress appreciates the huge volumes of submissions which you are receiving, many of which will deal with the adverse economic impact which inter-communal violence creates. Congress shares this view and could comment at length on this particular issue, but is of the opinion that in order to create economic growth we must have a peaceful and stable society, based on a foundation of equality and human rights.

The lack of jobs and investment in Northern Ireland and austerity measures being imposed on the Northern Ireland Assembly by the Westminster Government has created a stagnant economic environment. Since 2008, we have witnessed a huge attack on public services on which the most marginalised totally depend. This has resulted in many working class areas being denied any sign of a peace dividend. Indeed their lifestyle and life chances have diminished.

At present the UK Government is exerting pressure on the Executive to introduce sweeping changes in the Welfare system which creates further adverse impact on areas and groups of greatest need thus reinforcing patterns of discrimination. The UK government is also stating that it will impose financial sanctions in this regard. This is unacceptable from a signatory of the Peace Agreement. Pressure must instead be exerted on the UK government to fulfil its outstanding obligations by delivering a strong and inclusive Bill of Rights.

An unemployed rate among young people of 24.7% acts as the greatest recruiting sergeant for paramilitary groups in both main communities. This argument can be easily discerned through an analysis of the locations from which violence and protests emanate. The trade union movement across Northern Ireland will continue to pursue policies of embedding peace in pursuit of a society rooted in equality and justice for all, this demands:

- All political parties to sign up to the Peace Process.
- Dysfunctional government in terms of decision making and party political interest must cease.
- Urgent attention must be paid to the direction of resources to those who have not benefited from the Peace Process. Such rationale should be based on objective need and not that of partisan party political splits of resources.

For the purposes of record we would like to remind the panel that the people of Northern Ireland voted overwhelmingly for the provision in the GFA (paragraph 1. (v) page 2) which provides;

".....the power of the sovereign government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and parity of esteem and of just and equal treatment for the identity, ethos, and aspirations of both communities".....

NORTHERN IRELAND COMMITTEE – IRISH CONGRESS OF TRADE UNIONS

4 December 2013



C8 protest

E3 Trade union movement in Northern Ireland

The fact is that, difficult as times are in Northern Ireland, things would be far worse if the trade union movement were not prepared to challenge those who tried to forge a consensus for a neoliberal economy. If we were not doing our job, defending our members and all workers, unionised and non-unionised, then we could be safely ignored. The fact is that what we say has a resonance with the public because we have been right more times than the opposition.

We can get thousands of people to demonstrate peacefully against the unfairness of imposed austerity and for a meaningful alternative which vested interests pretend does not exist. Through force of argument, we have undermined plots and plans to privatise water, and to cut Corporation Tax, but our greatest challenge is the ideological assault on publicly owned and accountable services under cover of tackling the deficit.

If trade unions are as 'irrelevant' as our opponents assert, then why did the Westminster Coalition take the opportunity provided to clean up corporate lobbying and the corruption of legislators in London and the devolved administrations and convert it into a cynical attack on civil society organisations, campaigning groups and, especially, trade unions? The Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Bill was brought before Parliament just before the summer recess of 2013, and succeeded in the remarkable achievement of pitching the unions and our normal allies with the TaxPayers Alliance, the Countryside Alliance and Lord Ashcroft's Conservative Home website.



C8 protest

Speaking out against the Bill, ICTU Assistant General Secretary Peter Bunting pointed out its draconian implications:

"This Bill will, if passed, make the public interest activities of the trade union movement extremely difficult to carry out. In fact all campaigners, from the unions to the community and voluntary sector to business organisations, will be effectively gagged in the year preceding an election to not only Westminster, but even Stormont.

Based on the briefings we have received from the Electoral Commission, who are very concerned about this as well, we could even find ourselves unable to legally host any cross-community peace rally in the aftermath of a sectarian murder or terrorist attack, such as the rallies we hosted after the murder last year of Prison Officer David Black or the soldiers and police officer murdered in 2009.

This is because under the proposed legislation we would be limited to spending £11,000 in the year preceding an election on a common issue - and this total counts for all unions involved in the campaign, not only the ICTU.

For example, if the education unions affiliated to Congress, hold Public information events on academic selection or school closures, and which exceeds £11,000 in total, all unions involved will be guilty of a criminal offence.

From our experience, organising, promoting and advertising a peace rally costs us over £11,000 per event. Under the legislation, that spending would count as being for "election purposes" as it will "impact" on specific parties - namely the political fronts for the very organisations responsible for sectarian hate crimes.

Even in the (hopeful) absence of such violent acts, unions and other campaigning bodies would be hoisted by the same petard, by advocating or criticising the policies which happen to be associated with some parties. According to the Electoral Commission, "election material can be covered by the rules if it promotes some parties or candidates by prejudicing the prospects of others, even if it does not name parties of politicians and even if it is intended to achieve something else as well, such as raising awareness of a public policy issue."

This would mean, in practice, that if we restated our long-standing opposition to cutting Corporation Tax within one year of an election, we would be "prejudicing the prospects" of the five big parties which dominate the NI Assembly and provide all of our MPs, bar one.

We supported the Good Friday Agreement when the DUP opposed it. We supported the Patten reforms for policing when Sinn Féin was opposed. Both now support the Agreement and the PSNI. Are we to be punished for consistency?

The Trade Unions have always argued for a more equal and inclusive society and economy. We do not support or contribute financially to any political party.

Legislation is genuinely needed to curb the corrupting influence that certain lobbyists have on weak politicians. The answer is not to curb freedom of speech and the input of civil society organisations, but to enhance the participation of more groups into our democracy.

This Bill must be scrapped and rebuilt to address the scandal of 'Cash-for-Access'. All 18 NI MPs must vote to stop it."

After an intense lobbying exercise by congress and several NGOs, all NI MPs who voted on the Bill opposed it. After a severe mauling in the House of Lords, the Bill has now passed, with several important amendments. At this stage, however, it is unclear exactly what the impact will be on unions and other NGOs as we approach the next round of elections. What is clear is that the corporate lobby gravy train rumbles on.

Numbers on the streets are impressive, but that is a tactic, not a strategy. The reason why the Tories and their enablers in the Liberal Democrats and in Stormont are attacking trade unions is that we constitute the real opposition to the cult of austerity. Our leaflets are widely read and our arguments are taken seriously by the public, despite the concerted campaign of marginalisation and ridicule by elements in the press whose own morality has been exposed (without the aid of phone-hacking).

This Tory government and its spear-carriers, cheerleaders and bagmen are engaged in a radical project to dismantle what remains of what used to be called the Post-War Settlement. For 30 years, the economy flourished as its aim was not growth at all costs, not 'shareholder value', but to stabilise and civilise society. Was it perfect? No. But the Welfare State, Free Education, Universal Benefits, Progressive Taxes, Social Mobility were all assumptions that depended upon believing that the economy was to serve society, not the other way around. Strong Trade Unions were part of that equation. All of those assumptions have been undermined and partially destroyed over the neo-liberal era, and the proponents of the ideology which almost destroyed the world economy in 2008 are determined to save their versions of the economy, even if it wrecks society.

E4 Two Tier Workforce

The NIC has continued to make representations to OFM/DFM in regard to the outstanding code of practice in relation to the two tier workforce.

This code of practice is designed to cover both the employment and pension rights of workers in the public sector and those transferring as a result of public private partnerships. The CBI and the Equality Commission have now given a response on the draft code to OFM/DFM and the Head of the NI Civil Service has stated that this issue is now before Ministers and should be promulgated shortly.

This issue has been raised repeatedly with officials as well as the First Minister and Deputy First Minister, who assured progress on the issue. However, in 2013, Congress was informed by officials that 'legal advice' was preventing the implementation of the agreement. If this advice was that the EU would not allow it, then that would have been news to several national and regional administrations, including Wales. The advice has not been shared and Freedom of Information legislation excludes legal advice to governments or its officials. Congress is continuing to press for the implementation of the Two-Tier Workforce agreement which will, when implemented, give protection to those new entrants into the jobs which have transferred.

E5 Review of Public Administration

The Central Joint Forum provided an important and co-ordinated mechanism to oversee the Reform of Public Administration process. However a decision was taken, without engagement with trade union side, to stand down the CJF.

In meetings with the Head of the Civil Service, the Northern Ireland Committee expressed its concern at this development and continued to argue for the re-establishment of the CJF to provide a co-ordinated opportunity to consider proposed changes within public administration.

A number of agreements have been reached in regard to the rights of workers and much progress has been made in the health sector but the future arrangements for education remain uncertain. The Education and Skills Authority has still not been established and the Minister for Education has extended the life of the Education and Library Boards. Commissioners continue to cover the affairs of one of the five Boards. However, with the move towards the reduction in the number of other bodies such as local councils, we must continue to be vigilant as to how workers and services will be affected.

E6 Education Trade Union Group

The Education Trade Union Group meets every month to discuss issues of importance within the education sector. The ETUG is made up of teaching and non-teaching unions organising in the education sectors. The Chairperson of the ETUG is Paddy Mackel, NIPSA and the vice-Chair is Gerry Murphy, INTO.

The ETUG recorded its thanks to Seamus Searson, the former ETUG Chairman who stepped down in 2013, for his diligent work for the Group.

In this period, the group has met regularly with the Ministers for Education, Employment and Learning as well as meeting with DE and DEL Officials, Boards and sectoral bodies.

Key issues for the committee have included:

- Schools budget;
- Reorganisation of schools and associated implications for the workforce;
- Tuition Fees for Higher Education;
- Further and Higher Education Budget;
- Education Bill - Education and Skills Authority, and interim arrangements;
- Staff professional development;
- Rationalisation of schools;
- Academic selection;
- Computer based assessment;
- Educational underachievement;
- Asbestos in schools;
- Illuminate;
- Social media policy;
- Industrial issues such as pensions/workload etc.

At a meeting on 18th February 2014 the Minister for Education gave an update to the ETUG on the lack of progress at Executive level on the long awaited Education Bill. Of particular concern was the Minister's statement that ESA was unlikely to move forward in the short term. The delay in the introduction of the Bill and ESA has resulted in serious difficulties for staff across the education sector and students. In light of this the affiliates comprising the ETUG will review their position on the Bill once the full details become available. Amongst other issues, the ETUG are raising concerns with the Minister for the protection of terms and conditions, the maintenance of collective agreements, and opposition to the potential of having numerous separate employers.

Following the motion to the BDC in 2012 on the issue of Human Trafficking, the ETUG has also been working on the issue of Human Trafficking and has heard from NGO organisations working on this. The ETUG organised an awareness raising training session for those working within the education sector which failed to run due to a low level of take up of places.

E7 Health Services Committee

The Health Services Committee lobbies leads in lobbying and challenging on the direction of travel in Health Policy and the impact of austerity as well as providing expert guidance to the Northern Ireland Committee.

The HSC was reconstituted in this period. Anne Speed, UNISON was elected Chairperson and Kevin McAdam, UNITE was elected vice-Chair.

The HSC has met with the Minister for Health and civil servants within the Department of Health to challenge and question changes to the health system in Northern Ireland. The HSC has been particularly active in opposing the devastating proposals contained within *Transforming Your Care*. The committee coordinated a protest outside the NICON (NHS confederation) conference in March 2013. The conference, which had no trade union contribution, was seen as an endorsement of the *Transforming Your Care* proposals and a vehicle for the further demolition of the National Health Service in Northern Ireland.

During this period, Congress responded to a number of consultations including: *Transforming Your Care* and *Who Cares, the Future of Adult Care Services*.

Both are available from the NIC office.

In addition, the Committee has

- given evidence at the Health Committee on implications of austerity cuts and the review of the health sector;
- has met with the Minister for Health as well as other Departmental Officials;
- Has met the Public Health Agency on

health inequalities and its obligations to give clear oversight;

- Has met the Chief Medical Officer on a range of concerns;
- Has met the Permanent Secretary at the Department on regional procurement and /health workforce planning.

Work Priorities for the Committee were agreed as:

Health policy

- Analysing and challenging health policy;
- Formulating health policy for NIC ICTU;
- Distilling key policies for dissemination to the trade union movement;
- Lobbying Ministers and Department and;
- MLAs;
- Assembly Health Committee;
- Other key stakeholders.

Developing Strategic alliances

- Within the TU movement;
- Within community organisations.

E8 Bi-lateral Forum

The Bi-Lateral forum has been re-established and meetings have been occurring regularly since autumn 2010 and most meetings were productive, covering a range of economic and social issues.

E9 Jobs & Services Committee

Committee is designed to coordinate joint action between public and private sectors and the wider community and has held a number of meetings since the 2012 BDC, playing a crucial role in bringing together activists from unions, trades councils and student and community activists. It is

a very useful means of developing new campaign ideas and ascertaining the scale of the cuts across widely carrying sectors of society. In recent months, the J&SC has been focusing on privatisations in local government and the health service.

The Jobs and Services Committee played a key role in mobilising ahead of the anti-cuts rallies of the past few years. The J&SC continues to feed into the discussions of the NIC and the wider trade union movement.

E10 The Coalition against Water Charges.

In 2006 the ICTU established the trade union based Coalition against Water Charges to campaign against the introduction of household water charges and against the privatisation of water and sewerage services.

As the threat of separate household water charges and privatisation receded in the face of determined campaigning and the reluctance of local politicians to carry out the plan devised by direct rule ministers a decade ago, the Coalition has been less active in the past two years.

The NIC requested that the CAWC lead for the trade unions in their response to the Water and Sewage Services (Amendment) Bill of 2013. The key points in the Coalition's evidence are as follows:

- The Coalition supports the enactment of the Water and Sewage Services (Amendment) Bill;
- The Coalition submits that any proposals to change NI Water's governance arrangements should be consistent with the following principles:
 - Water and sewerage services should be delivered by a body clearly within

the public service and accountable to the people of Northern Ireland through the NI Assembly)

- NI Water will not be privatised
- No separate household water charges will be introduced.
- Future governance arrangements for NI Water should be addressed now in full consultation with stakeholders including the trade unions;
- Future governance arrangements must meet the principle of full transparency of all capital and revenue costs of NI Water. In addition, the consultations on future arrangements must facilitate full public scrutiny of all the costs of NI Water and its relationship with NI public expenditure.

The Executive's Programme for Government 2011-15 affirmed that there would be no additional water charges imposed on households in Northern Ireland for the lifetime of this Assembly; this in turn delivered on the commitments made by the political parties to the electorate at the 2011 NI Assembly elections. The Water and Sewerage Services (Amendment) Bill is therefore required to implement these commitments enabling the Department to continue the grant payments to NI Water for a further 3 years up to 31 March 2016 covering the costs of household water charges.

Consequently to the extent that this Bill is necessary to ensure that Northern Ireland households do not face separate water charges for the next three years the Coalition supports its enactment.

However it will be noted the Bill is literally a 'one liner' providing only for the extension of grant payment powers for a further three years. This leaves unaddressed the long outstanding matter of the future governance arrangements

for NI Water which continues to exist under a legislative model designed for a private company. The DRD Assembly Committee may quite reasonably take the view that, at this stage, its remit is only to consider the Bill in front of it and not address the wider governance issues. Nevertheless the Coalition wishes to place the following key points on record.

Firstly, the Coalition cannot give any comfort to the failure of the NI Executive to address and resolve the governance issues long before now. As a Coalition we remain concerned about the lack of progress in constructing revised governance arrangements for NI Water that guarantee the principles set out in the next paragraph. The Coalition is also concerned that the absence of settled governance arrangements generates a serious risk that a future public funding crises could force implementation of new charges and privatisation.

Second the Coalition supported the last DRD Minister's statements to the NI Assembly on the principles that should underpin NI Water's governance arrangements:

- NI water and sewerage services should be delivered by a body clearly within the public service (*and accountable to the people of NI through the NI Assembly*);
- NI Water will not be privatised
- No separate household water charges will be introduced;
- There is no reason to depart from these principles. The Coalition would therefore submit that any proposals to change NI Water's governance arrangements should be consistent with the above principles.

There is no reason to depart from these principles. The Coalition would therefore submit that any proposals to change NI

Water's governance arrangements should be consistent with the above principles.

E11 The ICTU North/South Committee

The North/South Committee comprises members of the executive council and the Northern Ireland Committee. The current membership is:

Eugene McGlone

– Congress President & Unite

Jack O'Connor

– Siptu

Gerry Murphy

– INTO

Patricia McKeown

– Unison

Jimmy Kelly

– Unite

Avril Hall-Callaghan

– UTU

Shay Cody

– Impact

John Douglas

– Congress Vice-President & Mandate

Brian Campfield

– NIPSA

Pamela Dooley

– Chair NIC & Unison

Eamonn Devoy

– TWEU

Peter Bunting

– Assistant General Secretary Congress

David Begg

– General Secretary Congress

The purpose of the N/S Committee is to develop key North/south initiatives in developing all-island socio-economic initiatives and influence where possible the policies originating from all six cross-border bodies under the auspices of the N/S Ministerial council.

The Congress nominee on one of the most important N/S bodies, InterTradelreland is Patricia McKeown.

The May 2013 meeting of the N/S committee received a presentation from InterTradelreland entitled: *Recession and Recovery: An All-island Perspective*.

InterTradelreland is the only organisation which has been tasked by both governments to boost cross-border trade and business development for the mutual benefit of both Northern Ireland and the Republic.

It has been successful in the creation of 3,000 jobs across the island which represents a high return on public investment, on a 12-to-1 ratio.

Crucial to the work of the N/S committee is the pursuance of the Bill of Rights for Northern Ireland and the Charter of Rights for the Republic, as set out in the Good Friday Agreement (GFA).

It is most disappointing that these elements of the agreement have not been introduced in both jurisdictions despite being components of an international treaty. N/S committee members had a meeting with the Joint Oireachtas Working Group on the Implementation of the GFA, which has members from the Oireachtas, Stormont and Westminster. A copy of the proceedings is available on www.ictuni.org.

The N/S Committee, through the offices of the Congress General Secretary has met with the Tanaiste, Eamonn Gilmore, to impress upon the Irish Government that they have a duty to fulfill the commitment made in the GFA. The failure to implement the full terms of the GFA, particularly those centered on rights

issues, poses a threat to a lasting peaceful and just Northern Ireland.

The N/S committee is of the view than an all-island public procurement task force, which was part of the Towards 2016 negotiations is another issue which remains unfulfilled. An all-island public procurement strategy, which utilised the social clauses of the EU 2011 Directive, is a vehicle for creating a stimulus for the economy throughout the island, assisting the marginalised into employment and protecting employment rights for workers involved.

Following on the all-island BDC held in Belfast in July 2013, a new North/South committee met during October 2013. At this meeting the following topics were addressed:

- All-Ireland economy;
- Equality and Human Rights;
- Obstacles to labour mobility across jurisdictions;
- Consultative Civic Forum NI and North/South Consultative Forum;
- Sectoral Trade Union meetings across the island.

The meeting was also attended by the director of the Nevin Economic Research Institute (NERI). The committee agreed to put to the ICTU Executive Committee that a 'Charter for Decency' was an imperative to pursue as ICTU policy right across Ireland. NERI would input into this paper based upon research of socio-economic issues impacting on the inhabitants of the island.

The North/South committee recommended to the Executive Council that the following actions be progressed:

- Seeking a meeting with the Taoiseach;
- Seek a further meeting with the Joint Oireachtas Committee of the GFA;
- Raise these issues with Trade Union colleagues in Great Britain in an effort to leverage progress at Westminster.

Consultative Civic Forum NI – North/South Consultative Forum

It was agreed to evaluate how a reconvened Civic Forum in NI would be constituted and what function(s) it would engage in. It was further agreed that an audit be carried out on models of participative democracy which may be applicable in the above situation.

Sectoral Trade Union meetings

It was agreed that this matter should sit comfortably into the issues being deliberated upon by the Executive Committee in the context of the Trade Union Commission.

North/South Health Partnerships

The above partnership founded jointly by the Spectrum Ministries in both jurisdictions was a successful body at which both employers and trade unions participated. With the ending of social partnership, this body was unfortunately terminated.

It was agreed that Congress should endorse the view of the North-South Committee that this partnership should be recommended on a smaller scale. The reasoning for this would be the huge financial cost of funding both the HSE and NHS on the island and through joint seminars as experienced in the past can make a major contribution to better health delivery on the island.

Proposed Schedule of Meetings 2014

Friday 9th May Congress Office Dublin.

Friday 29th August Unite Office Belfast.

Friday 7th November Congress Office Dublin.

All meetings to commence at 11am.

E12 The Trade Union Council of the Isles

The Council of the Isles is an annual meeting of the trade union Centres on these islands. It comprises the Trade Union Congress (TUC) of England, the Scottish TUC, the Wales TUC and Irish Congress of Trade Unions.

The Council of the Isles originated from the Good Friday Agreement (Strand III, East-West) relations and discusses issues of mutual concern and examines areas of potential cooperation.

2013 Meeting: CARDIFF

Overview from Confederations

TUC

The TUC reported how it was positioning itself in election mode, with specific emphasis on influencing the design of British Labour Party policies for the next General Election.

There was now a significant shift of public opinion, from pro to anti austerity. The TUC reported that the greatest impact of austerity was being felt by workers in low paid employment.

The TUC has adopted new strategies as follows:

- Growth and Jobs in a Sustainable Economy;
- State cannot take all the strain;
- Financial and Banking Section reform;
- Producers and Services joint endeavour with workers to become drivers of innovation;
- Launch of the *Living Wage* initiative as a vehicle for fair wages;
- Combat attacks on Public Sector by moving to offensive on Childcare and Care for Elderly, the founding principles of the modern welfare state;
- Promote Economic democracy in boardrooms;
- Communications has to become sharper and reach further.

STUC

While the campaign in Scotland - There is a Better, Fairer Way - continues, resources have decreased, despite the fact that the Scottish Parliament requires additional resources for efficient engagement.

For the STUC, the key issues are the development of a growth strategy, the enhancement of skills, new progressive policies, the problems arising from organising in the private sector and the need to address how the labour market will look post-recession. This includes the role of part-time work, the demand for a more 'flexible' workforce and the rise of precarious employment.

In addition, new problems such as the growth in 'pay day loans' is an issue the STUC is dealing with through a campaign in the Scottish Parliament.

As launching major public demonstrations is resource intensive, the STUC is concentrating on major May Day rallies, organised around themes relating

to the role of trade unions and their ongoing relevance.

The Scottish independence referendum – scheduled for September 18, 2014 - is obviously of critical importance to the STUC. They have published a paper on the issue - A Just Scotland - which can be viewed on the STUC website <http://www.stuc.org.uk/>

This addresses key questions arising from the referendum, such as what an independent Scotland might look like. The STUC is consulting with other civil society bodies – including those promoting a yes campaign – although the organisation will remain neutral on the question.

The STUC has established a working group designed to support an organising campaign with an emphasis on collaboration between trade unions. They have initiated a Schools Programme which is supported by the Scottish Parliament.

WALES TUC

The Wales TUC recently achieved greater devolved responsibility from the overall TUC, which has created greater opportunities and a wider agenda for them, although this is circumscribed somewhat by the Westminster government's austerity policies.

The Wales TUC has a good working relationship with the Labour government in the Welsh Assembly, with the Assembly forming a Council for Economic Renewal with a workforce partnership.

The Welsh Assembly has retained the two-tier workforce code in which employers must encourage non-members to join trade unions.

Other economic issues include:

- Re-nationalisation of Cardiff Airport;
- NHS Changes;
- No Educational Academies;
- Upskilling of staff rather than redundancies;
- Facility Time protected by Devolved Government.

Procurement has been used as a major tool by the Welsh Government to ensure Welsh producers and companies benefit from public contracts.

On a recent major infrastructural project worth some £107m, only 20% of weighting in the tendering process was allocated to the lowest bid. The remaining 80% was allocated on the basis of employing local people who were long term unemployed, the hiring of apprentices and other social and environmental matters.

Other issues raised at the Cardiff gathering, included:

- Revising Wage Trends;
- Living Wage Campaigns;
- Welfare Reform.

Participants also observed a minute silence for the late Inez McCormack.

2014 Meeting: LONDON

The 2014 meeting took place at the TUC in London on 17/18 January and was attended by:

Frances O'Grady
General Secretary, TUC
Kevin Rowan
Organisation and Services, TUC
Grahame Smith
General Secretary, STUC
Harry Frew
President, STUC

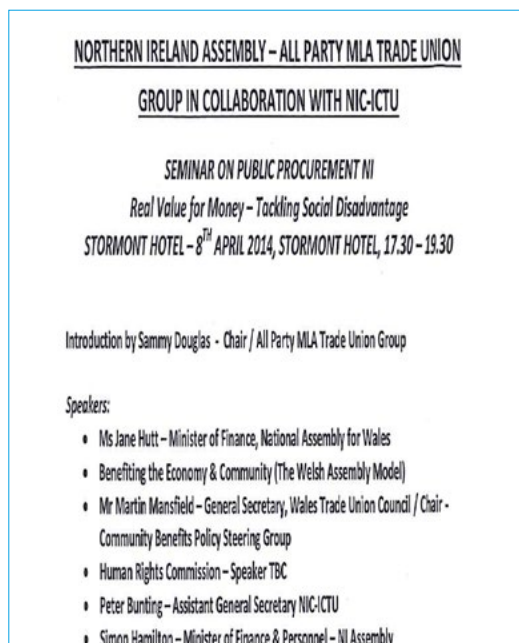
Martin Mansfield
General Secretary, WTUC
David Evans
President, WTUC
David Begg
General Secretary, ICTU
John Douglas
President, ICTU
Pamela Dooley
Chair, NIC-ICTU
Peter Bunting
Assistant General Secretary, ICTU

Frances O'Grady spoke on the main issues which the TUC have for the forthcoming period which includes a series of elections; local and European elections in 2014 and the general election in 2015. The TUC has succeeded in putting on the political and media agenda issues such as:

- Living standards and the working poor;
- Fair pay and a fair share of an economic recovery;
- Retention of public services;
- Reform of corporate governance;
- Creation of democratic workplace structures;
- New architecture on organising;
- How the TUC shares its mission with the British Labour Party.

Martin Mansfield gave a brief overview of the current situation in Wales. The Wales Labour Party seems different from the 'main' Labour Party and in Wales, devolution is greatly supported. The Wales TUC has good relations with its First Minister.

Through the TU Council of the Isles networks, the NIC has been able to organise a major public procurement event on the eve of this conference.



The Council considered matters impacting on the trade union movement in Northern Ireland and decided to support the NIC-ICTU Demand for Action rally on 31 January.

The General Secretary of the TUC agreed to correspond with the Secretary of State for Northern Ireland on the failure of the Haass talks and the non-implementation of a Bill of Rights for all who live in Northern Ireland. (see opposite).

The STUC's Grahame Smith outlined the debate going on within the Scottish trade union movement on that country's referendum on independence. This contribution was extremely detailed and too complex for this report, but for those interested in this important political debate, the STUC have a dedicated website on all of the important issues for trade unionists:

<http://www.ajustscotland.org/>

ICTU General Secretary David Begg and President John Douglas briefed the Council on the huge economic difficulties confronting the trade union movement in the Republic of Ireland.

The GS also briefed the Council on the main priorities arising from the commission for Trade Unions:

- Resources;
- Organising;
- Establishing a Trade Union College;
- The Nevin Economic Research Institute.

Trades Union Congress

Rt Hon Theresa Villiers MP
Secretary of State for Northern Ireland
1 Horse Guards Road
London
SW1A 2HQ



date: 28 January 2014
contact: Kevin Rowan
direct line: 020 7467 1383
email: krowan@tuc.org.uk

Dear Theresa

Haass Recommendations and a NI Bill of Rights

The TUC recently hosted a 'Council of the Isles' meeting, which includes representatives from the Scottish TUC, the Wales TUC and the Irish Congress of Trade Unions, including the Northern Ireland Committee.

A number of issues were raised at that meeting including serious and genuine concern about a lack of political progress on a range of key areas. In particular I would like to draw your attention to the following:

Progress on Haass Proposals

Colleagues shared a good deal of anxiety and frustration about the lack of progress on the proposals made in Richard Haass' report recommendations. I understand that the five parties in Northern Ireland are continuing discussions at an executive level, which I am sure you would agree, is encouraging.

However, the issues of flags, parades and dealing with the legacy of a violent past remain a daily concern for the people of Northern Ireland. The talks involving the five parties must be supported to be successful in reaching agreement on these important matters and cannot be allowed to drift. I would urge you to take effective action to support those talks in expediting progressive solutions, including considering playing a personal role, along with the Irish Government, in further discussions with the five parties to progress the Haass recommendations.

Bill of Rights

The NI Human Rights Commission delivered its advice on a Bill of Rights to the UK Government in 2008. Protecting human rights was at the centre of the Good Friday Agreement in 1998 and remains critical to a peaceful future. You will be aware that the people of Northern Ireland remain understandably concerned about issues of good

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General Secretary: Frances O'Grady Assistant General Secretary: Ery Carruthers
Assistant General Secretary: Paul Nisbett



community relations, having experienced a rise in inter-community tensions, to which a Bill of Rights could make a positive contribution.

The introduction of such a Bill has widespread support, including from key campaigning organisations such as Amnesty and voted for by the people of Northern Ireland. Despite this support, there has been no progress in its introduction. I urge you to recognise that this would be a fundamentally important feature of the future community relations and stability in Northern Ireland.

It is our understanding that elements in the Northern Ireland Assembly are determined not to see a Bill of Rights which supports rights and responsibilities for all sections of the community introduced. We believe it is very important for the Westminster government to progress this and again I seek your support for a strong Bill of Rights that commands the respect and support across the whole community.

I look forward to receiving your views

Yours sincerely

Frances

Frances O'Grady
General Secretary

→ Kevin Rowan



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14 FEB 2014

Frances O'Grady
General Secretary
Trades Union Congress
Congress House
Great Russell Street
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12 February 2014

Dear Frances

Thank you for your letter of 28 January regarding the Haass proposals and a Bill of Rights for Northern Ireland.

Although it did not prove possible for the Executive parties in Northern Ireland to reach full agreement during the talks led by Dr Haass, much common ground was achieved and this has provided a platform for continuing discussions. As you rightly point out, that the parties are continuing these discussions is encouraging. Significant progress has been made and valuable work has been and continues to be done.

The Government remains in close contact with the parties and is looking at how best to support their efforts. I continue to meet with the party leaders on a regular basis and am in regular contact with the Tánaiste. The Prime Minister has also taken a very keen interest. Ultimately, devolution must be respected. The Haass process was initiated by the parties themselves and as the Prime Minister recently pointed out, it would not be appropriate for the Government to intervene and impose a solution. It is of course our desire to see the parties reach agreement so that the focus can return to wider social and economic issues in Northern Ireland.

With regards to a Bill of Rights, fifteen years on from the Belfast Agreement it is clear that there is still no consensus on a way forward. My predecessor, Owen Paterson, wrote to party leaders setting out the possibility of the Assembly having 'the power to take forward, or even legislate, in this area'. The Northern Ireland political parties did not express any interest in pursuing the matter. I am open to further discussions with the parties, but see little merit in simply rehearsing positions which are very clearly entrenched.

The Government would like to see the issue resolved through all-party consensus in Northern Ireland. In the absence of that, I would encourage proponents of a Bill of Rights to focus their efforts on persuading those who remain sceptical. I would encourage them to work towards building consensus on the content of a Bill as a means of gaining consensus on the merits of its introduction.

Finally, whilst there may be limited movement on a Bill of Rights, there has been some progress in addressing community relations in Northern Ireland. The Executive's 'Together Building a United Community' Strategy reflects, I believe, its commitment to improving community relations and continuing the journey towards a more united and shared society.

*Regards
Theresa*

RT HON THERESA VILLIERS MP
SECRETARY OF STATE FOR NORTHERN IRELAND

The Economy:

A special report by Paul MacFlynn, Nevin Economic Research Institute

Introduction

The Northern Ireland economy has still not recovered from the shock of the financial crisis and the subsequent recession, and it is struggling under the weight of fiscal austerity from the UK government. Northern Ireland's economic output is by any measures stagnant or decreasing, in particular the construction industry continues to be of serious concern. The construction sector has decreased in 19 of the past 23 quarters. Unemployment has fluctuated between 7.0% and 8.5% over the last five years. Recent falls in unemployment owe more to increased economic inactivity than they do to increased employment. Job creation in the form of increased employee jobs has yet to materialise in any large number.

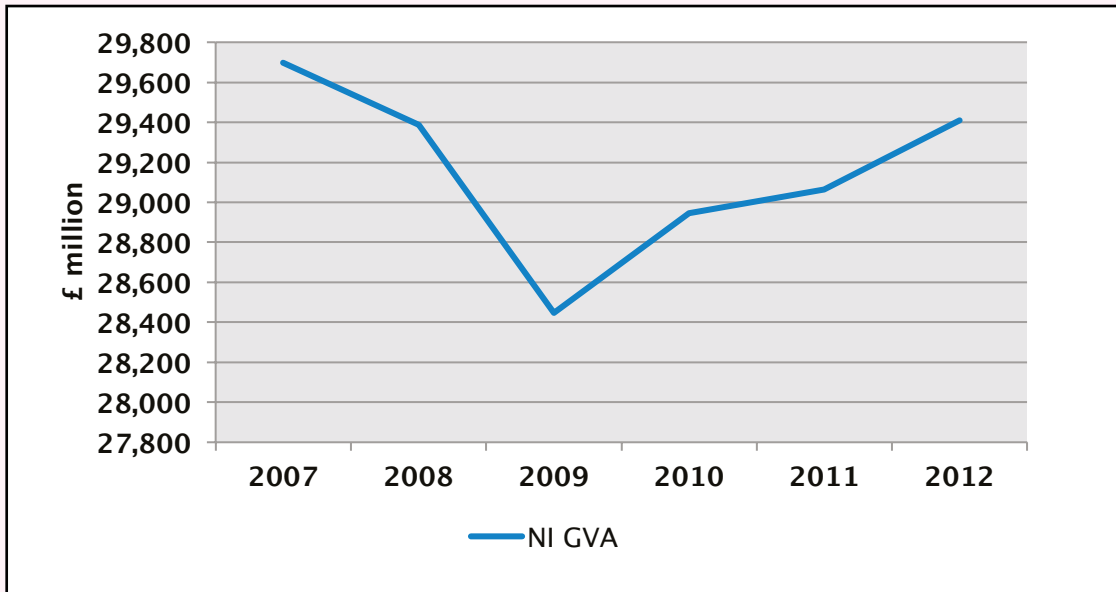
Fiscal austerity imposed from Westminster has affected Northern Ireland more acutely than any other region of the United Kingdom, reducing incomes, employment and growth prospects. This policy is misguided not just for Northern Ireland but for the UK as a whole.

Given this stark situation, many in Northern Ireland have begun to look across that water at the supposed recovery taking place within the UK economy as a positive sign for the economy here. Unfortunately this optimism is misplaced. Most indications are that any UK recovery could pass by Northern Ireland, but in any case the UK "recovery" is not the kind of recovery Northern Ireland should desire. The recovery in the UK is being driven by debt fuelled consumption and increased property speculation, two of the most egregious contributors to the property crash and subsequent recession here in Northern Ireland.

Where we are

Output or activity in the Northern Ireland economy can be measured in two ways. Gross Value Added is a derivative of UK GDP that is broken down regionally. Due to the complexities involved in breaking down components into regional equivalents the process takes much longer than expected and is not produced on a quarterly basis. The latest year available is for 2012 which showed in real terms that the Northern Ireland economy grew 1.2% over the year. In real terms however accounting for inflation, GVA fell by 0.5% compared with 0.3% growth for real UK GVA as a whole.

Chart 1.1 Northern Ireland Gross Value Added



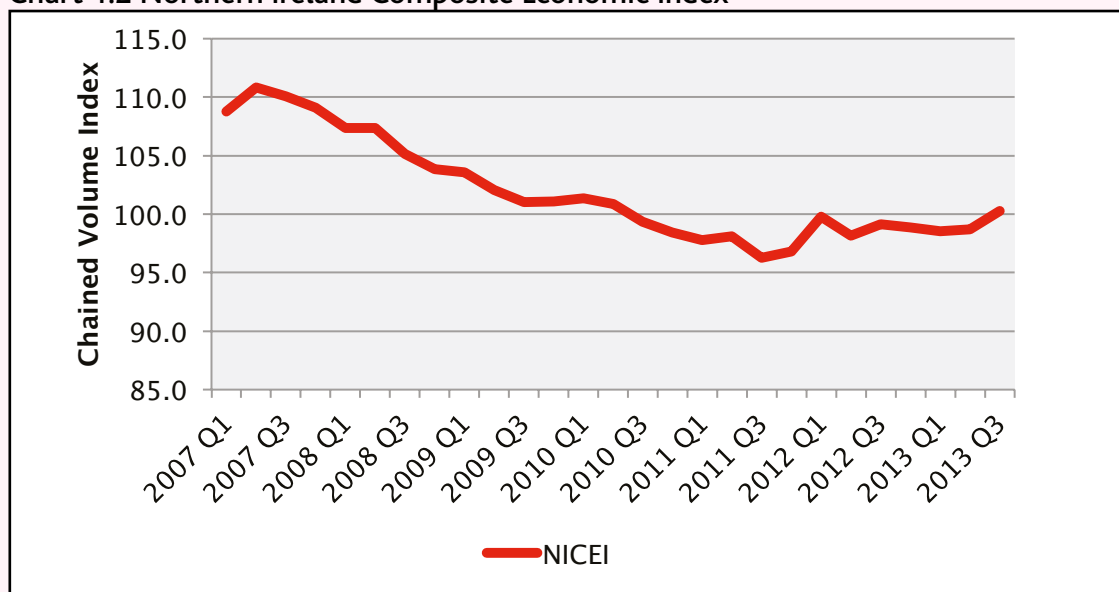
Source: ONS Regional GVA (Income Approach) December 2012

Notes: Gross Domestic Product is equal to Gross Value Added plus indirect taxes less subsidies

The other statistic used to measure output is the Northern Ireland Composite Economic Index. The NICEI is an experimental series that was developed to fulfil the need for more timely economic output figures for Northern Ireland. It builds on existing GVA data to model the structure of the Northern Ireland economy and substitutes survey data where no official statistics are available. The index is in its infancy, but it is worth pointing out that when statisticians developed a similar index for the UK as a whole they found that the index matched the GDP series for the UK quite accurately (NISRA, 2013b).

The NICEI paints a starker picture for the Northern Ireland economy over the last number of years. The NICEI indicates that the NI economy contracted by 1.3% over 2012. The Index is also published quarterly and the latest figures indicate an increase of 1.7% for the third quarter of 2013.

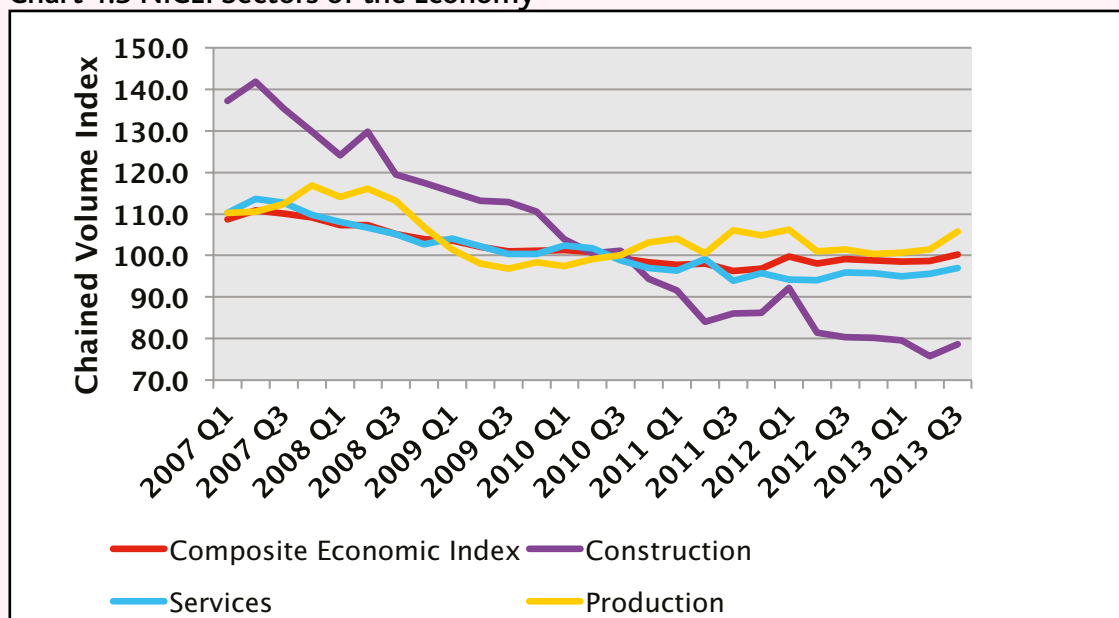
Chart 1.2 Northern Ireland Composite Economic Index



Source: NISRA Northern Ireland Composite Economic index Q1 2013

The index may be broken down further into three sectors of the economy and it is here that the full effects of continuing contraction in the construction sector can be seen. It is also clear that the services sector has not experienced any new growth but instead has followed the performance of the economy as a whole. A surprising result is the comparatively strong performance of the production¹ sector over the period, although recent figures show that trend petering out.

Chart 1.3 NICEI Sectors of the Economy

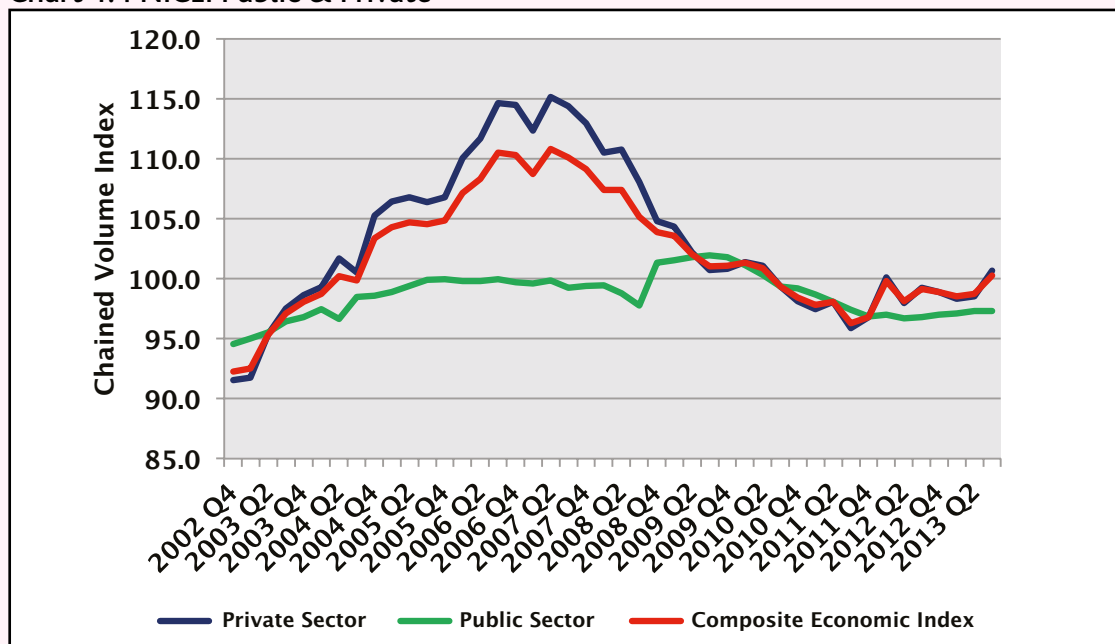


Source: NISRA Northern Ireland Composite Economic index Q1 2013

¹ Production Industries i.e. the Mining & quarrying, the Manufacturing, the Electricity, gas, steam and air conditioning supply and the Water supply, sewerage, waste management (inc. recycling)

Output figures can be examined in relation to the public and private sector. From this we can see the rapid expansion of private sector activity up to the crash in 2007/08. This fed into the rise in the overall index but as can be seen public sector output remained fairly static over the same period. This shows the degree to which private sector growth was uninhibited by performance in the public sector and the extent to which private sector activity contributed to overall growth up to the crash.

Chart 1.4 NICEI Public & Private



Source: NISRA Northern Ireland Composite Economic index Q1 2013

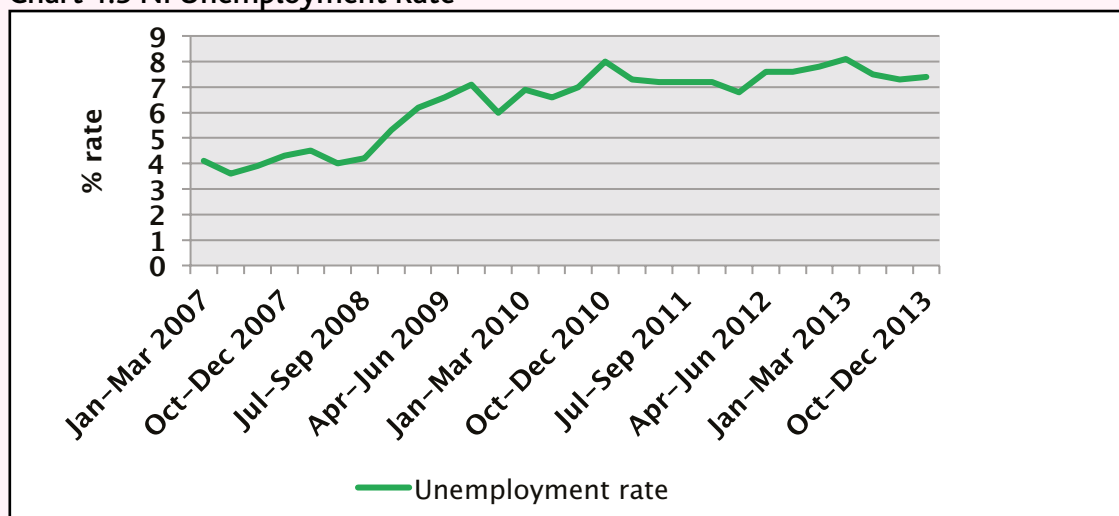
From what we can see in official statistics, the Northern Ireland economy has been hit badly by the recession and fared much worse than the UK as a whole. The construction industry is still in a mode of decline, despite recent industry optimism², while the service sector has yet to emerge as the engine of future growth.

On the labour market side, it is easy to become complacent about Northern Ireland's position especially when comparing rates here with those in the Republic of Ireland or other troubled European economies. The Republic of Ireland unemployment rate for January 2014 was 12.3% (CSO, 2014), for the UK the rate was 7.2% (ONS, 2014) and for Northern Ireland the rate was 7.4% (NISRA, 2013) for the same period. From these figures, Northern Ireland's position looks quite good; however other factors and indicators obscure Northern Ireland performance. As can be seen in chart 1.5 unemployment rate is only falling to rates that were last recorded in late 2011.

The rate has been stuck between 7% and 8% for much of the crisis and does not look as though it has the momentum to reduce substantially over the course of the next few years. Northern Ireland also has a historically larger proportion of its workforce classified as economically inactive. This is a diverse group including parents who choose to concentrate on family duties in the home, early retirees, students and people in receipt of some, but not all welfare benefits.

² <http://www.bbc.co.uk/news/uk-northern-ireland-24611885>

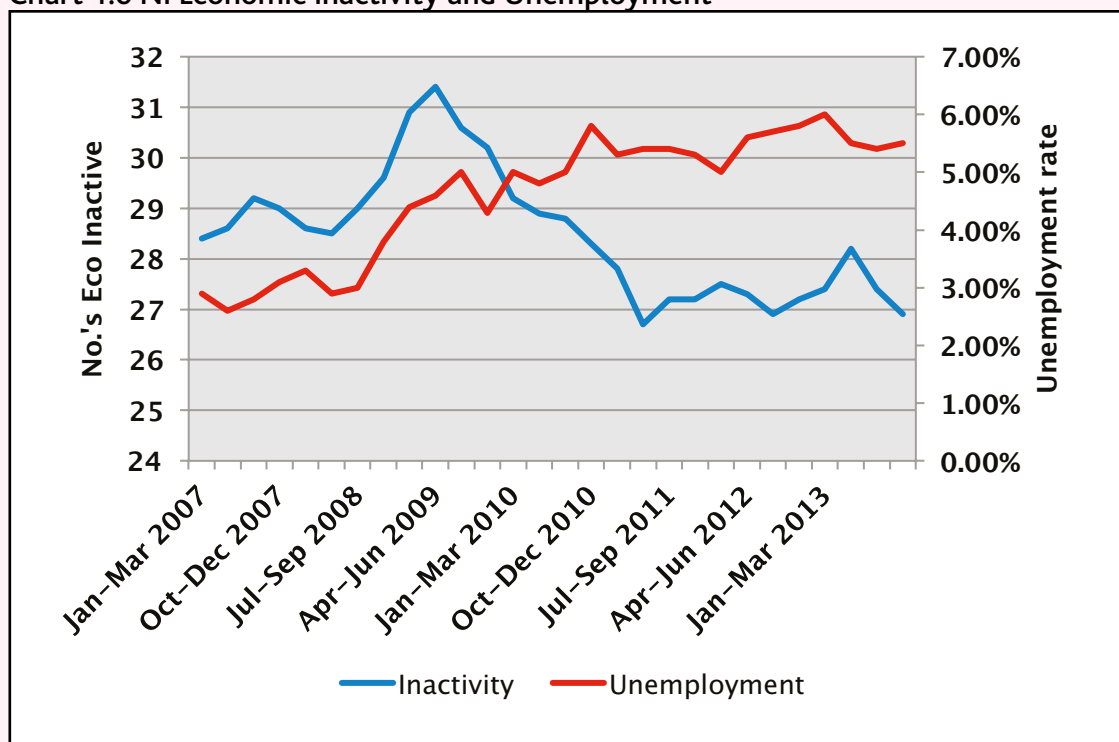
Chart 1.5 NI Unemployment Rate



Source: NISRA Labour Market Survey October to December 2013

Whatever the make-up of this group, sometimes increases in economic inactivity can mask unemployment as discouraged workers fall into that category. Discouraged workers can be unemployed workers who have simply given up looking for a job and then become classified as economically inactive. As we can see below, in recent months decreases in unemployment have been met with increases in economic inactivity, which can be seen in the latest figures where both a reduction in the unemployment rate was coupled with a decrease in the numbers employed.

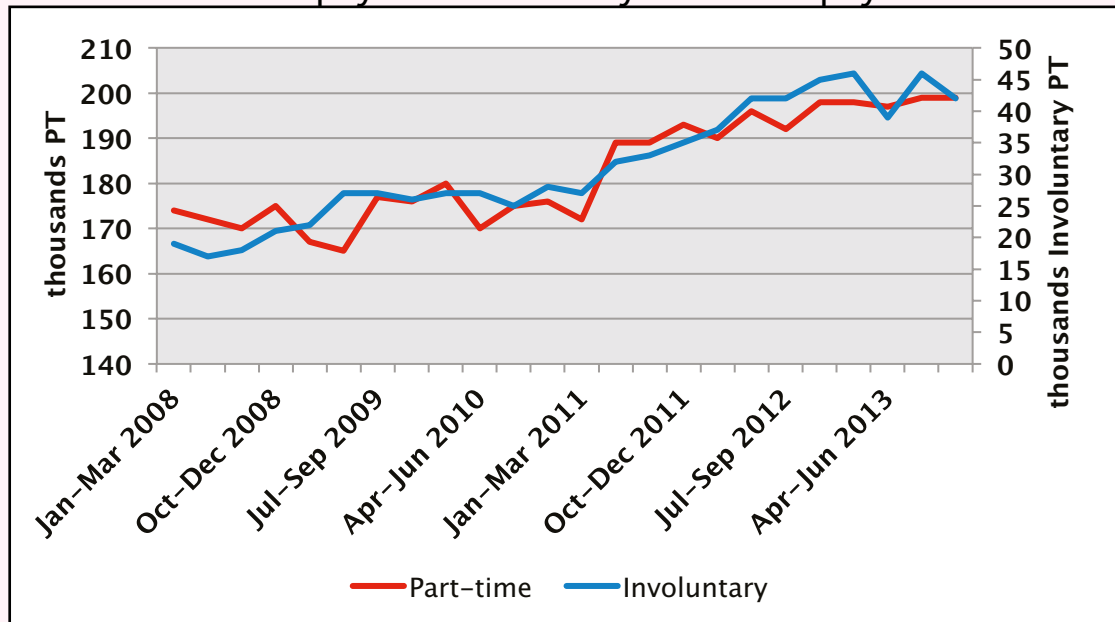
Chart 1.6 NI Economic Inactivity and Unemployment



Source: NISRA Labour Market Survey May to July 2013

Even for those counted as employed, official statistics do not present the full story. Underemployment has become a popular term only in the last few years, but it describes a familiar situation in which people are not being employed to their full potential. This includes people who are self-employed but who cannot get enough work, those who are in part-time employment but only because they cannot find full time employment and those who are economically inactive but would like to work, such as discouraged workers. There is no agreed statistic measuring underemployment in Northern Ireland and only some measures of its component parts. The most common indicator is the involuntary part-time measure and as shown below it accounts for a large portion of the rise in part-time employment in Northern Ireland. "Zero-hours contracts" have become the most infamous form of precarious employment and survey data suggests that as many as 34,000 people in Northern Ireland could be employed on this basis³.

Chart 1.7 Part-time Employment & Involuntary Part-time Employment



Source: NISRA Labour Market Survey May to July 2013; NISRA Quarterly Labour Force Supplement Oct-Dec 2013

Involuntary Part-time defined as those working part-time because they cannot gain full-time employment.

Underemployment shows a rise in more precarious or atypical forms of employment, but even among those in secure employment wages have borne a heavy loss over this recession. Real wages in the United Kingdom have fallen for the longest period since 1870. While there may have been small nominal increases in wages, these have been overtaken by strong inflation. This issue has been highlighted by the Trades Union Congress in their "Wage Grab" campaign⁴.

³ <http://www.belfasttelegraph.co.uk/business/news/34000-employed-on-zerohours-working-deals-says-survey-29474158.html>

⁴ <http://www.tuc.org.uk/economic-issues/britains-great-wage-squeeze-shows-no-sign-abating-says-tuc>

Northern Ireland is no exception to this crisis in wages. Recent data have also shown how cost of living increases reduced growth in discretionary income to 0.1% over the last five years in Northern Ireland. Discretionary income is the income left over for households after tax and after they have paid for essential items such as housing, food and fuel. The same report forecasts an alarming 20% reduction in discretionary income for Northern Ireland over the next five years, and we will examine this theme in the following section (CEBR, 2013).

Chart 1.8 Northern Ireland Real Wages



Source: NISRA Annual Survey of Hours and Earnings

Note: Wages are adjusted for inflation; Wage is median wage per week.

In the labour market as in the wider economy, the real threat is that of stagnation. In particular there is a danger that public policy adapts and accepts chronically high unemployment at 7-8% or that the current level of output is assumed and we never reach potential growth again.

Chart 1.9 United Kingdom GDP



Source: ONS Quarterly National Accounts 2013 Q4

Most other factors affecting the Northern Ireland economy are external, and in particular the position of the UK economy and UK economic policy. It is perhaps more illustrative to deal with the later first. UK economic policy since 2010 has been defined by a narrow focus on issues of public finance. When the crisis hit in 2008 the UK government along with most western economies opted for stimulus measures to prevent serious economic collapse. These measures had some impact and this is evidenced by the upturn in growth of GDP seen in Chart 1.6 up until mid-2010. Since then the focus of economic policy has been on measures to reconcile the public finances through fiscal retrenchment.

UK Fiscal Policy

The program of fiscal retrenchment was proposed on the basis that both the national debt and the structural deficit were too high. The coalition government set themselves two tasks, to eliminate the structural deficit before 2015 and to have national debt as a percentage of GDP falling by the same date (HMT, 2010). Neither of these targets will be met. The deficit target has been pushed out to 2017/18 because growth was below its forecast performance. If we look at national debt, the total proportion the government owes, as a proportion of GDP we can see that it actually reduced over the period of the Labour government and was not due to excessive borrowing or spending.

Table 1.1 UK National Debt

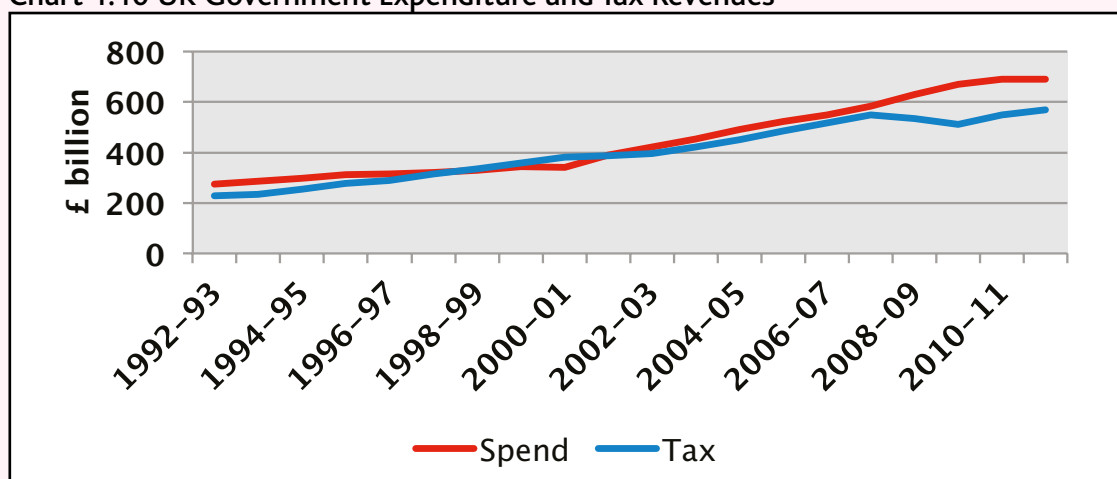
Year	Nat Debt as % GDP
1997/8	42.1%
2007/8	36.4%
2012/13	74.4%

Source: HMT Public Sector Finances Databank December 2012

The vast majority of the current debt pile was accumulated during the financial crisis. Of course some of this money was used to rescue the UK banks, but the largest portion is made up of accumulated budget deficits. Deficits are the gap between what a government takes in in revenue and what it pays out in spending. Over the years the deficits accumulate and become a part of the national debt. If a government runs a budget surplus it can also use this money to pay down the national debt as well. If we look at the evolution of the budget balance over the last number of years we can see that government kept its spending commitments in line with tax revenues up until the financial crisis. At no time was government drastically over spending, but when the financial crisis hit economic activity decreased markedly and this is reflected in decreased tax revenues.

From the debt Table 1.1 and the Chart 1.10 of the budget balance, many would conclude that government tax and spend over the decade until the crisis was moderate and this is reflected in smaller deficits or surpluses that continually reduced national debt. One would also conclude that the fall off in tax revenues over the last five years indicate that fiscal stimulus to increase economic activity is the most logical way to regain budgetary balance and ultimately reduced debt. However, proponents of current government policy point out that the real target should be the structural budget deficit.

Chart 1.10 UK Government Expenditure and Tax Revenues



Source: HMT Public Sector Finances Databank December 2012

The structural budget deficit is defined as the gap between government spending and taxation that cannot be bridged by growth in economic activity. In theory there is a limit to the potential growth of the economy at any one time and this can only deliver so much in terms of increased tax revenues. To reach a balanced budget again the remainder of fiscal consolidation would have to be achieved through discretionary reductions in government spending. Calculating the structural deficit therefore requires a person to come to a conclusion about the potential growth that the economy could achieve from where it is at present. This calculation is called the "output gap", quite simply the gap between where output is now and where it could be if all inputs into the economy were used to their full potential. The output gap for the UK economy is often presented as a national statistic, something everyone can agree on, but it isn't. It is a matter of opinion, and as always in economics, opinions vary. They vary between the independent Offices for Budget Responsibility who calculate it to be 2.7% (OBR, 2013) while the London based consultancy Capital Economics calculates it could be 13% (Capital Economics, 2012). This is a staggering range, and output gap of anything near 13% would require no reductions in government expenditure whatsoever. However, this range of estimate is so vast because it is based on opinions and assumptions about current economic conditions.

The debate about these fundamentals is as much about past economic growth as it is about current conditions. To argue that the output gap is quite small is to argue that much of the growth that was achieved up to 2007 was destroyed and could never be achieved again. While much of the pre-crisis growth, driven by consumption and a property bubble was unsustainable, it does not mean that the potential for that level of growth is eradicated. Potential growth is the possible activity that could be generated by a combination of capital and labour working towards the production of goods and services. While the activity to which capital and labour were directed before

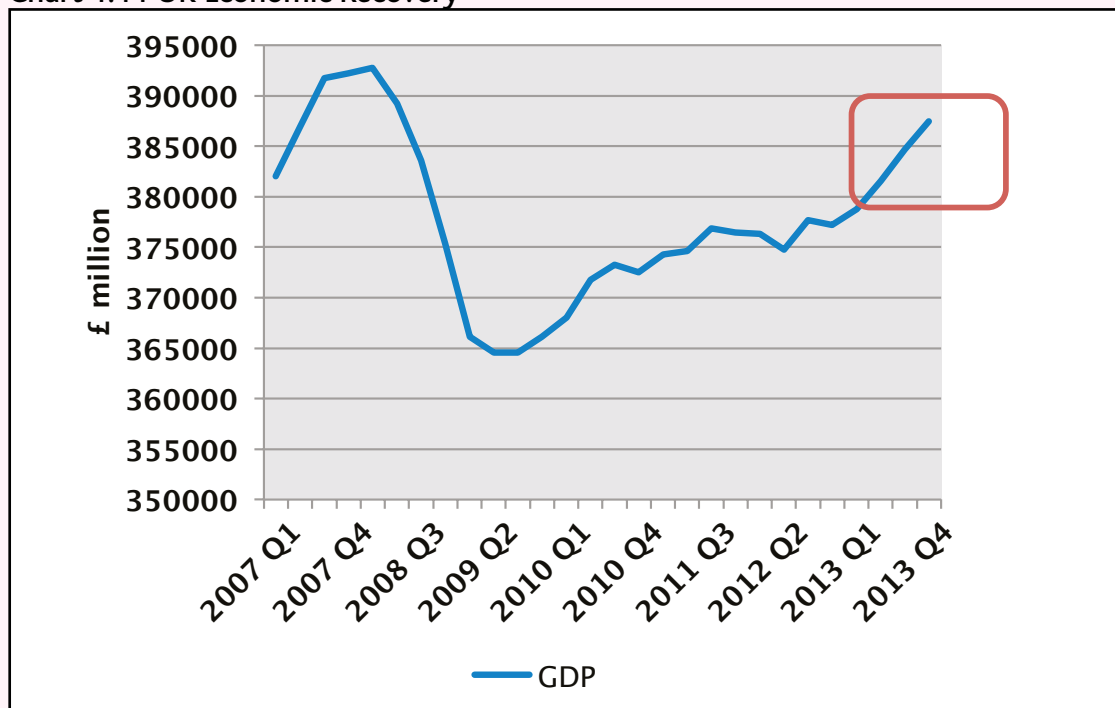
the financial crisis may have been neither sensible nor desirable, it seems illogical to conclude that they could not be directed toward equally valuable but desirable activities such as green technology or high-tech manufacturing in the future. Simply put, it seems inconsistent to argue that a meagre 2% of economic growth would exhaust the UK's economic potential at a time when nearly 8% of the population is unemployed. It seems equally inconsistent when UK companies are sitting on an estimated cash pile of nearly £500bn waiting to invest.

However this debate is not taking place and many have accepted the current UK government's argument that rapid fiscal consolidation through reduced government expenditure is the only way. However if the OBR and the UK government are incorrect about the output gap, current fiscal policy could be destroying economic potential by entrenching unemployment and delaying key infrastructural investment required for future growth.

Moreover economic debate has moved on somewhat from arguments surrounding fiscal policy to the current state of the UK economy and the recent appearance of economic "recovery". Many supporters of government policy are claiming the recent turn around in some economic indicators as vindication of current policy. However on closer examination we can see that this recovery is not the export and investment led recovery that was envisioned but a recasting of the economic model that preceded the financial crisis.

UK Economic Recovery

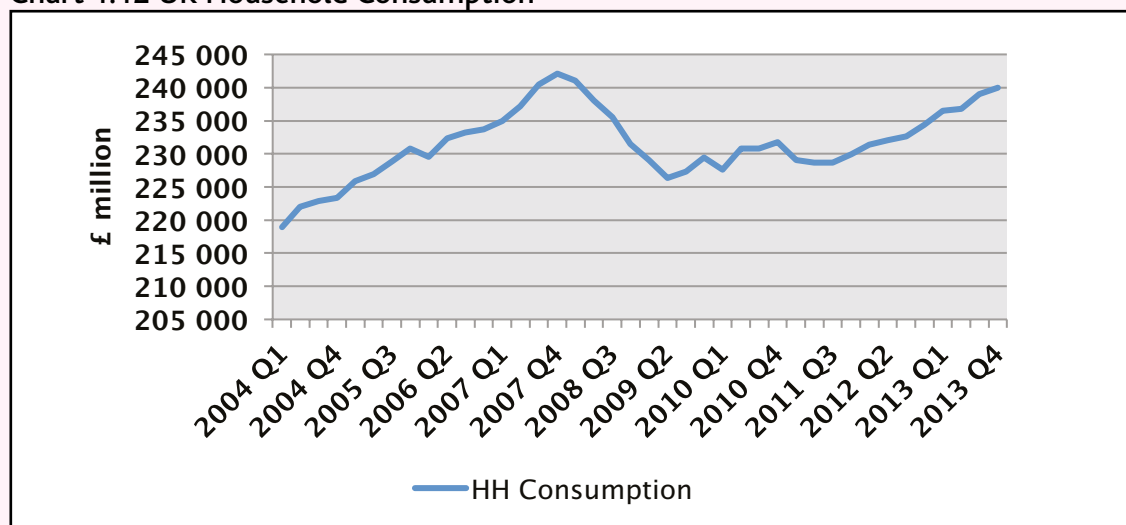
Chart 1.11 UK Economic Recovery



Source: ONS Quarterly National Accounts 2013 Q4

As seen in the above Chart 1.11, UK GDP has seen four successive increases in activity this year. GDP has increased following over two years of economic stagnation. GDP has quite clearly moved toward a trend of very modest growth but the components and determinants of that growth are as important if not more important than the growth itself. When the current coalition came to power they quite correctly asserted that the composition of economic activity was skewed toward financial speculation, personal debt lead consumption and a housing bubble (HMT, 2010). They said that the economy needed to shift toward export led growth and increased investment. The current recovery bares no relation to that original mission.

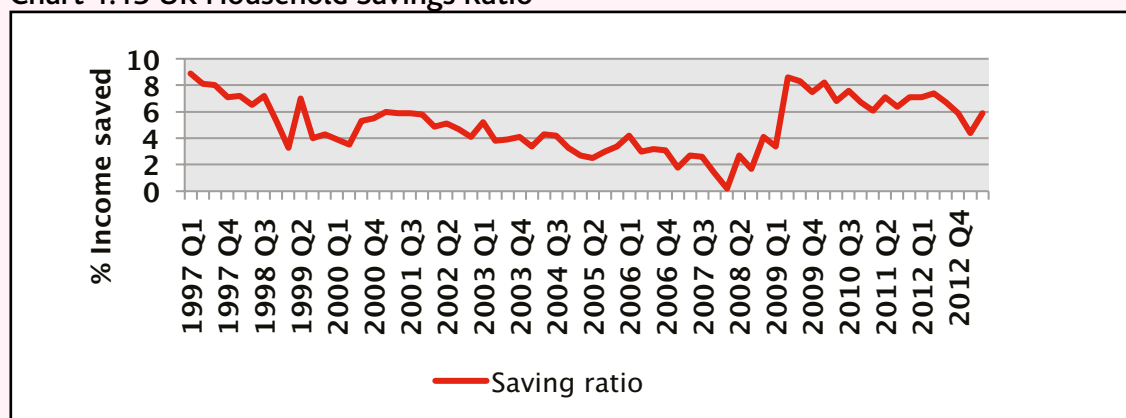
Chart 1.12 UK Household Consumption



Source: ONS Quarterly National Accounts 2013 Q4

The pick-up in domestic activity has been largely driven by increased demand in the economy through increased household consumption. On its own this would not be bad thing, improving domestic demand is a key component of any recovery. This increase in household consumption is not driven by increased real wages. As mentioned previously UK real wages have seen the longest stagnation since the great depression.

Chart 1.13 UK Household Savings Ratio

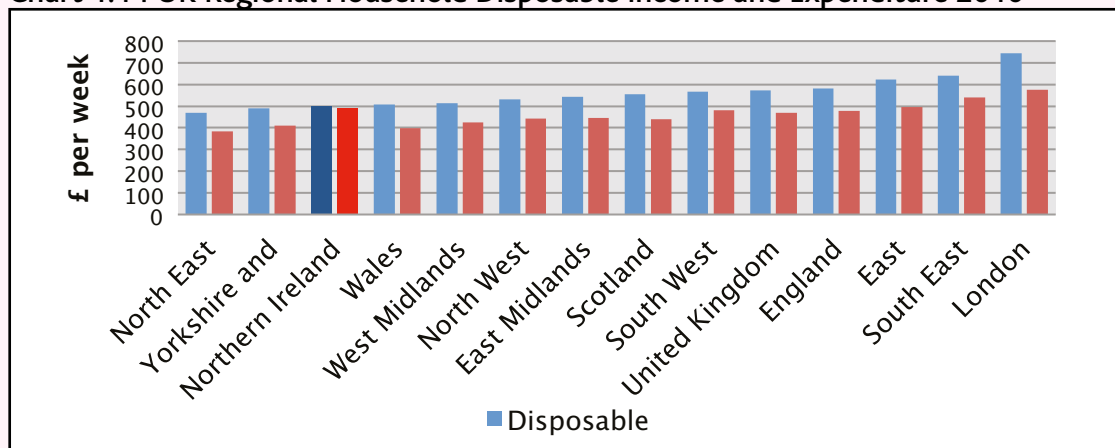


Source: ONS, United Kingdom Economic Accounts, Q2 2013

Current household consumption is being driven by a concurrent decline in the household savings ratio. As the Chart 1.13 shows, household saving increased dramatically in the wake of the financial crash as people were forced to come to terms with debt accumulated during the previous decade. The level of household net debt in the UK has not been consolidated yet, which means that households are either drawing down savings or in most cases increasing private debt again.

This is not a model of growth Northern Ireland should seek to emulate. Northern Ireland has one of the lowest average disposable incomes of all UK regions, at the same time Northern Ireland households have among the highest spend of any region in the UK. This implies a low savings rate for Northern Ireland, and consequently any non-wage led increase in household consumption would make a bad situation worse. Northern Ireland also stands to lose £750m annually from welfare reform, which is likely to hit the incomes of those with the highest marginal propensity to consume (Beatty & Fothergill, 2013).

Chart 1.14 UK Regional Household Disposable Income and Expenditure 2010

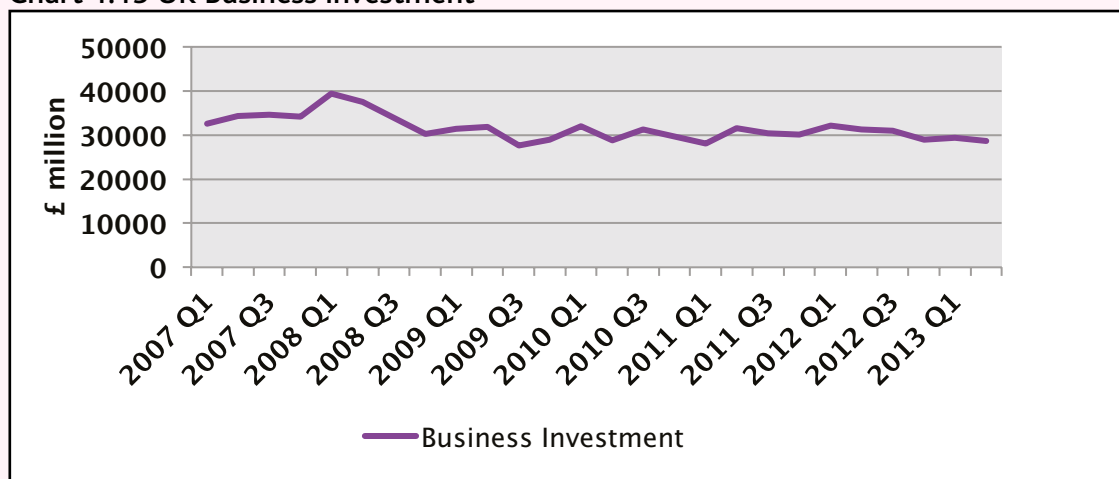


Source: ONS, Family Spending 2011

Allied to the growth in household consumption there have been significant increases in house prices in certain areas of the United Kingdom which have given rise to a wealth effect. A wealth effect is a situation where an individual or a household feels more financially well-off due to increasing assets, like their house, rather than through increased income. Northern Ireland, of all the regions of the United Kingdom, saw the worst effects of the property crash in 2008. While increasing house prices may be desirable as a means of eradicating negative equity, if this is not backed by increased incomes it is not sustainable economic activity. For many parts of the UK, house price to median income ratios have only just reached long term trend levels again. In London and the South East, the ratio is back to the unsustainable level it was pre-crisis.

The UK government has sought to aggravate this situation by guaranteeing mortgages under the "Help to Buy" scheme. This scheme is ill-advised on many levels. The problem in London and the South East is a problem of supply, not demand. More houses need to be built, too many people are chasing too few houses and this only increases prices. Extending mortgages just increases the amount of people chasing and therefore exacerbates the situation. The policy has the capacity to begin another property boom and Northern Ireland can ill afford to re-live that experience.

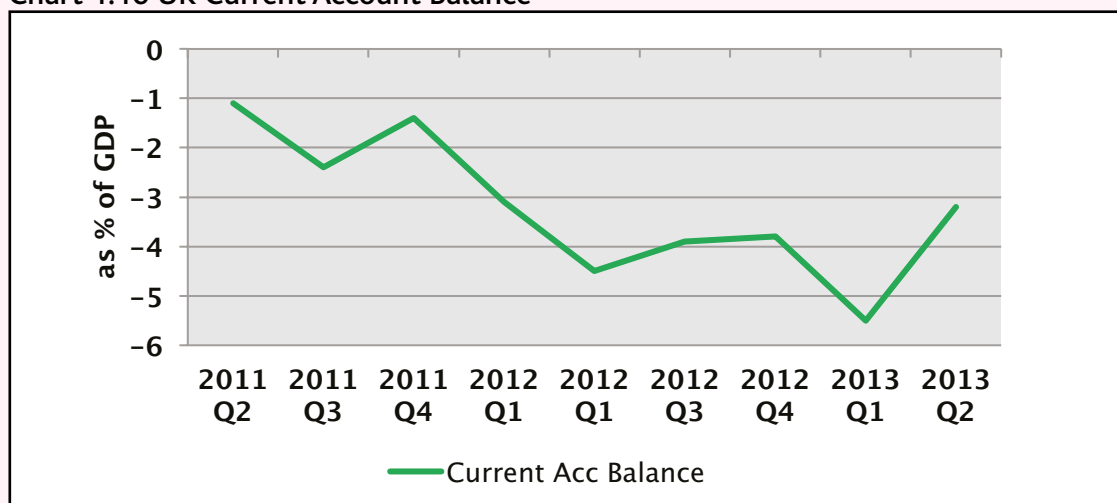
Chart 1.15 UK Business Investment



Source: ONS Quarterly National Accounts 2013 Q2

The factors that were meant to drive this recovery show no signs of reinvigorating growth any time soon. As the Chart 1.15 shows, UK business investment at historically low levels in 2007 has not shown any growth in six years and if anything appears to be declining. On trade, exports do not show any signs of recovery either. The UK balance of trade is still deteriorating. The current account, the amount of exports minus the amount of imports is in deficit and seems to be getting worse.

Chart 1.16 UK Current Account Balance



Source: ONS, Balance of Payments, 2013 Q2

This means that the current UK economic recovery is being driven by the very factors so clearly identified by the same government as having played such a large role in the financial crash. Unless growth is actively re-orientated, this current cycle of growth risks culminating in the same crisis as that of 2008. The UK economy is set on a course that Northern Ireland should not embark on, but also one it cannot afford to embark on.

Conclusion

Northern Ireland faces many significant challenges and these are highlighted by economic and labour market statistics outlined earlier in this paper. The UK government's fiscal strategy was ill-advised from the beginning and is failing to achieve even its core objectives. Instead government is clinging to a nascent recovery that is driven by debt fuelled consumption and house prices. It is clear from trade and investment statistics that the government has abandoned its quest for export and investment led growth.

Northern Ireland need not and should not follow this course. The income and saving statistics for Northern Ireland coupled with the all too recent experience of a property crash make this kind of a recovery inappropriate. Instead Northern Ireland needs to follow the original plan of investment in job creation and outward looking enterprise. Northern Ireland suffers serious infrastructural deficit and particularly in the area of energy. It should begin with a programme of energy retrofitting using existing State assets to leverage finance. It should build a skills network capable of reaching out to those unemployed and young people in particular as a way of releasing potential and boosting incomes through higher value added employment. The Northern Ireland Executive should use the powers and spending it has to boost the local economy through capital spending and public procurement.

The UK government have settled for less, Northern Ireland need not follow.

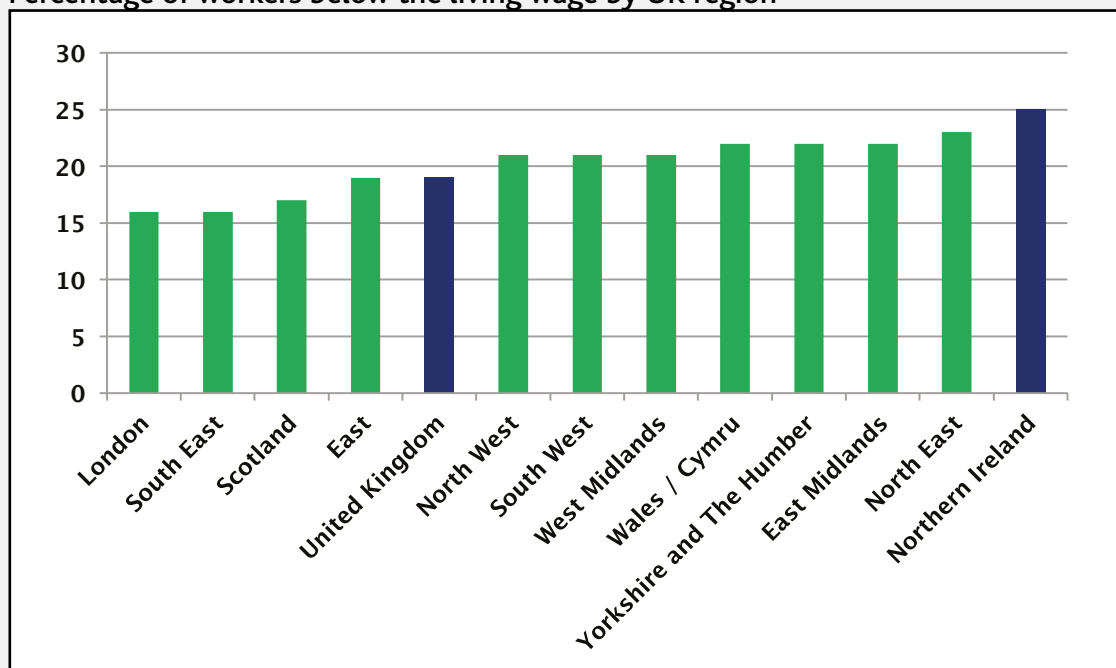
A Better Fairer Way REAL OPTIONS FOR THE NI ASSEMBLY AND EXECUTIVE TO IMPROVE THE ECONOMY

Wages

In Northern Ireland – as in the rest of the United Kingdom – real wages have been falling since 2008. Using data from the Annual Survey of Hours and Earnings (ASHE) the UK-based GMB trade union has estimated that average earnings in Northern Ireland, when adjusted for inflation, have fallen by 12% between April 2008 and November 2013. This is turning out to be the longest real wage squeeze in living memory. Among those at paid work, one in four workers in Northern Ireland are at risk of poverty because they are on low pay. According to the Living Wage Research for KPMG published, last year, there were an estimated 197,000 employees below the calculated living wage level in Northern Ireland. This corresponds to 26% of all employees and is the highest of any UK region. As noted by KPMG, the proportion of females earning less than the 'Living Wage' is considerably higher than among males (reflecting a much higher incidence of part-time work among females where hourly rates are lower, on average, than hourly rates for full-time workers).

Although data on gender are not shown separately for females in Northern Ireland it is sure that the incidence of sub-living wage pay among women is very high in Northern Ireland - probably well in excess of 33% (given that the UK average for women is 27% and for men 16% with an overall average of 21%). Young workers under 21 years of age are very likely to fall below the living wage threshold (72% for the UK and likely to be much higher again in Northern Ireland).

Percentage of workers below the living wage by UK region



While there have been early, very tentative signs of recovery in the UK and Northern Ireland economies there is an enduring problem of high personal debt, under-employment and stagnant living standards. These problems are unlikely to go away any time soon and the possibility of a credit-fuelled property bubble in parts of the UK offers a sense of déjà vu. These issues will inevitably overshadow public debate in the lead-up to the UK general election due no later than 2015. As one writer put it: "What good's a job-rich recovery if the workers stay poor?"

Mapping the concept of a 'Living Wage'

The Northern Ireland labour market forms part of a larger UK-wide labour market where, in most sectors of the economy, wages (as well as the prices of goods and services) tend to be set at UK level. Legislation on the National Minimum Wage (NMW) in the United Kingdom applies to Northern Ireland. The legal minimum is defined with reference to an hourly rate of £6.31 for individuals aged 21 and over. However, the minimum wage per hour is only one part of a larger story about wages and incomes. The UK Low Pay Commission established in 1998 to advise the UK Government on the setting of the national minimum wage regularly reviews on it. The rate has been increased each year since its introduction in 1999. While only a relatively small number of workers are paid at the NMW or close to it many more are paid below what many accept as the 'Living Wage' in the UK.

Defining and measuring the 'Living Wage' at any point in time and in any national or regional economy is not an easy task. Typically, it has been conceptualised and measured in terms of hourly pay. This is a very limited view of the total 'Living Wage' from work over a lifetime which takes into account hours of work in any week, periods of sickness, parental leave as well as provision for retirement or periods of training or full-time education in the course of a lifetime. The term 'social wage' has been used by some to describe those benefits flowing from all the public and private goods and services consumed by workers and paid for by their employers whether directly through gross wages at the top right-hand corner of your pay slip or through the 'total social wage cost' which includes employer social security contributions.

Notwithstanding the conceptual and measurement difficulties surrounding the NMW in any country the introduction and implementation of such a rate has helped protect the lowest paid workers. It has provided a minimum barrier of decency below which employers are not allowed to go legally. Although the evidence about the impact of the NMW on workers just above the minimum rate is mixed it is clear that many employers in sectors such as catering, retail, hospitality, security, agriculture, contract cleaning, home help, etc. have regard to the NMW in setting pay levels. To what extent hourly pay rates (and as already stated this is a very narrow perspective on the total 'wage' received by workers) is exceeded will depend on economic conditions in a given sector, existing legal provisions if any, collective bargaining power on the part of unions and some shared sense of a 'Living Wage' linked to a living income deemed adequate at a point in time and in a given economy to enable individuals or households to 'live with dignity and without shame'.

Possible downsides?

Objections are frequently raised to the establishment of a minimum wage rate and these include:

- The impact of such a rate on labour costs for employers and, therefore, their demand for employment with negative consequences especially for young entrants to the labour force; and
- The impact on labour cost competitiveness (and prices paid by consumers) more broadly in the economy as a minimum floor establishes a benchmark floor for all sectors and occupations.

There is a large research literature on the impact of minimum wages. While it is difficult to locate a suitable 'control group' for statistical comparison of applying a minimum wage, the literature is not conclusive in regards to the impact on employment. It suggests – as might be expected – that a minimum has raised earnings of low paid workers without significantly affecting their employment opportunities. Research by Riley and Bondibene using UK firm data since 1999, for example, suggests that:

"companies may have adjusted to the increases in labour costs as a result of the National Minimum Wage (NMW) by raising labour productivity and by reducing profitability; the NMW has not changed average employment or investment rates for these companies; the NMW has not had a detrimental impact on firm outcomes since the financial crisis and the recession of 2008"

Holding wages below the rate of inflation (which has averaged 18% in the UK since April 2008) or below increases in productivity or increases in GDP is likely to increase profits of individual employers and businesses but undermine demand for goods and services at the level of the local, regional or national economy. In specific cases, it may also undermine employee morale and enterprise productivity.

Accounting for the macro-impacts

Evidence reviewed by Howard Reed of Landman Economics in the UK and commissioned by UNISON found no evidence that recent minimum wage levels in the UK had negatively impacted on employment there. This tallies with recent evidence from the United States where econometric results from inter-state differences in minimum wage rates (above the Federal rate) have been examined. In the case of the UK, Howard Reed used a combination of data sources and modelling results to estimate the likely overall employment impact including the benefits flowing from additional revenue to government, lower welfare spending and higher consumer spending (see below). He concludes that the balance of evidence points towards a net employment gain as a result of raising the NMW to the level of a UK 'Living Wage'. The research by Howard Reed of Landman Economics suggests that the Treasury would receive over £2 billion in additional revenue as a result of a wage boost for the lower paid. For example, a 'living wage' norm as calculated by the UK Centre for Research in Social Policy of £7.45 outside London and £8.55 in London could save the Treasury an estimated £1.1 billion in means-tested benefits and tax credits.

Frequently missing from a debate on wages is the impact they have not just at individual or household level but at a macro-level where wages accounts for close to 50% of GDP or the bulk of personal consumption expenditure which drives most of demand (as well as household investment spending on homes to live in). A sustainable economic recovery depends on consumption and wages as Larry Elliott writing in The Guardian makes the case recently. He writes:

"The one factor not in place is the most important one of all: an increase in real wages. If companies believe that consumers will carry on spending, they are much more likely to take the plunge on new investment projects. If they think consumer spending will stall, they will keep their plans on hold."

Implications for the Northern Ireland regional economy of a wage increase

The research at UK level also has implications for a small regional economy such as Northern Ireland where part of consumer spending goes into local shops, businesses and trades. Not only this but the UK Government could benefit by way of additional income tax, national insurance and VAT as increases for lower paid workers would feed into Treasury coffers. Local councils could indirectly benefit as a result of higher local consumer spending and a healthier local business environment. The share of Northern Ireland in such additional revenue is likely to be proportionately greater than in other UK regions due to the prevalence of poverty in work. It is estimated that the total revenue saving for Northern Ireland could come to £85 million of which £31 million would be accounted for by benefits and tax credit savings.

Work carried published in September 2009 for the Joseph Rowntree Foundation on comparisons of minimum income standards for Northern Ireland compared to Great Britain did not find large differences in the needs of most households based on a basket of goods and services. While domestic rates (or Council Tax in the case of GB) were lower in Northern Ireland, transport and fuel costs were higher (account was not taken of rural dwellers in Northern Ireland where transport-related costs could be higher than for urban dwellers). A lone-parent in Northern Ireland with two children (one at primary school, the other at secondary) had a higher weekly cost outlay than their counterpart in Great Britain to stay within a minimum standard (but not taking account of housing and childcare costs). The report concluded with a telling comment in regards to different household types (using the then 2009 NMW in operation):

"... the capacity of the National Minimum Wage (NMW) to meet minimum needs is dependent on the composition and working pattern of households both in Northern Ireland and Great Britain. For example, while the current NMW is £5.73 per hour, a single person working full-time requires £7.09 an hour to achieve the minimum income standard specified for Great Britain, and £7.12 an hour based on the budget for Northern Ireland. In both places most families with a single full-time earner cannot reach the minimum income standard on the minimum wage, although some families with dual earners – as well as lone parents who manage to work full time and avoid childcare costs – may be able to do so."

Clearly, the hourly NMW rate is important but constitutes only one element in achieving a level of pay that is both fair and adequate.

So what and where to from here?

A voluntary code for employers will not suffice and a decent or adequate living hourly rate is only one part of the jigsaw. A leaf could be taken (for example) from FairShop.ie used by Mandate union in the Republic of Ireland or from FairHotel.ie initiated by SIPTU (the latter addresses union membership rather than specifically wages).

A number of implications arise for Government which could be applied across the UK including Northern Ireland:

1. A national minimum wage should rise in tandem not only with the cost of living but median or average earnings so as to directly attack low pay and poverty for people at work.
2. A 'living wage' with reference not only to hourly wage rates but, also, annual average levels of protected 'adequate' income from work over a lifecycle should be examined and pursued as a key social policy goal for governments, employees and employers. In simple terms: A Basic Minimum Income should be linked to a Living Wage.
3. Collectively-bargained wage levels is required appropriate to economic sector, age and skill levels.
4. Request the UK Low Pay Commission in consultation with relevant civil society organisations as suggested recently by UNITE to review a benchmark wage.
5. Consider the establishment of sectoral wage boards by the Northern Ireland Executive to cover vulnerable occupations and sectors.
6. Public authorities can ensure that all contracts issued by them comply with existing wage legislation and, in addition, conform to locally accepted living wage standards.
7. Measures to increase financial transparency at regional and national level in the case of significant size employers such as TESCO and Dunnes. After all transparency, fairness and ethics would be good for local business as well as workers at one and the same time as many employers in the UK Living Wage initiative have discovered.

Ultimately, effective legislation and collective bargaining machinery is needed in the UK and other European Member States undergirded with evidence-based research.

Infrastructure

Investing in infrastructure now will be of huge benefit to the economy in both the short term and long term. In the long term it will equip Northern Ireland with a dynamic and smart economy enabling it to compete globally. In the short term, the investment will provide much needed employment and economic activity that is necessary to stave off the long term consequences of stagnating growth and high unemployment particularly among young people.

In the areas of water and energy, Northern Ireland has significant policy challenges to face in coming years and a NERI policy research discusses some of them in detail. Even within the constrained budget of the Northern Ireland Executive, there are

policy changes and innovations that can be brought forward in the short term. In water specifically, we propose investing in research and development and initiatives to constrain demand as well as safeguarding supply. In energy, the main challenge is ensuring that the network in Northern Ireland is prepared to take advantage of the abundance of renewable energy technologies and interconnections to secure supply.

These broad, sector-wide proposals are supplemented by a specific proposal in the area of energy efficiency. Energy retro-fitting is a key measure that is required to upgrade the stock of buildings in Northern Ireland to adapt to a high-cost energy future. We propose a scheme similar to the Green Deal in the UK where an agency would make available upfront costs for retrofitting works, prescribed by certified surveyors and carried out by certified contractors. The owner of a retrofitted property would repay the cost of the work through reductions in their energy bills over an extended period dependent on the work carried out. Crucially, the scheme would follow a “golden rule” whereby any retrofit project would only be certified for funding if the energy savings produced exceed the cumulative cost of repayments over the agreed timeframe.

Rather than establish a new state agency to oversee this investment scheme, we propose allocating responsibility for overseeing the project to the Northern Ireland Housing Executive. The NIHE has existing relationships with contractors and surveyors, and could begin work with its own stock of 90,000 homes giving a boost the scheme at its early stages.

The Northern Ireland Executive’s constrained budget would not allow it to finance this scheme alone. For this reason it has been necessary to look at international examples of state led initiatives to leverage private capital into such projects. Once again we do not propose establishing a new agency, or complex system of bank finance. We propose allowing the NIHE to borrow through a bond issuance similar to that undertaken by municipal and local councils in many other countries.

Any borrowing by the Housing executive could be classed as off-balance sheet, but in order to secure a lower rate of return for investors a state guarantee would be required. State guarantees are already being issued under the UK Guarantee Scheme and it is expected that this will be extended to the Green Investment bank in due course. We propose that, under a parity arrangement, the same legislation could be provided for in Northern Ireland.

The scheme would of course be voluntary but inducements could be provided by government in early stages to encourage take up. The impact on unemployment in Northern Ireland could be significant, it has been estimated that every £10m invested could create up to 330 jobs in Northern Ireland. Of course this scheme could not eliminate unemployment by any stretch of the imagination. What it seeks to demonstrate is that even with severely constrained budgets, there are still options open to boost investment and grow our economy. A real recovery will require more imaginative and bold policy making and this proposal seeks to begin that debate. (The full NERI Policy Research Paper, Policy Options for Investment in Infrastructure in Northern Ireland is on <http://www.nerinstitute.net/>)

Youth Unemployment

The rate of unemployment and under-employment has grown sharply in Northern Ireland as in the rest of the United Kingdom and on the island of Ireland. Young people have been particularly badly hit by the recession as new jobs fail to materialise especially in some of the more traditional destinations for school leavers and higher education graduates. Whatever work young people find, it is often of a transitory, precarious and poor quality in terms of experience, training and pay. The lack of effective measures to counter the growth in unemployment and especially youth unemployment is leaving a generation behind.

Rates of youth unemployment remain perilously high and that situation poses many risks to Northern Ireland economically and otherwise. In Northern Ireland

- 26,000 young people aged 18-24 are unemployed – this is equivalent to 23.2% of the labour force in this age group;
- 34,000 or almost 20% of 18-24 year olds are 'not in employment, education, or training';
- the number of young persons between the ages of 18 and 24 claiming welfare benefit in January 2014 was over 15,000.

Youth unemployment has far-reaching personal, community and societal consequences. Some part of the unemployment is directly related to the impact of the recent recession while other parts are part of what economists refer to as structural unemployment. Frictional unemployment refers to unemployment among those who are between jobs. Cyclical unemployment relates to the unemployment that occurs in tandem with fluctuations of the business cycle. It rises and falls as economic activity changes over the business cycle. Structural unemployment is difficult to estimate precisely and is hard to eliminate as it refers to deeper structural shifts in the economy. An example of such shifts is when automation occurs in a manufacturing setting with the effect of displacing workers. Economic recovery will only impact on cyclical unemployment. Unemployment deemed to be structural requires a different approach to that of cyclical unemployment. Concentrated and focused attention on skills needs and bottlenecks in demand for particular types of labour is required.

While an economic recovery should deliver employment back to those who lost jobs, the outcome for those who entered the labour market and were unemployed during the recession is much less clear. This cohort will lack experience of employment when seeking jobs, and will be competing with those who were previously employed. The period when a person first enters the labour market is critical stage of a career and the period of greatest vulnerability. As a result, while economic recovery may bring increased employment opportunities, the employability and economic potential of a young unemployed person may have become permanently damaged (Cockx & Picchio, 2011 and Arulampalam, Gregg & Gregory 2001). Policy must be focused on securing some kind of employment useful experience or training so that their future career is not blighted by an unlucky period in which they entered the labour market.

Policy Responses from the NI Assembly and Executive have included the 'Steps to Work' programme which is a general labour activation programme, and its 'First Start' subdivision is designed specifically to help those who unemployed between the ages of 18-24. The scheme is available for those who have been unemployed and receiving job seekers allowance for more than 6 months. The scheme offers incentives to employers to offer young people permanent jobs. The 'Steps to Work' scheme was recently revamped under the new title of 'Steps to Success', which has yet to be launched in full but aims to refocus current programmes and improve the evaluation of outcomes. The 'Youth Employment Scheme' or YES is another programme which offers work experience and placements to applicants with the emphasis on workplace-based training. It also offers a subsidy to employers willing to hire a young person if they provide adequate training over the defined period. Northern Ireland also operates the Programme-led Apprenticeship for 16-18 year olds which allows them to collect non-means tested educational maintenance allowance. This programme took over some functions from the Training for Success scheme which provided pre-apprenticeship qualifications for 16-18 year olds. The Apprenticeship NI programme caters for those aged 16 and over. The Department for Employment and Learning has announced a major review of all apprenticeship schemes with a view to significant expansion.

The Department for Employment and Learning have also launched a NEET strategy "Pathways to Success" in conjunction with other measures. For those 18-24 unemployed the strategy provides work experience placements and training placements in addition to employment subsidies. Significantly, the employment subsidies will be conditional on workplace based training being provided which is a welcome policy innovation. For NEETs the strategy focuses on plans for the community and voluntary sector to engage disaffected young people and more help for those in the most disadvantaged families to connect with the labour market. Money is also allocated to an innovation fund that will propose new policies to re-engage NEETs in the workforce. Funding for these programmes is being provided through the European Social Fund. Similar efforts on the issue of NEETs have been made in conjunction with the Princes' Trust in recent years.

The policy response of the Department for Employment and Learning to the crisis of youth unemployment has improved greatly in the last number of years as evidenced by the range of schemes mentioned. The schemes have also become more focused taking into account different degrees of detachment from the labour market and the need for tailored individual solutions. We propose to build on this existing work, but go further to implement a youth guarantee.

A guarantee for young people would involve:

- Guaranteed training places in school, further education or higher education;
- Employment or on-the job training appropriate to the skills and potential of the individual;
- Strong emphasis on and provision of, literacy, numeracy and ICT skills for trainees;
- Coordination of employment and training services, including cooperation with local based social economy projects and the community and voluntary sectors.

It is vital that it would avoid the following:

- Provision of low-quality work experience which adds little by way of skills and useful experience to individuals;
- Replacement or displacement of older workers by young trainees at lower wages;
- Use of compulsion to force young people off benefits if they do not accept a job offer or training place.

While many of the objectives listed above are contained in existing schemes, the guarantee seeks to move policy to a more proactive approach. Instead of designing schemes to mitigate the worst outcomes of youth unemployment, policy would focus on ameliorating problems before they become imbedded. A youth guarantee offers a kind of vaccine to some of the worst outcomes rather than treating them as they arise. As with all vaccines, cost may be greater in the short-term but significantly better outcomes in the long-term can stem contagion and reduce on-going costs. The guarantee would also improve existing policies in important ways.

Current programmes wait too long to make an intervention.

When dealing with youth unemployment, international evidence shows that early intervention is the key to ensuring better outcomes. While most existing programmes stipulate that a young person must be unemployed or must be claiming unemployment benefit for of period time, many of the most successful schemes have dropped this requirement. Recent studies have examined the situation in Denmark where activation measures begin immediately for 18 and 19 year olds (Cominetti, Crowley, Guilford & Jones, 2013). Research on youth guarantee schemes in Sweden and Finland also highlights the need for early if not immediate intervention (Mascherini, 2012). The guarantee schemes there are similar, but both provide individually developed action plans followed by the guarantee of a job or training. In Finland the scheme required young people to claim benefits for three months before applying. Following an assessment of the scheme, this waiting period has been all but eliminated. In Finland in 2011 nearly 84% of all young unemployed people received a successful intervention within three months of registering as unemployed. In Sweden the number of young people taking part in the programme increased fivefold over two years. In Finland a young person now becomes entitled to help from the moment they register as unemployed and there are also plans to eliminate waiting times in Sweden.

The First Start scheme in Northern Ireland requires 6 months unemployment, while the "Work Programme" in the UK requires 9 months. Clearly the rationale for these waiting periods is that a young person should be given the opportunity to help themselves before receiving assistance. Indeed one of the UK government's main objections to adopting the EU Youth Guarantee Programme (EC, 2012) is that it stipulates intervention too early. They argue that the majority of 18-24 claimants move off benefits within 3-6 months, and that they only need to target intervention for those most at risk (DWP, 2011). However this approach takes no account of the fact that young people may move off unemployment benefit into inappropriate or precarious employment before becoming a claimant again. This revolving door between benefits and low paid work is a situation not covered by current policy intervention, and so

people in this situation are more likely to slip through the net entirely (Davies, Howe, Peck & Ravenhall, 2008 and ACEVO, 2012).

Moreover there is no barrier to state help complementing the efforts of a young person to find employment on their own initiative. Too often in the past, employment or training courses have come with deterrence mechanisms to punish any participants not fully engaged in their programme. This usually includes loss of unemployment benefits for a period of time. This may also prevent young people continuing their own job searches, sometimes referred to as a “lock-in effect” (Gregg, 2009 and OECD, 2005). These studies found evidence that job outcomes for people on training and placement programmes were inferior to those not enrolled in any programme. The solution is a mix of both search and placement to avoid eliminating individual effort. This may imply that part-time placements are better for some than others. This illustrates the need for individually customised interventions and supports.

While training schemes are a vital intervention for young unemployed persons, they are not of themselves sufficient. In some circumstances young people enter onto a several courses and training schemes but have no paid employment experience to make use of it. If a young person has received several training courses but no offer of employment, government should guarantee this person a paid job if for no other reason than to safeguard the investment the state has already made. A guarantee of employment would avoid the situation where claimants go through training and placements only to return to benefits directly afterward.

While a guarantee scheme would endeavour to find paid work for young people, it should not create more problems by displacing existing workers. If the private sector can provide a position, there should be a requirement that they invest in the young person by providing on the job, value added training as in exchange for subsidised labour. If no appropriate employment opportunities arise the FJF shows that creating additional positions can have real impact for both the young unemployed person and their community.

Much of the international evidence on youth unemployment programs suggest that even the most successful programmes succeed in mostly reaching those recently unemployed (Cominetti, Crowley, Guilford & Jones, 2013). While this is necessary, it will not be sufficient to make real inroads into youth unemployment and more importantly NEETs. To achieve this structural problems outlined earlier must be addressed. These include the disruption or weakening of pathways to employment, the lack of a sufficiently broad range of vocational training courses and the absence of entry-level positions.

The experience of some European States such as Austria, Germany and the Netherlands in regard to dual training which combines apprenticeship training, on-the-job experience and off-the-job classes is worth exploring. While such approaches may not be readily adaptable in other countries they do offer a combination of training and work experience which has been effective in keeping youth unemployment much lower than elsewhere.

A youth guarantee scheme should be the first step toward developing a new infrastructure for those transitioning from education to employment. If economic recovery emerges, many of those young unemployed will have been assisted by the youth guarantee to re-enter the labour market without fear of stigma or reduced opportunity. The legacy of this scheme however should be to eliminate structural youth unemployment, and move toward a model like that in Germany where a proper infrastructure between education and employment prevents young people from falling off the radar. This also complements the need for up-skilling across the economy. (Resolution Foundation, 2012).

How much?

Estimates made by the European Foundation for the Improvement of Living and Working Conditions (2012) in respect of young people who are classified as NEETs ('Not in Employment, Education or Training') indicates a total annual cost in 2008, including public finance costs and forgone earnings, of around 1% of GDP in most EU States. The estimate was 1.75% for the Republic of Ireland and 0.75% for the UK. Both of these figures are likely to be somewhat higher in 2013. Given the higher rate of NEETs in the overall youth population and total population compared to the rest of the UK in the case of Northern Ireland the cost is likely to be very approximately in the region of £300 million or 1% of Gross Value Added in Northern Ireland. Previous research calculated the cost of youth unemployment in Northern Ireland in 2009 was £250m, given the increases over the last four years particularly long-term rates, £300m cost today seems a conservative estimate (NI Assembly, 2009). The recent package of measure announced under pathways to success amounted to £25m with the total NI youth unemployment spending coming to £42m⁹ over the next three years.

A number of steps may be considered:

- Funds allocated for young unemployed people over the next number of years should be frontloaded to give a stimulus to the jobs market. Money should be spent now when the labour market is at its weakest, not in later years when the labour market would be expected to improve;
- Funds assigned to other social problems that affect young people could be diverted toward a guarantee. Efficiencies could be gained by combining all schemes that offer apprenticeships, training courses or work placements;
- The Northern Ireland Executive should co-ordinate with other regions of the UK experiencing high levels of youth unemployment to leverage funding from the European Social Fund (ESF). The ESF will be allowed to access up to €30bn in unallocated funds to tackle youth unemployment.

A youth guarantee would cost additional money. However, some of the initial cost will be recouped in lower social costs in the medium-term. The cost of inaction is also immense. The executive will have to meet the cost of this crisis at some point. We argue that money is better spent making investment in young people now, rather than face potentially larger costs in the future.¹⁰ The Youth Employment Initiative announced by the European Commission will have a budget of €6bn which is aimed mostly but not specifically at member states with youth unemployment over 25%. The rate currently

is 23.8% but as a post conflict society Northern Ireland could be considered a priority under this scheme.

The consequences of youth unemployment for the individual and society are immense. At the individual level, unemployment leaves scars both mentally and economically. For society the cost is wasted potential and loss of social cohesion. The latter cost could be greatest for Northern Ireland. Policy responses need to recognise how young people have been adversely affected by the recession and how many of them were ignored long before it. We see the youth guarantee model as the best way of avoiding both the short-term and long-term costs of this crisis.

PUBLIC PROCUREMENT

The global recession caused by a failure of financial markets, excessive leverage and risk taking has, perversely lead to reduction in public expenditure across most western economies. This seriously flawed policy has furthered economic distress and limited the power of state investment as a vehicle for economic renewal and sustainability. While this paper rejects the theory of expansionary fiscal contraction, it is very clear that there has never been a more important time to get value for money from public expenditure. "Value for Money" is a term often abused in public finance and the definition is frequently limited to the theory of cost minimisation rather than benefit maximisation. While much of state spending is used on government services provided directly by public and civil servants, an increasing amount is spent by the government buying in external services and products, known collectively as public procurement. A cursory glance at the figures surrounding public procurement shows that the power of state spending is not only felt in the "public sector" but in the private sector too. Governments often account for the largest consumers of certain products and services in the economy, the NHS as the largest purchaser of medical equipment in the UK for example. With this vast spending power, government has the ability to affect the economy by how it chooses to spend its money.

If we expand on the definition of "value for money", we can explore many ways in which the government can create positive developments in the private sector by broadening the selection criteria for the tendering process. Government tendering processes have become a complex area of public policy in recent years as states attempted to contain spending and avoid corruption. Unfortunately this has lead in many cases to contracts being awarded to the lowest bidders as those assessing the contract were forced to disregard any broader considerations for fear of favouritism. While it is right and proper that tendering processes should be entirely transparent and fair, we need to widen the selection criteria beyond purely cost considerations.

Contracts should be able to value the effect that various bids would have on local employment, indigenous industry or environmental concerns. Contracts would still seek to minimise cost to the exchequer, but this aim would be placed in context with broader measures of the economy. In recent years much of public procurement has come to be dominated by large multinational firms who compete for government contracts worldwide. While this has achieved a modest decrease in cost for governments, it has come at a price. In particular small firms and indigenous firms have become unable to compete against multinationals that operate with significant

economies of scale. Many contracts between the state and large multinationals have been characterised by low pay and significantly deficient security of employment for workers (the social care sector is one area). Issues like low pay and the tax arrangements of large multi-national corporations have contributed to the economic difficulties that many governments find themselves dealing with at present. Reforming public procurement could give governments an opportunity to boost the economy in the short term and long term whilst at the same time reversing some of the more harmful by-products of multinational domination which have characterised public procurement to date.

Concerns about the legality of such policies, particularly relating to the European single market are over played. Recently European institutions have come to favour a more holistic approach to public procurement and this will be discussed in full in the following sections.

Wider Benefits – Tackling Social Disadvantage

As mentioned above, value for money can be achieved through benefit maximisation not just cost minimisation. Benefits that can arise from procurement spending include but are not limited to; reducing unemployment, reducing economic inactivity, up skilling the workforce, expanding apprenticeships and vocational education, building up SME's and supply chain companies and keeping money in the domestic economy. All of these are goals of economic policy for most governments, however most governments do not see public procurement as a route to achieving these.

Wider benefits or community benefits as they have become known are not a completely new policy proposal. Social clauses have been built into contracts for large scale government expenditures, particularly capital projects for many years. The difficulty has been that these social clauses were often token gestures or optional extras negotiated after the contract had been awarded. They were not used to evaluate competing tenders. The second major flaw was that social clauses only became associated with large capital projects, governments failed to see the opportunity to embed community benefits into all areas of government expenditure in the private sector.

All areas of government expenditure can be subjected to evaluation under the community benefits criteria. Areas like the provision of food for school meals or stationary for the civil service, the tendering process should account for the effect that awarding the contract will have on the local economy. There are many ways to construct a contract to place value on these aspects and European law, far from forbidding it, actually encourages this process.

Helping SME's

A policy that has been under consideration for some time is the process of dividing up public procurement contracts into a number of smaller contracts. This process has two main benefits. Firstly dividing contracts into smaller lots allows small firms to bid for more modest contracts as opposed to large tenders which could only reasonably

be contested by large firms. Secondly it allows the state to avoid domination by one provider by limiting the amount or number of lots that any one provider can contest. This has the benefit of extending opportunities to small firms shut out before while at the same time ensuring healthy competition.

Building supply chain industries

Contracts can also be designed to mandate that all successful bidders must firstly advertise for suppliers and subcontractors within the domestic market. This policy can go further by setting up events for local suppliers and contractors to meet with successful bidders and procurement officials to build up local networks for future projects. The benefit of this policy is that small firms could see significant growth in production through procurement deals which may enable them to scale up and move into new product or export markets. It also may draw in firms that never considered public contracts as potential growth areas for their businesses.

Recognising that public services are different

Much of public procurement spending these days is in outsourced spending within public services. Key areas of public service provision are now contracted out as if they were homogenous services that any bidder could provide. However public services are more often than not unique to the welfare settlement that exists within particular countries and cannot be quite so easily auctioned off to the highest bidder. Health service call centres for example cannot be as quickly outsourced to massive centres in Asia or beyond in the same way that they could be for a phone company. Local knowledge is important and this can be hard to reflect in contracts. Many argue that local favouritism would breach the law of the European single market; however European authorities have been keen to highlight the unique nature of public services and the limited scope for any "cross-border dimension". The 2011 directive states "Social, health and education services have specific characteristics which make them inappropriate for the application of the regular procedures for the award of public service contracts.....The services have, by their very nature, only a very limited cross border dimension. Member States should therefore have large discretion to organise the choice of service providers"

Eradicating a "two-tier workforce"

Any reform of public procurement should ensure that our domestic economy is not further damaged by reducing the pay of thousands of employees under the guise of value for money. Reform of public procurement should reinstate "two tier workforce" directive which was abandoned by the United Kingdom government in 2010 and which is still extant in Wales.

Boosting local employment

One of the main community benefits that can be drawn from public procurement is through employment initiatives. These can range from employment opportunities for people in the local area, to employment opportunities for the unemployed or people

who have become economically inactive. These contracts can also include training opportunities for the long term unemployed and those furthest from the labour market.

Protecting Workers

Contracts can also favour bidders who have a good record on protection of workers, their health and safety and commitment to fair pay and a minimum wage. Most importantly contracts can exclude completely, bidders who have been shown to or are suspected of breaching workers' rights in their previous contracts,

Wales

The Welsh government has led the way in reforming its use of public procurement to maximise the benefit for the local economy. When the proposals were introduced, Welsh Minister for Finance Jane Hutt AM was asked if she was wasting tax payer's money, she responded

"Certainly not. We are trying to regenerate our economy here with a procurement policy which puts community benefits first."⁵

Wales made several changes to existing procurement policy, and refocused contracts to cover the stated goals of the Welsh Government

- Retention & Training for the Existing Workforce;
- Supply Chain Initiatives;
- Training and recruitment opportunities for the economically inactive;
- Promotion of Social Enterprises & Supported Businesses;
- Contributions to Education;
- Community Initiatives- Resources- Consultation.

Now in Wales, 20% of the weighting for awarding the contract is awarded on the basis of lowest cost, 80% weighting is given to how tenders meet the above standards.

Contracts can be designed in two ways, core and non-core. Non-core is where the community benefits are not defined within the initial contract, but are agreed with the successful bidder after the contract has been agreed. However the contract cannot be awarded on the basis of community benefits, the contract can only specify a commitment to community benefits from the successful bidder.

Core contracts can specify key community benefits that must be fulfilled by the successful bid, contracting authorities are allowed to take this into consideration when awarding the contract. While not all projects would be suitable for a Core contract arrangement, it is clearly the most effective contract for achieving community benefits.

5 <http://www.bbc.co.uk/news/business-17381440>

Northern Ireland

It should be a key aim of the Executive in Northern Ireland to replicate the success of the Welsh government. This should be possible as the government in Cardiff operates under the same strictures within the UK and EU frameworks.

The most recent figures for Northern Ireland, made available by the Central Procurement Directorate in the Department of Finance and Personnel, outline the extent of procurement spending by government departments, Agencies, Non Departmental Public Bodies and Public Corporations. Total procurement spending for these groups amounted to £2.6 billion in the years 2011-2012, including £926 million spent on construction and maintenance services. These figures do not include spending by local government, nor do they include spending by housing associations – a key driver of infrastructural development. This highlights one of the main features of the Welsh model, that all procurement spending by any arm of government or state spending should be treated as potentially useful. For example councils across the UK have begun to implement a living wage campaign and so far of the 400 councils in England and Wales 82 and all 32 Scottish councils are now living wage employers. As far back as 2009 the European Commission confirmed that EU procurement rules do not constrain councils or any arm of government from specifying a living wage for all employees in public procurement contracts.

The policy ambition for Northern Ireland must be to reach beyond large providers and engage the SME sector both in public contracts and the consequent supply chains. A further important aim should be to ensure that employment provided through public procurement guarantees good employment practices, safe conditions and fair compensation. Public procurement can also lead the way in excluding firms that have abused government contracts in the past, by failing to fulfil their contracts or failing to provide a safe and secure work environment.

Mural Commission

In September 2013, Belfast gained a new cultural attraction. Congress has commissioned two leading muralists, Danny Devanny and Mark Ervine, to mark the centenary of the Dublin Lock-Out by complimenting the famous statue of Jim Larkin with artwork telling the story of organised labour from the Dockers' and Carters' Strike of 1907 and the struggle of women in the factories and mills, up to the current campaigns against austerity and for social justice. The mural was unveiled by ICTU President John Douglas.

We then moved indoors to the John Hewitt, where the Lord Mayor of Belfast Mairtin O'Muilleoir was introduced by Pamela Dooley, chair of NIC-ICTU, before unveiling a remarkable artifact. Samuel Munro was Secretary and President of Belfast Trades Council in the early 1890s who strived to organise unskilled workers with their skilled brethren and to enlist women into the common struggle with the men of the workforce. Congress had been contacted by Munro's last surviving ancestor, and she very kindly has donated an heirloom from her grandfather – the commemoration plaque and bell presented to Samuel Munro as President of Belfast Trades Council in 1893.

The Mayor was followed with remarks from Paddy Mackel (Secretary, Belfast Trades Council) and Francis Devine (Irish Labour History Society), who spoke of the life and times of Samuel Munro. The Bell is on permanent display in the John Hewitt.

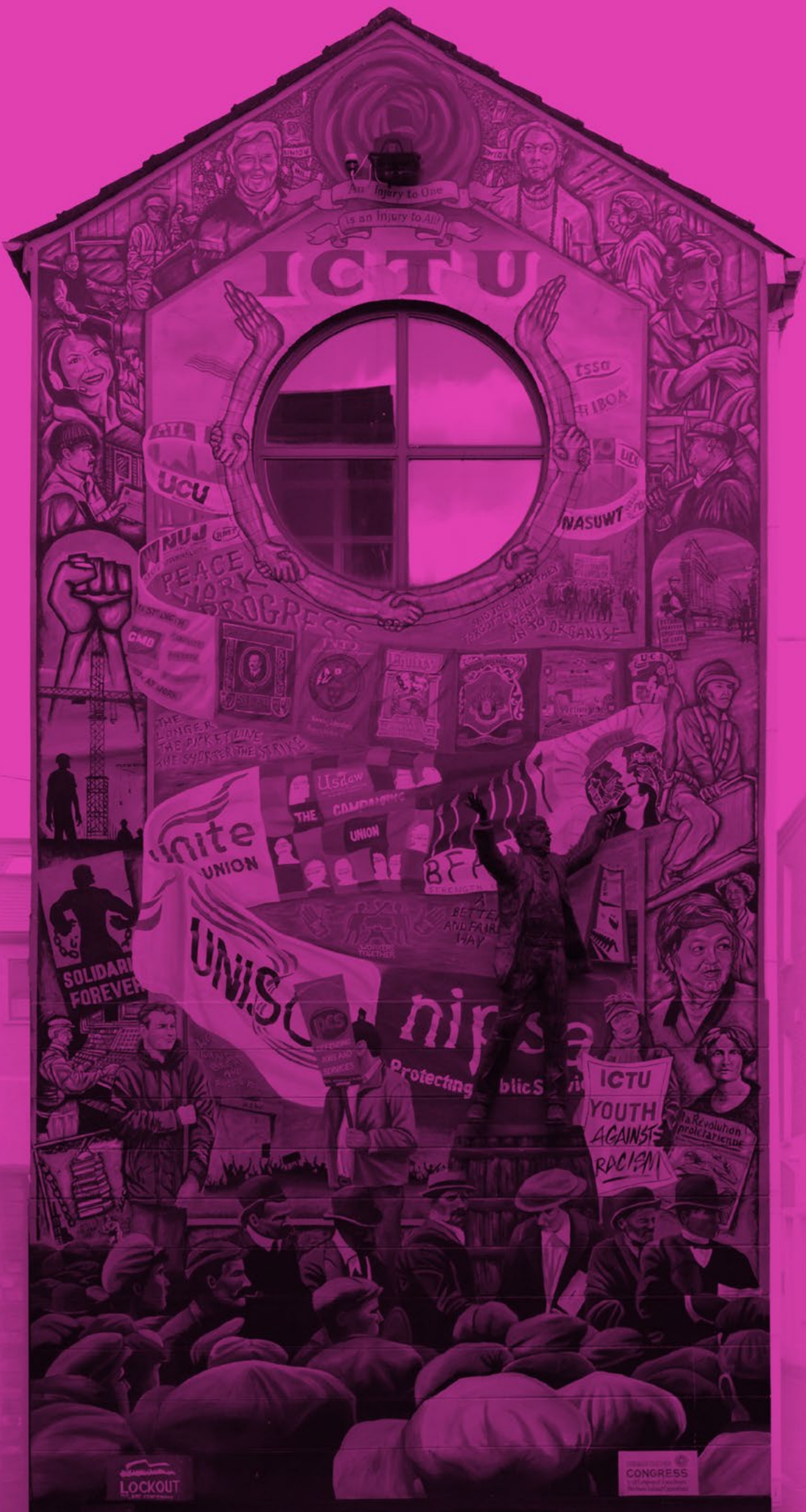


ICTU President John Douglas and Peter Bunting unveil the new mural



Belfast Mayor, Peter Bunting and NIC Chair Pamela Dooley unveil the Munro Bell

f Migrant Workers





Migrant Workers celebrate the international workers day

F1 Introduction

The 2011 Census revealed that ethnic minorities constitute a small, but important proportion of Northern Ireland society. According to its findings, they make up 4.5% of the total NI population of 1.8 million, an increase of 2.5% on the 2001 Census figures. People from the expanded EU countries (so called A8 countries of Eastern Europe) have been the main source of migration since 2004 making up 1.97% of the population. The biggest minority are Polish nationals, with 17,700 indicating having Polish as their first language. The EU citizens from countries that joined before 2004 make up 0.54% of the NI population, whereas residents born outside the EU account for 1.99%.

It is worth noting that the levels of migration have been falling consistently since 2008 and fallen below zero in 2010 – 2011, according to Northern Ireland Research & Statistics Agency (NISRA). From 2010 migration has shown a net outflow, with on average 1,400 people (net) leaving Northern Ireland in 2011 and 2012.

The onset of recession and the economic downturn have increased the vulnerability of many workers resulting in job losses, erosion of wages and working conditions and increased risk of discrimination and xenophobia.

Also, perceptions of migrants' positive impact on economy and society have regressed, replaced with scaremongering stories propagated mostly by right-

wing media. Worryingly, all major UK parties are in unison on the need to limit immigration and as a result a more restrictive immigration policy is being implemented.

In the current economic downturn as employment opportunities decline and unemployment levels rise racial tensions have also increased. Migrants are being demonised as the cause of society's problems, from 'taking jobs,' to 'draining public services.' Sections of the media have championed this divisive and incorrect myth. The necessity of challenging such myths directly with workers is growing. Trade unions have a unique and vital role in challenging these misconceptions through working with both employers and workers' representatives to expose these myths and help reduce the racist attitudes in society that can lead to physical attacks on migrant and ethnic minority communities.

F2 Migrant Workers Support Unit (MWSU)

The Migrant Workers Support Unit (MWSU) has been in operation since in 2007. The Unit's main aim is to pursue the implementation of Congress policies by working towards the elimination of racism, discrimination, exploitation and barriers in accessing services for migrant workers.

The Unit has both strategic responsibilities of policy development through linking with relevant stakeholders and trade unions, coordinating role of establishing a network of employment rights clinics in cooperation with Trades Councils, trade unions and migrant support organisations, mapping and collating information on migrant workers

as well as organising training, seminars and information sessions.

The Belfast office is continuing to operate a permanent Migrant Workers Employment Rights Centre as well as providing outreach clinics in other locations. In the last year, the unit has dealt with over 400 people, through a combination of advice centre, clinics and information sessions.

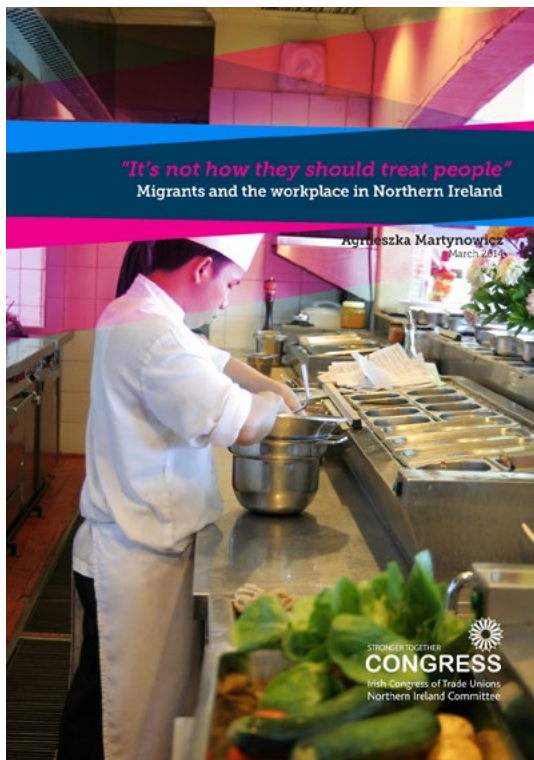
The unit is also represented on a number of bodies concerned with racial equality and minority ethnic rights, among others, OFMDFM Racial Equality Panel, Northern Ireland Strategic Migration Partnership and Belfast Migrant Forum.

As members of the Racial Equality Panel which is responsible for developing a new Racial Equality Strategy, we believe that the new strategy needs to address all manifestations of racial discrimination and underrepresentation of minority ethnic people in all areas in the labour market, as well as political and public life.

F3 Research into experiences of migrant workers in employment

The aim of this research was to collect information and analyse the experiences of migrant workers who brought their cases to the attention of the Migrant Workers Support Unit. It analysed 158 case files relating to face-to-face consultations with 175 individuals and 467 phone consultations.

The study, conducted by Agnieszka Martynowicz, shows that migrant workers remain a group that is hard to reach and which continues to face very particular issues making them vulnerable to exploitation and differential treatment.



Their experience in the workplace is often characterised by the lack of written contracts, the prevalence of 'casual' or 'zero-hour' contracts, long working hours, and difficulties with pay and in accessing in-work entitlements such as leave.

Migrant workers continue to experience racism and discrimination which can have devastating consequences for workers, for their relationship with employers and colleagues, their experience of work, career progression and professional development and their relationship with the wider community. The knowledge of employment rights continues to be limited and access to protection is not always easy. The onset of recession and the economic downturn increase the vulnerability of many workers, unwilling to challenge inappropriate working practices for fear of losing employment.

The analysis of case files and interview material revealed a number of thematic areas, which will be briefly discussed below. These are:

race discrimination in the workplace; difficulties with contracts and pay; difficult working conditions; differential use of disciplinary processes and barriers to career progression and professional development.

Discrimination

Racism and direct and indirect racial discrimination in the workplace continue to be a serious issue and there is no question that the extent of differential treatment remains under-reported. Additionally, there is some evidence to suggest that workplaces, especially in the case of larger companies, have often become segregated by national backgrounds for a variety of reasons, including grouping of workers by language/nationality to aid communication between employers and workers with little or no English. While some practices may be introduced with a positive motive of lessening isolation, in the long-term, they can prevent integration and inadvertently cause segregation in the workplace which becomes more difficult to address.

Tackling racism and discrimination should therefore not be limited to the provision of diversity and equality training and introduction of appropriate policies in the workplace. What is required is a proactive approach which combines policies and training with creating spaces and opportunities for interaction between local and migrant workers, as well as workplace integration initiatives to ensure that segregation does not become a regular feature. Employers' initiatives should be done in partnership with Trade Unions who can lend their expertise on creating inclusive workplaces and equal access to rights.

Contracts and pay

Difficulties with contracts and pay continue to affect migrant workers. The issues raised by clients of the MWSU included: non-payment of wages (9%), non-payment of holiday pay (7%) and non-payment of statutory sick pay (4%). Non-payment of wages, no matter what the amount, can have very serious consequences for workers, especially those in lower-paid jobs. Agency workers are particularly vulnerable as they have few enforceable rights and little recourse to legal protection in the workplace. The availability of the Industrial Tribunal process as a measure of last resort is of utmost importance in such cases, workers however, face considerable difficulties in accessing Tribunals to pursue their cases.

The study also revealed that lack of contracts or the failure to provide copies of written contracts to employees continue to be a major issue. Where contracts were provided, these were most often in English even when the firms only employed workers speaking in one foreign language.

Interviewees for the study reported that they feel unable to complain about such issues as employers either threaten them with job losses or cut the hours back. Some contracts are being described as 'casual' even when employees have worked for a particular employer for a continuous period of two or three years and these are frequently used to circumscribe employees' rights or prevent them from claiming their in-work entitlements.

The situation is similar for those on the so-called 'zero hours' contracts. While many workers on 'zero-hour' contracts are effectively working full-time hours, this is not widely understood by them as having a full-time contract. As a result many workers lose their entitlements annually,

not being aware that they can take holidays, claim holiday pay or sick pay.

Working conditions

Issues concerning long, and often unrestricted hours of work, featured in almost all interviews conducted for this study. Employers often recruit migrant workers because of their "willingness" to work long hours and the perception that many will work without over-time being paid at a higher rate. This "willingness" to extend working time must, however, be questioned as while many interviewees were prepared to work long hours for reasons of achieving more financial stability, others felt compelled to do so because they were afraid of losing their jobs.

Research elsewhere noted that the rate of accidents at work is higher for migrant workers than for UK-born workers, with one of the reasons being fatigue caused by long working hours. Migrant workers have also stated that they are less likely to report accidents, while racism and discrimination in the workplace contributed to the workers' inability to raise concerns about health and safety risks more generally.

Pressures relating to feeling compelled to be 'more effective' can have a negative impact on both physical and mental health. The consequences of making a complaint can be very serious – from victimisation in the workplace by colleagues and managers to dismissal for the most minor breaches of discipline.

The use of disciplinary processes

There has been some concern that disciplinary processes are used in a discriminatory manner in cases involving

migrant workers. 19% of the cases brought to the MWSU concerned disciplinary proceedings (including those which ended in dismissal). There was a significant concern expressed by advice workers, Trade Union representatives and workers alike that in many cases disciplinary measures are used for the most minor of infringements and that their use is increasing.

It is important that where disciplinary processes are used, these are appropriately explained to employees and that employees receive all the appropriate information and support to be able to understand the allegations against them, the evidence used and to be able to prepare their defence/challenge the charges where necessary and appropriate. While some examples of good practice in this respect have been reported, in most cases brought to the ICTU workers either did not know the procedures or felt unable to challenge the process, including due to the language barrier.

Sex discrimination

Around 12% of cases dealt with by ICTU concerned dismissals in a variety of contexts (other than the use of the disciplinary process). It was of huge concern that a number of women who have sought advice from the Unit have been dismissed by employers when they let them know they were pregnant (a quarter of all dismissal cases). Women who are pregnant are particularly vulnerable to dismissal when they are not yet fully protected by their contracts, i.e. when they have not worked for their employers for a year or more. Issues relating to casual or 'zero-hours' contracts, impact more negatively on women workers as pregnancy and maternity entitlements are strictly connected to the length and nature of any contract of employment.

Of concern was also the fact that some employers, albeit in limited cases, used health and safety regulations to dismiss women who were pregnant. A limited number of interviewees also reported that while women may not be sacked directly for being pregnant, they have their working hours cut to the extent that employment ceases to be viable in terms of pay received.

Language support and professional development

There are different aspects of the impact of the lack of English skills on the situation of migrant workers. The first is the understanding of contracts and contractual requirements. Some of the interviewees for this research were asked to sign contracts in English and had no access to employee handbooks or any other materials in their own language. Requests for interpreters to attend core meetings were often dismissed. Clearly, the lack of provision of interpretation leads to exclusion of migrant workers from internal company processes which may have an impact on their employment and terms and conditions of their contracts.

Not being able to speak English increases workers' vulnerability and in some cases it was reported that lack of language skills was used as a way of intimidating workers.

A survey of employers undertaken by Oxford Economics in 2009 revealed that 72% of employers in Northern Ireland felt they provided equal opportunities for progression and employment in senior positions to migrant and local workers, "though the remainder were slightly more likely to employ migrants in more junior positions".

Interviewees in the study felt, however, that there are certain limits to their

progression and while some duties are within their reach, there is a definite “glass ceiling” when it comes to progressing to managerial or supervisory positions. This was true also in companies where the main workforce was almost exclusively made up of migrant workers.

There is also evidence to suggest that many employers give migrant workers only a minimum of training (Oxford Economics, 2009) which can impact negatively on promotion and progression also for those with sufficient English skills. Only 13% of employers in Northern Ireland stated that they provided external training opportunities for migrant workers and the report clearly states that overall migrant workers receive “very little capacity-building training during their employment”.

The report makes the following recommendations:

1. There is a continuous need to provide targeted services supporting migrant workers in the workplace. These should, like the ICTU’s Migrant Workers Unit, provide advice and representation to ensure that workers can avail of their right to be accompanied where necessary. The Department for Employment and Learning, which provided on-going funding and support for the project, should consider extending the funding to include resources for Tribunal representation by the ICTU to those workers who are not members of individual Trade Unions.
2. There is a continuous need to challenge racism and racist discrimination in the workplace. This includes challenging indirect discrimination and should extend beyond the provision of training and development of workplace policies. Employers should create opportunities for integration of migrant workers with local workforce. State bodies (such as Department for Employment and Learning and Invest NI) which fund business start-ups or provide any funding for business development should ensure that businesses availing of such funding commit to challenging racism and that this is made a condition for the provision of funding.
3. The Department for Employment and Learning and other bodies, such as the Equality Commission for Northern Ireland, should support research into positive practices in employing migrant workers, with a focus on examples of best practice in providing equal access to rights and to workplace integration. These examples should then be used in the provision of advice and training to employers whose practices fall short of such positive practice.
4. The experience of the Trade Unions and migrant workers alike indicate that membership of a union provides migrant workers with an important source of information about employment rights as well as providing a safety net in cases where those rights are breached. There is a continuous need to raise awareness of the Trade Unions amongst migrant workers and for the Trade Unions to actively recruit and organise migrant workers.
5. An establishment of a single inspection and employment rights enforcement body should be considered as a matter of urgency.

F4 'A Shared Workplace, A Shared Future' Project

'A Shared Workplace, A Shared Future' project, which ran from 2009 to 2013 complemented the ongoing work of the unit in providing representation for migrant workers, a crucial service in ensuring access to employment rights and equality.

The unique feature of this project was that it alone could provide representation for migrant and ethnic minority workers in the workplace as under existing legislation only trade union officials have the right to represent workers with their employers.

Given that for many migrant and ethnic minority workers their experiences within the workplace will be the major formative experience of life in NI it is imperative that attempts to build positive relations and to move towards a more peaceful and stable society requires efforts to address the exploitation and vulnerability affecting many migrant workers.

The Project in the long run contributed to promoting and raising awareness of workers' rights, reducing exploitation, mistreatment and discrimination in the workplace, reducing divides and racist

attitudes between migrant and ethnic minority workers and local workers.

Through the interventions of the Project Officer to the DEL Implementation Group and the LRA Roundtable proposals for a fundamental change to dispute resolution for workers outside of the workplace, i.e. the Tribunal system, are being reviewed to improve access to employment rights. It is anticipated that this will have a direct positive impact on Black and Ethnic Minority workers who have had, under the present system, great difficulties in accessing their statutory employment rights.

The project also supported the integration and participation of migrant and minority ethnic communities through its unique and direct access to workers and their representatives through trade unions to challenge racist attitudes, raise awareness of the issues affecting migrant and ethnic minority workers.

F5 BME Trade Union Leadership Training

Recognising the crucial role of active engagement of migrant workers with trade union structures, we organised a residential Black and Minority Ethnic



Trade Union Leadership Training in April 2013, which aimed at building the capacity of members of minority ethnic communities to participate in the trade union movement, organise and campaign successfully and promote trade unions in their workplaces and communities. The training was attended by trade union activists from a variety of national backgrounds, representing all major unions in NI.

Following the success of this initiative, another residential training, "Challenging Racism, Protecting Rights" is scheduled for March 2014.

F6 Partnerships with migrant organisations

The Migrant Workers Unit has formed important partnerships with both regional and local migrant support organisations, among others, Northern Ireland Council for Ethnic Minorities, Chinese Welfare Association, Polish Educational and Cultural Association, Ballymena Inter-Ethnic Forum, Multicultural Resource Centre, Newry Ethnic Minorities Support Centre, Omagh Minority Support Centre and Craigavon Intercultural Programme. A number of events have been organised in partnership with these organisations, such as training and information sessions and clinics. Regular referral and support mechanisms have been developed with these organisations with the aim of supporting migrant workers in workplace problems.

F7 Publications

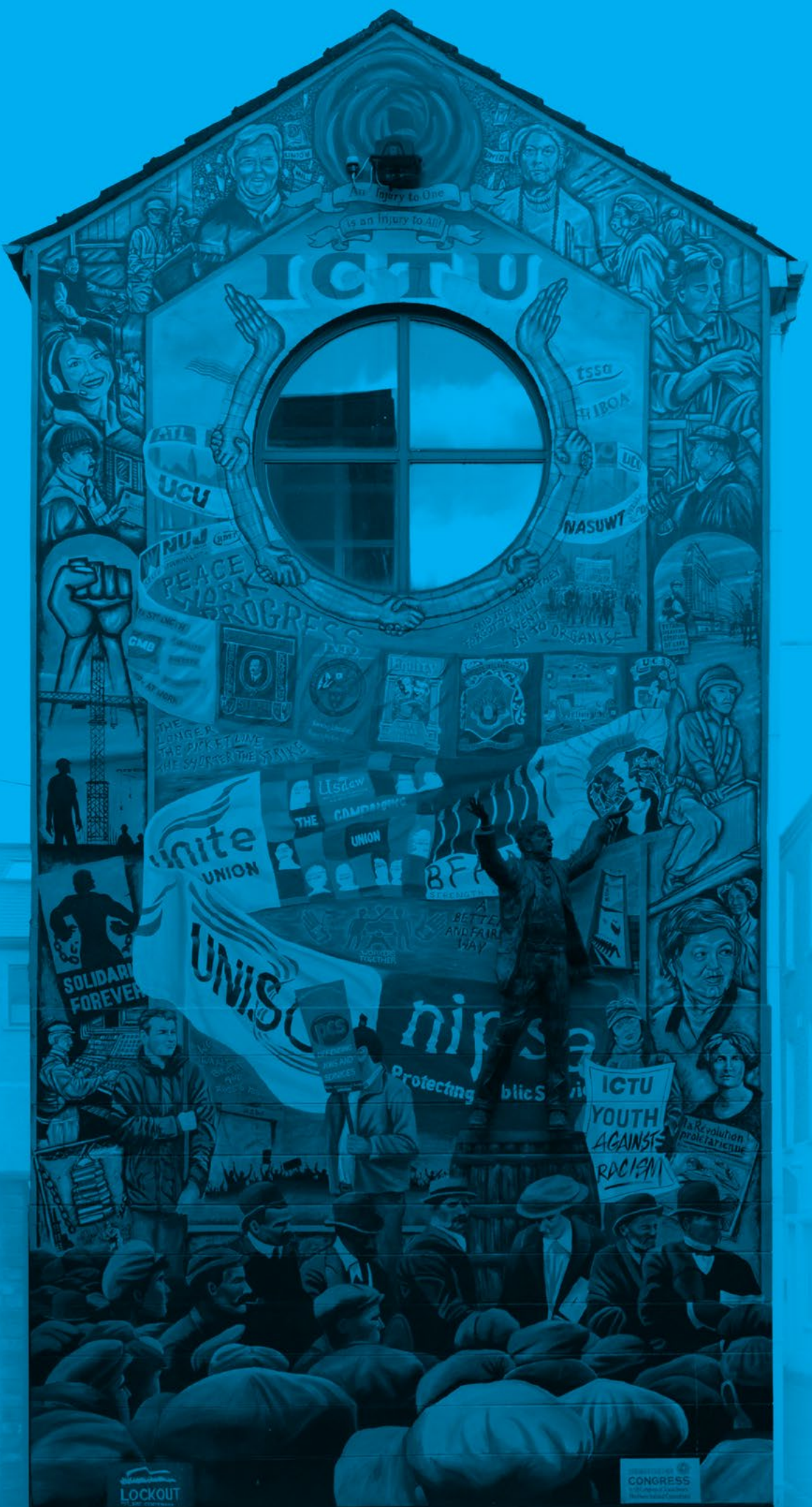
The unit developed an updated version of a myth-busting handbook *I'm not Racist, but ...* challenging the myths and stereotypes surrounding migration. This publication has been used as an educational resource in training programmes for shop stewards, distributed at trade union conferences and other events and made available to organisations working in the BME sector. In addition, the *Your Rights at Work* guide has been updated to include a table with contact details of NI enforcement and inspection agencies as well as support organisations. They are available in English, Polish, Lithuanian, Portuguese, Slovak, Russian, Romanian and Bulgarian. Thanks to partnership with NISMP the guide will now be distributed through Jobs and Benefits offices at the point of applying for a National Insurance Number.

All the above publications are available from NIC-ICTU office.



ICTU President and muralists

30 Equality & Human Rights



G1 Introduction

The following is a report on the work of Congress and the Equality Committees in pursuit of our objectives for a fairer and more equal society – A Better Fairer Way.

G2 Welfare Reform

Welfare reform has been a priority campaign for the Congress' Equality committee.

A very effective coalition was built involving trade unions, community organisations, welfare workers and advisors. This lobbied and protested for a fairer welfare system than the present arrangement.

From the autumn of 2011 Congress responded to a series of consultations on Passported Benefits under Universal Credit and the NI Welfare Reform Bill 2011 – and Welfare Reform Equality Impact Assessment. There were further submissions made to the specially

convened Stormont committee of MLAs examining the equality and human rights implications of welfare 'reform'. That the NI Assembly felt compelled to create this Ad Hoc Committee is, at least, a small testimony to the campaign, its direct contact with MLAs and the physical presence of protests and lobbies at Stormont itself. There were also protests at the ATOS premises in Belfast, where claimants with disabilities were being accessed by a private company in a building with no emergency exits suitable for people with disabilities.

These actions were supplemented with meetings with the Committee for Social Development on Welfare Reform. The comprehensive reports and documents are available on www.ictuni.org Congress advocates -

- A Social Security system that ensures everyone has a decent standard of living free from poverty;
- A Social Security system based on need not moral judgements;



Protesting at Stormont against the Welfare Reform Bill, 2012

- To end low pay and poverty wages which push people into the benefits system;
- A better and fairer way for all.

The Welfare Reform Bill does nothing for the most vulnerable in society and will lead to further deprivation for those in most need if it is implemented.

In the intervening year the legislation has stalled, and the story has only moved on to the degree that people are better informed about the impact welfare reform will make to Northern Ireland. Research carried out for NICVA by researchers at Sheffield Hallam University demonstrated the scale of the damage. Welfare 'reform' will inflict upon the economy, £750 million will be sucked out of local pockets and purses each year and redistributed to HM Treasury in London.

This eye-watering sum puts into context the open threats delivered by Mike Penning, a junior Minister at DWP, dispatched to Belfast last month to bully MLAs into accepting the cuts: "While this is ultimately a devolved matter, I am concerned about the lack of progress that has been made which has already cost over £30 million in lost savings and this figure is increasing by around £5 million every month."

This led to a public row between the DUP and Sinn Féin – just as Mr Penning intended – but both parties are extremely nervous about alienating core parts of their vote and have been delaying for months the return of the Bill to the Assembly. If the changes are to happen, then they are more likely to attempt to complete the legislation after the local and EU elections in May 2014.

In his 2012 speech to the Conservative Party conference, George Osborne forged

the image which encapsulates the entire debate, in all its vindictiveness and duplicity: "We think it's unfair that when that person leaves their home early in the morning, they pull the door behind them, they're going off to do their job, they're looking at their next-door neighbour, the blinds are down, and that family is living a life on benefits."

The duplicity of this comes from the fact that benefits for the working poor are under attack. The vindictiveness of this line comes from the assumption that most people do not know this.

Among those who should know better is NI Conservative Trevor Ringland, who attacked NIPSA for their 'Grim Reality' billboards. "NIPSA is guilty of frightening people about welfare changes which are fair and necessary," Trevor explained. "The reforms are about targeting benefits at the people who need them most and ensuring that, for those who can work, taking a job is the most lucrative option."

According to the NICVA research, cuts in tax credits will affect 165,000 Northern Ireland households. 54,000 homes will suffer from changes to housing benefit, with 33,000 fined by the 'bedroom tax'. Many, if not most, of those households contain at least one working adult. There are 5,000 vacancies for the 60,000 unemployed, and hardly any one-bedroom social homes for refugees from the bedroom tax to live in. This campaign is far from over.

G3 Equality & Human Rights Sub-Group (EHRSG)

The EHRSG is a sub-committee of the NI Committee which extends its membership to the chairs of the NIC's

self-organised groups, equality officers of affiliated unions and trade unionists on the enforcement bodies. The EHRSG's function is to develop on behalf of the Northern Ireland Committee a strategy on equality and human rights, and to co-ordinate ICTU's lobbies, relations and negotiations with Governments, enforcement agencies and others on equality and human rights issues.

The EHRSG has had a series of meetings met with the Joint Ministers with responsibility for equality, the Equality Commission NI and with the NI Human Rights Commission.

Agenda items for ECNI included: *absence of enforcement strategy; welfare and budget cuts impact - particularly on women and those with disabilities; delay in appointment of new Chief commissioner; Invest NI strategy and the Bain Report; the failure to support EQIA system; Race Equality.*

The NIC has expressed its deep concern at the failure of the ECNI to pursue a formal investigation into the failure of the Minister for Social Development and his Department to carry out a full Equality Impact Assessment of the proposed changes to the welfare system, which in our view will compound discrimination and disadvantage.

The NIC has also expressed its dismay at the failure of the NI Executive to produce an over-arching anti-poverty strategy for Northern Ireland. The failures to publish a Sexual Orientation Strategy and a workable Gender Equality Strategy are standing items on the Equality Human Rights sub Group agenda.

Agenda items which have been raised with the NIHRC included: *Human and socio economic rights in the current*

economic climate; Bill of Rights; Dealing with the Past; Confronting attempts at regression on Human Rights; All Ireland Charter of Rights.

The sub-group also met Kyung-wha Kang, UN Deputy High Commissioner for Human Rights. Issues raised included, Bill of Rights, Justice, Rights of the Child and Plastic Bullets.

G4 Bill of Rights

A comprehensive Bill of Rights and an allied campaign of encouraging people to take part in the decisions which affect their everyday lives, would deepen the roots of democracy and dialogue.

Provision for a Bill of Rights was included in the Good Friday Agreement in recognition that as a society we would benefit from setting down a shared set of rights. As we continue to be a society in transition, developing a Bill of Rights is still as relevant today as it was then.

Creating a new legal framework and rebuilding confidence in the legal system has proven to be an essential element of transition in societies all around the world. Various international examples from countries emerging from conflicts – like South Africa and Central America – indicate that the process of creating a rights-based instrument represents an important 'fresh start.'

Countries in transition have almost universally created new constitutions or rights instruments and Northern Ireland can learn much from these experiences. Congress presented evidence to the Joint Oireachtas Committee on the Implementation of the Good Friday Agreement on the urgent necessity for the completion of all commitments

within the Good Friday Agreement (including a Charter of Rights), in tandem with the completion of promoting equality of opportunity and *Dealing with the Past*.

The obstruction of a Bill of Rights by political parties and the refusal of agreement on genuine strategies towards an equal and shared society may be due to party political resistance to the wide scale participation of the people, a prerequisite of the success of such strategies.

Not enough people feel that they are being listened to and they can't afford lobbyists or sufficiently excite the local press. Congress is fighting to ensure that these voices are heard. Politics should not be the exclusive preserve of specialists, of what Peter Robinson revealingly called "the political class."

G5 Consortium & Coalition

Human Rights Consortium

Congress is a member of the Human Rights Consortium which brings together nearly 200 NGO's, trade unions and other groups to campaign for the full implementation of the Good Friday Agreement, in particular for a strong and inclusive a Bill of Rights for Northern Ireland.

The Human Rights Consortium meets on a monthly basis.

Equality Coalition

Congress is a member of the Equality Coalition which is a broad alliance of non-governmental organisations whose members cover all the categories listed

in Section 75 of the Northern Ireland Act 1998 ('s75'), as well as other equality strands. It was founded in 1996 by community and voluntary sector organisations and trade unions.

The Equality Coalition continues to provide a forum for unity between all sectors when campaigning for equality, while allowing for the diversity of its members' work and views. It has regular engagements with government and the enforcement bodies.

Equality Coalition Co-Convenor and NIC member Patricia McKeown addressed a major equality conference in 2013. Organised by the Committee for the Administration of Justice, the conference mapped roll-backs on equality and human rights commitments and obligations since the Good Friday agreement. The conference proceedings have now been published in a comprehensive book by the CAJ which is available on www.caj.org.uk

The Equality coalition meets every month.

Both the Human Rights Consortium and the Equality coalition have established relations with the Equality and Human Rights alliance in the Republic.

G6 Disability Committee

The Chairperson of the Committee is Berni McCrea (UNITE)
Co-Vice Chair Frank Warwick (IBOA) and Anne Madden (INTO)
Secretary is Sally McKee (UTU).

The committee was pleased to welcome the ever increasing numbers of Disability Champions who have been trained and who also attend the Disability Champions Forum. There are now over 150 Champions trained on the island.



Disability Committee Joint Chairs Berni McCrea and Deirdre O'Connor together with ICTU President John Douglas and speakers at the 2013 Seminar.

The Chair of the Disability Committee, Berni McCrea, represents the committee at various forums including at meetings with the Equality Commission and the Human Rights Commission. The Chair also attends the ICTU Equality and Human Rights Committee and the NIC ICTU Welfare Reform Group.

The committee has taken part in the Disability Seminars in both Derry and Dublin. The seminars and the committee meetings have been addressed by a number of high profile speakers who have dealt with topics which have included, living with sensory disability, suicide awareness and trauma, legal developments at home and European wide, the UN Convention on Persons with Disabilities and dealing with the development of 'fit notes'.

The committee has raised serious concerns over the issue of the 'universal benefit scheme', and new regulations around Incapacity Benefit and the removal of those who have previously been awarded the benefit.

Disability Seminar 2012

About 40 trade union delegates along with representatives from disability groups gathered in Dublin Airport Clarion Hotel - a Fair Hotel (18/19 October 2012) to consider the impact of the economic crisis on people with disabilities and how they can build alliances to fight back.

Delegates heard from a wide range of speakers including Congress general Secretary, David Begg who said that a threshold of decency was needed to guide us through the economic crisis. Equality is about creating the conditions where everyone can lead a fulfilling life. People with disabilities face threats to this basic right with services – such as cuts to personal assistants – which empower people with disabilities to participate on an equal footing in society being cut and the quality of remaining services being hampered.

Disability Seminar 2013

The theme of the 2013 seminar was Decent Work for People with Disabilities. In opening Congress President, John Douglas said that the seminar was an

important event to ensure that the voices of all of our members be heard, including people with disabilities.

He added that we need a threshold of decency to guide us through the economic crisis and said that the trade union movement joined with disability groups North and South campaigning against cuts to disability services. The President urged the Irish Government to ratify the United Nations Convention on the Rights of Persons with Disabilities.

Director of the Law Centre NI Les Allamby outlined how proposed welfare reform legislation will impact on people with Disabilities and the National Disability Authority outlined the development of a ten year comprehensive employment strategy for people with disabilities. Other speakers at the Seminar included Kevin Doherty, Interim CEO of Disability Action and Margaret Haddock, Deputy Director of Orchardville Society.

Hate Crime Conference, November 2012

The Disability Committee in association with the Human Rights Consortium organised a Hate Crime Conference in Galway House. Speakers were from PSNI and the Equality & Human Rights Commissions. The Kabosh Theatre Company gave a dramatic interpretation of hate crime in relation to people with disabilities. Pamela Dooley, Chair of the NI Committee, ICTU, in her opening address referred to Hate Crimes in our society ranging from Human Rights violations to resentment of e.g. travellers. She referred to the Stephen Lawrence case and sectarianism in N.I. and urged tolerance. Michael Wardlow, the then newly appointed, Chief Commissioner of the Northern Ireland Equality Commission talked of hate crime and those with

multiple identities suffering most. Inspector Gary Reid, from the PSNI Hate Crime Section, described the legislation and the steps PSNI were taking to deal with all Hate Crimes including disability.

Engagement with Disability Matters

The Chair of the Disability Committee, Berni McCrea represents the Committee at the All Party Working Group on Disability in Stormont and also sits on the Disability Employment Strategy working group of the Department for Employment and Learning and the Welfare Reform Group which is convened by the Law Centre NI

The Committee has had a wide variety of guest speakers at meetings covering a range of issues. In March 2014, the committee were particularly pleased to welcome Disability Action's Kevin Doherty. In his input to the meeting, he outlined the European structures in relation to disability matters and also gave an overview of the UN Convention on the Rights for Persons with Disabilities (UNCRPD). The Disability Committee is working with Disability Action and the Equality and Human Rights Commissions to feed into the shadow report being prepared in advance of the UK Government's appearance before the UNCRPD Committee.

Committee members Gareth Lee and David Halliday (PCS)





Daire Toner and Mike Hamilton at Pride

G7 LGBT Committee

Lesbian Gay Bisexual and Transgender (LGBT) Committee

The Chairperson of the Committee is Dáire Toner

Secretary is Mike Hamilton.

The LGBT Committee have been actively promoting LGBT rights in the workplace and in society since the last report. In October 2012, a committee delegation went to the European Parliament to meet MEPs to discuss LGBT issues.

Particular areas of concern raised were:

- adoption rights;
- same-sex marriage;
- gender identity;
- change of gender on passports and the LGB blood ban.

In the same year, members of the Committee took part in the Equality Commission's workshops to develop their SO Me microsite on Sexual Orientation.

In 2013, members of the Committee, in conjunction with ICTU Youth, took

part in the 'Give Poots the Boot' protest. The LGBT Committee called on Edwin Poots to resign as Health Minister due to his failings as an Executive Minister in relation to his stance on LGB adoption rights and the discriminatory LGB blood ban.

The LGBT Committee was also out in force protesting alongside the LGBT sector organisations outside the Reparative Therapy Conference in Ballynahinch in December. Members of the Committee took part in the Equality Commission's roundtable to discuss their 'Promoting Sexual Orientation Equality: Priorities and Recommendations' publication.

Throughout 2012 and 2013, members of the Committee:

- took part in the annual Pride events in Belfast, Foyle, Newry and Dublin;
- attended Outburst Queer Arts Festivals;
- took part in the International Day Against Homophobia and Transphobia (IDAHOT) week;
- and protested outside Parliament Buildings during the Same-Sex Marriage plenary debates.



The Chairperson represents the Committee on the LGBT Consultative Forum, the Trans Forum, and IDAHOT Planning Committee cementing the links between the Trade Union movement and the LGBT Sector organisations.

The Committee continue to campaign to ensure that the NI Executive delivers on their commitment to publish a Sexual Orientation Strategy & Action Plan.

In pursuit of this, ICTU has secured a place on the newly formed Sexual Orientation Strategy Steering Group along with other LGB Sector Organisations. It is anticipated that this group will work alongside Officials from OFM DFM to develop a draft Sexual Orientation Strategy.

Whilst the process of developing the strategy and the terms of reference for the Steering Group is still somewhat unclear at the time of writing this report,

the LGBT Committee believes that it is important that we have membership to influence the final strategy and its action plan.

The Committee continue to encourage affiliates to send delegates from their respective LGBT Committees in accordance with the Committee's membership guidelines. The Committee further encourages ICTU affiliates to establish LGBT Committees where no committee exists.

G8 NIC Womens Committee

"Every individual is capable of extraordinary things, but no one can accomplish anything by themselves. Working women should count, but the only way we'll make that true is if we work together." Karen Nussbaum.

Women continue the struggle worldwide. In November 2013, more than 300 women trade union delegates from 100 countries gathered in Dakar, Senegal for the second World Women's Assembly.

Organised by the International Trade Union Confederation, the World Women's Conference examined trade union actions to improve women's job security and conditions, and to organise more women as well as analysing the impacts of the global jobs crisis on women, finding ways to organise more women and mapping out trade union action to improve women's job security, pay and conditions as the global economy remains highly unstable.

A major focus of the programme in Senegal was on reaching out to the most vulnerable and exploited women such as domestic or home-based workers and map out different ways of organising them around the world.

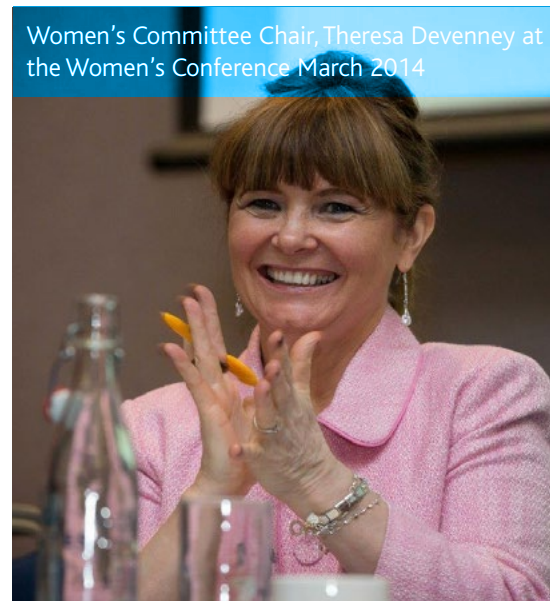
The Conference also focused on promoting women in leadership, and mentorship programmes to support younger women.

Women have been hardest hit by the crisis as their employment and income levels steadily deteriorate. The ITUC (2013) Global Poll showed that 65 % of women think the economic situation in their country is bad.

Within this international context, the ICTU Women's Committee have worked over the last two years to raise issues of gender equality, both within and without the trade union movement, have campaigned against austerity and welfare reform, have organised the Women's Seminar and Conference in 2013 and 2014 and have joined with sisters in the women's sector to campaign against all forms of violence against women.

The Officers of the Women's Committee are: Chairperson - Theresa Devenney, ATL Vice Chairperson – Vivien Holding, CWU, Secretary – Teresa Graham, NASUWT.

The committee drew up an action plan on a number of issues under the headings of Women & Society, Women in Unions and Women & Workplace and identified the following as the main priorities, for the future:



- Gender Sensitive Response to Crisis;
- Strategy for women's employment; and
- Austerity having detrimental impact on Women's health.

The Women's Committee worked closely with its equivalents in the Republic of Ireland, and both participated in the Congress Women's Seminar and Conferences, in Dublin in 2013 and Wexford in March 2014. Full reports of the conferences and seminars can be found on www.ictu.ie

The seminar in March 2013 in Liberty Hall reflected on the on the legacy of 1913 and modern challenges and was addressed by survivors of the Magdalen Laundries.

Women's Conference 2014

The Women's Conference took place in Wexford on 6 and 7 March.

Over 200 delegates, invited guests and observers gathered to debate motions on topics such as affordable childcare, violence against women, austerity and the impact on women, welfare reform and marriage equality.

Guest speakers at the conference

Delegates to the conference were shocked to hear of the untimely death of Professor Ailsa McKay who had been due to address the conference on the topic of the economic imperative for investment in childcare.

As Professor of Economics at Glasgow Caledonia University, Ailsa was well known as a founding member of the Scottish Women's Budget Group and member of International Association for Feminist Economics. Paying tribute to Ailsa, her colleague and friend Ann Henderson from the STUC expressed

NIC ICTU Chairperson and Women's Committee member Pamela Dooley addresses the conference.



sympathies to her family, friends and colleagues.

Ann Henderson spoke at the conference on the topic of affordable childcare and outlined how the STUC has been working with leading academics to build the economic case for investment.



Ann Henderson, STUC with ICTU President John Douglas.

Grainne Healy, chairwoman of the Marriage Equality initiative which seeks equal access to civil marriage for gays and lesbians in Ireland and is a PhD scholar with SALIS in DCU addressed the conference on day two of the proceedings.

Fringe meetings on the topics of CEDAW and Human Trafficking were facilitated by Emma Patterson Bennett, Committee for the Administration of Justice and Niamh Reilly, University of Galway (CEDAW). The Human Trafficking Fringe was facilitated by Denise Charlton, Immigrant Council of Ireland and Noelle Collins, Women's Aid.

Women's Seminar, March 2013

The seminar in March 2013 in Liberty Hall, part of a series of trade union events to mark International Women's Day, reflected on the legacy of 1913 and modern challenges. Labour MEPs, Emer Costello, Nessa Childers and Phil Prendergast very kindly hosted a reception in the European Office in Dublin the evening before the seminar.

The seminar was honoured to be addressed by Magdalen Laundry survivors who thanked the Women's Committee for their Solidarity. In addressing the seminar, the Magdalen Laundry survivors requested co-operation from the trade union movement as they seek to ensure that the forthcoming reparations process is independent, open, transparent, accessible and fair and provides justice to the women, by responding to the full extent of the human rights violations that they suffered. Full details available here: <http://www.ictu.ie/equality/2013/03/08/international-womens-day/>

Following the seminar SIPTU held an event to commemorate the founding

of the Irish Women Workers' Union more than 100 years ago and its role in the 1913 Lockout. A ceramic plaque was unveiled by feminist and historian Margaret Mac Curtain and the union's last serving General Secretary Padraigin Ni Mhurchu along with IWWU member Kay Marron at Liberty Hall. Jack O'Connor, president of SIPTU, who sponsored the plaque, was present along with sculptor Jackie McKenna, who created it. Margaret Mac Curtain said: "The significant contribution of many Irish women has frequently been sidelined in our history. The Irish Women Workers' Union is an example. Initiatives such as the one today serve to remind us all of the central role played by women generally and, in particular, the membership of the IWWU in the 1913 Lockout. The union played a key role in the events of 100 years ago, not only standing up for their own right to organise in the pursuit of better pay and working conditions but also, in many cases, working tirelessly to support others in their fight.

"Women like Delia Larkin, Hanna Sheehy Skeffington, Louie Bennet, Helena Molony, Mary Galway, Rosie Hackett and a host of others have become part of the school curriculum because other women will not let them be forgotten. Jackie McKenna's plaque will ensure we continue to remember these and other women and establish them in the mainstream rather than the margins."

Jack O'Connor said: "The decision by three young women, members of the women workers branch of the ITGWU (which later became the Irish Women Workers' Union) to refuse to take off their union badge while at work in Jacobs Biscuits played a significant role in the decision by Dublin employers to enforce the lockout.

"It is important to commemorate their

role and that of the women who came after them in the union and the wider labour movement in Ireland. Today, more than half of those in Irish trade unions are women. The struggle for decent working conditions for Irish women is far from over. But we could not have come this far without the heroic contribution of our sisters in the Irish Women Workers Union.” The Women’s Committee were delighted that the Dublin City council later decided to name the new Marlborough Street bridge the Rosie Hackett Bridge.

Women’s Council of the Isles – November 2013

The Committee hosted the Council of the Isles Women’s Committees in Dublin in November 2013. More than 50 women trade union leaders gathered to discuss and debate issues affecting women workers. In wide reaching presentations, representatives from the ICTU, STUC, WTUC and TUC explored issues such as the impact of austerity on women’s health; family leave; violence against women and older women workers.

In presenting on the topic of Women’s Health, Women’s Committee members Jacquie Reid and Vivien Holding drew particular attention to the lack of access to abortion in Northern Ireland. They highlighted in particular, the case of a young woman who was forced to travel to England to get a termination as her baby, which had a severe foetal abnormality, had no chance of survival after delivery.

As a result of the presentation, the STUC Women’s Committee put an emergency motion to their women’s conference calling for the 1967 abortion act to be extended to Northern Ireland. The motion, which was carried also called on the STUC to

- lobby the UK Government to comply with the UN CEDAW Committee’s recommendation;

Representatives at the Council of the Isles also agreed a number of joint initiatives which included:

- Collaboration on joint initiatives to mark International Day of Elimination of Violence against Women on 25 November 2014;
- Continuing to push for affordable childcare policies through lobbying of governments and policy makers as well as highlighting the issue within the trade union movement.

A joint statement from the Council of the Isles was issued which called on the British and Irish Governments to fulfil their obligations under the terms of the Good Friday Agreement.

Equality Audit 2013

Congress has carried out a second equality audit which affiliated trade unions completed during 2013.

The number of union members affiliated to Congress at the beginning of 2013 stood at 778,136. The total number of female members in 2013 is 407,868 compared to 414,131 in 2012; a difference of -6,264, or a decline of just over 2%.

The net reduction in female members represents 67% of the overall reduction in affiliated numbers.

The proportion of female members stands at 52%, down from 53% in 2011. Female membership had climbed as high as 57% of total membership in Northern Ireland in 2009 whilst fluctuating between 50–51% in the Republic over the last number of years. The most recent membership

reductions have been predominantly female, compared to losses three to four years ago which were almost entirely male from the construction sector.

The audit indicates that there is not a huge divergence between the 2010 figures of those of 2013.

The full set of data will be shared with Congress Equality related Committees who will analyse and discuss before recommending a series of actions for the approval of the Executive Council.

The main exception to this is the category of employed staff referred to as "Officials". This category shows a significant increase in women occupying those positions from 33% to 52%. The reason for this is not clear but could reflect the considerable investment by a number of trade unions in creating trade union organiser jobs, many of whom are women. Women also continue to be in the majority of Shop Steward Roles (55%).

While women have represented over 50% of trade union membership for some years now, the figures confirm a significant gap between the number of women and men in key leadership positions within trade unions.

Members of the Women's Committee continue to represent Congress on various bodies and have input to a high level within Government on issues crucial to women.

Northern Ireland Women's European Platform (NIWEP) –

The Committee has been represented by Women's Committee ViceChair Vivien Holding (CWU).

Domestic Violence Partnership (DVP)

Three members of the committee sit on various working groups of this body. Margaret McKee (Unison), Geraldine Alexander (NIPSA) and Taryn Trainer (Unite).

The partnership has a wide range of participants, the aim is to develop a comprehensive package of support and care for those affected by domestic violence. Further aims of the group are to develop strategies around prevention, education and better policies in the workplace, through public services and schools. Work in 2013 included running a series of seminars and workshops on Domestic Violence in the Workplace and Domestic Violence and Children.

Women's Policy Group

The Women's Policy Group is coordinated by the Women's Resource and Development Agency and brings together a wide range of representatives including trade unions, women's organisations and non-governmental organisations (NGOs). Various members of the Women's Committee attend meetings which are also attended by the ICTU Equality Officer.

The Ad Hoc Women's Budget Group

The Northern Ireland Women's Budget Group consists of individuals with economic, financial and public policy expertise. The purpose of the group is to influence and scrutinise budgets and budgetary processes to ensure that budgets and spending plans are sensitive to gender. Members of the Committee attend this group.

Equality Training and Education

Women and Leadership

Congress continues to provide the highly acclaimed Women and Leadership course. This ten day programme is accredited at level two and three through the NI Open College Network and covers a range of subjects including:

Power in Society

Women and Power/Women and Leadership

Networking/Building Support/Lobbying and Campaigning

Women in Unions/Decision Making

Communication Skills

Dealing with Conflict

Women and Public Life

Barriers to Equality

Role Models and Mentoring

Presentations/Action Plans/Evaluation

Equality Law Seminar Series

Congress is pleased that the popular Equality Law seminar series continues to be offered with support from the **Equality Commission for Northern Ireland**. The seminars run approximately four times a year and topics have included:

An Introduction to Equality Law, Disability Discrimination and Age Discrimination in the workplace. Staff from the Equality Commission have also provided specific sessions for the Equality Diploma, particularly around equality legislation in Northern Ireland.

Equality Diploma

Congress introduced a new course in October 2013. The Equality Diploma is a year-long course offered on a one day a week release basis. Conducted at level three, the course covers a range of topics split into three modules:

Equality issues at work

This module focuses on three main topics: different equality themes; union and workplace policies and practices; and using trade union values to build the case for equality.

Equality and the law

This module focuses on two main topics: UK equality legislation and UK institutions and procedures for equality.

Working for equality

This module focuses on three main topics: equality theory and practice; equality tools; and using union equality structures and strategies.

"What the woman who labors wants is the right to live, not simply exist – the right to life as the rich woman has the right to life, and the sun and music and art." Rose Schneiderman

CEDAW

In July 2013 the United Nation's Committee on the Elimination of Discrimination against Women (CEDAW) examined progress made by the UK Government in elimination discrimination against women.

Often referred to as a Bill of Rights for Women, the CEDAW Convention outlines a comprehensive set of rights for women covering civil, political, economic, social and cultural issues. By signing up to the Convention, state parties commit to ending all forms of discrimination against women.

The implementation of the Convention is monitored by a committee of 23 independent experts on women's issues with Governments required to report on progress against the Convention every four years.

In relation to the examination of the UK Government, ICTU worked closely with NIWEP and other organisations such as the Committee for the Administration of Justice (CAJ) to ensure that the voices of Northern Ireland women were heard through shadow reports. The Women's Committee received regular reports through the Committee representative on the NIWEP Board and through the Equality Coalition.

The following extract is taken from a NIWEP document, the full text can be found on the NIWEP website www.niwep.org

In 2013, the CEDAW Committee was much less complimentary about progress made in the UK than it had been in 2008... The Government was asked to account for the deficiencies in the equality protections in NI, the exclusion from the Historical Abuse Inquiry of women entered into the Magdalene Laundries, the low representation of women in the post conflict process and institutions in NI and the failure of the UK Government to implement United Nations Resolution 1325. As expected, the Committee questioned the Government about its lack of response to previous Committee recommendations regarding reform of antiabortion law in NI. When the UK was last examined in 2008 the issue of BME and Traveller women featured strongly in the examination of the UK Government and in the Committee's Concluding Observations and this was also the case in 2013.

The strong focus throughout the examination on the adequacy of equality legislation arose from concerns about the replacement of the Gender Duty in Britain with the 2010 Equality Act and on-going concern about the effectiveness of Equality Impact Assessments.

Shadow reports from NI had provided evidence of the problems with EQIA including the experience with regard to the EQIA for the welfare reform proposals. The Committee was also clearly convinced of arguments put forward by NGOs and the Equality Commission for NI in relation to the Sex Discrimination Order (NI) 1976 not prohibiting unlawful discrimination by public authorities on the grounds of sex in the exercise of their public functions. This was reflected in their questions and in a Concluding Observation (para 18) stating that women in NI should not have weaker protection in equality law than women elsewhere in the UK.

The full text of the concluding observations can be found on www.ictu.ie/equality

UN Resolution 1325

In December 2013, Congress gave evidence to a hearing into the UN Resolution 1325 on Women Peace and Security coordinated by the NI Women's European Platform.

The Westminster Associate Parliamentary Group (APG) on Women, Peace and Security is the committee tasked to monitor the UK's National Action Plan (NAP) on UNSCR 1325 and subsequent Resolutions on women, peace and security. The Westminster APG initiated the idea of Inquiry into UNSCR1325 in Northern Ireland to investigate how the voices and opinions of women are being included in the new decision making structures and peace-building measures in Northern Ireland. This was subsequent to the refusal of Government to implement 1325 in Northern Ireland, arguing that it does not apply as NI is not a society 'in conflict'.

The Northern Ireland All Party Group (APG) on 1325 Women, Peace and Security initiated the hearing in 2013 on behalf of the Westminster APG and NIWEP facilitated the organisation of the event.

A selected panel to take oral evidence from witnesses from a range of organisations and bodies was comprised of Baroness Ruth Lister, Margaret Owen and Paula Bradley MLA. Following the evidence, a report which combines the findings of the oral inquiry and of the written evidence originally submitted to the Westminster APG will be produced. The report findings of the oral Inquiry will be presented to the Westminster APG following the Inquiry.

Chair of the Northern Ireland Committee Pamela Dooley and Executive Committee and NIC member Patricia McKeown represented ICTU at the enquiry.

Human Trafficking and Violence against Women

This issue continues to be a priority for the Women's Committee. In Northern Ireland it has had a particular spotlight given the passage through the NI Assembly of the Private Members Bill on Human Trafficking and Exploitation (Further Provisions and Support for Victims).

Given the Congress support for the Turn off the Red Light Campaign and taking direction from the motion passed at the 2010 conference, Congress wrote to the Justice Committee to support the Bill. In responding, Congress also endorsed the NI Women's Aid Federation (WAFNI) response to the Bill which says:

Human trafficking is a form of slavery, involving the exploitation of women, men and children for the purposes of

prostitution, sexual exploitation, forced labour or services, or domestic servitude.

The purpose of the Trafficking and Exploitation (Further Provisions and Support for Victims) Bill is to tackle human trafficking and exploitation more effectively in Northern Ireland. It does so in a number of ways, including strengthening protection for people in a "position of vulnerability" who may "have no real or acceptable alternative but to submit to the abuse involved", and by criminalising the purchase of sex in Northern Ireland under Clause 6 of the Bill.

Whilst supporting the Bill, Congress also noted that **support systems must be** put in place to enable women and children to get routes out of sexual exploitation: *We strongly urge that further support measures are necessary to support women in prostitution to ensure their safety, health and well-being and to encourage them to seek help without fear of criminalisation, marginalisation or deportation, as well as the creation for clear routes out of prostitution for those that wish to exit.*

Congress also drew to the Justice Committee's attention that more than 53 MEPs and over 200 Civil Society organisations came together to issue the Brussels Call: Together for a Europe Free from Prostitution. By supporting the Brussels' Call, MEPs made it clear that prostitution is a form of violence against women and a violation of human dignity.

They addressed 6 key recommendations to EU Member States: the suppression of repressive measures against prostituted persons; the criminalisation of all forms of procuring; the development of real alternatives and exit programmes for those in prostitution; the prohibition of the purchase of a sexual act; the

implementation of policies of prevention, education, to promote equality and positive sexuality; the development of prevention policies in the countries of origin of prostituted persons.

A delegation from Congress including the ICTU Assistant General Secretary Peter Bunting, ICTU Equality Officer Clare Moore and the NIC ICTU Chair Pamela Dooley gave evidence to the Justice Committee on the Bill in January 2014.

Speaking to the Justice Committee they said:

The International Labour Organisation estimates that one out of every five forced labourers in the world is a trafficked person and further estimates that the minimum number of people in forced labour as a result of trafficking at any one time to be 2.45 million with around one in every three trafficked for the purposes of labour exploitation.

More than 80 percent of all trafficked people are women and girls and where trafficking takes place for sexual exploitation this figure increases to 98 per cent of cases.

Recently, Members of the Women's Rights Committee of the European Commission have agreed that the best way to combat trafficking of women and girls for sexual exploitation is the so-called Nordic model, which criminalises sex buyers and not the women and girls who engage in prostitution.

We agree with their views that prostitution is a violation of women's human rights and a form of violence against women.

We believe that for the majority of those involved, prostitution is rooted in poverty, marginalisation and desperation and is

linked to histories of abuse and violence. The Trade Union movement has fought for many years for Decent Work for all. In this regards, we agree with **Nelson Mandela** when he said that '**Decent work is about the right not only to survive, but to prosper**'.

The International Labour Organisation has recently produced research which indicates that if you allow the sex industry to grow, you also allow trafficking for sexual exploitation to grow. We therefore support clause six of this Bill which would specifically legislate for the criminalisation of the purchaser of sex, as a measure to discourage demand that fosters sex trafficking and exploitation through prostitution.

International Day for the Elimination of Violence against Women

Congress participated in a number of initiatives to mark this day on 25 November.

Among the initiatives taken were the launch of a survey to find out more about how domestic violence affects working life and the role that employers, colleagues, and union reps can play in supporting those experiencing domestic abuse.

Domestic violence may happen behind closed doors but it has far reaching consequences and is known to have an impact on the working lives of those living with an abusive partner. The survey was launched with our colleagues in the TUC, STUC and WTUC and asks anyone who has either experienced domestic violence themselves or has a friend or colleague who has experienced domestic violence to respond. The results of the survey are being analysed and will form the basis of policy interventions.

Domestic and Sexual Violence and Abuse Strategy

In February 2014 the Department of Health and Department of Justice launched a joint consultation on a combined domestic and sexual violence and abuse strategy. To facilitate a trade union response, the Equality Officer organised a briefing session for trade unions which was well attended. Representatives from both Departments' explained the rationale for the strategy while Annie Campbell, Director of Women's Aid Federation NI gave an expert perspective. Attendees at the seminar expressed concern that no budget has been made available alongside the draft strategy document and it was pointed out that it is difficult to assess the effectiveness of potential actions without knowing the allocated resources. Points were also made about the importance of including issues around gender identity within the finished strategy document. ICTU will be responding fully to the consultation which closes in April 2014.

Women and Leadership

Over 50 women have now completed the Women and Leadership programme in Northern Ireland.

To assess the success of the programme, the Women's Committee invited past students together in an informal networking session. This took place in January 2014 and the purpose was to reflect on the course and how women might be further supported within the trade union movement. In particular participants were asked to consider whether the training has been helpful within their union and workplace.

Feedback from this initiative will inform the Women's Committee and provide recommendations in relation to promoting women as leaders within the trade union movement.

NIPSA member Tina Creaney at the Women and Leadership Networking event.





The Labour Relations Agency

Bridging the gap

in **Employment Relations**

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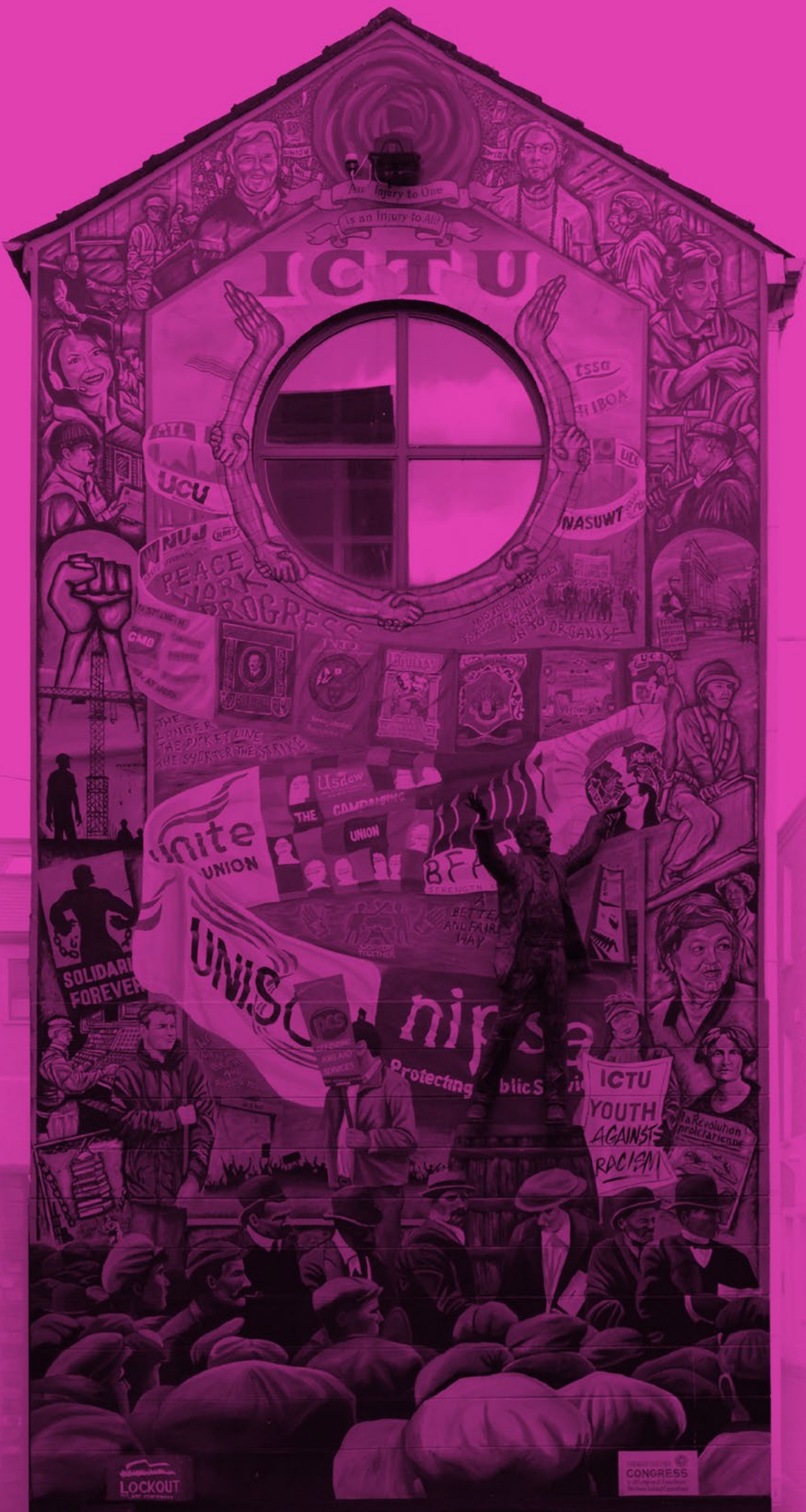
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Industrial Relations





Striking workers from Lagan Brick at May Day 2012

H1 Labour Relations Agency

Representatives of the NIC have met with the Chairman and Chief Executive of the LRA regularly since the 2010 BDC. Meetings have centred on areas of legislative development and co-operation on seminars and public events. Congress officials have addressed a number of LRA and joint seminars.

The NIC has responded to a range of consultations issued by the Department for Employment and Learning including the review of the TUPE and the substantial two stage 'Review of Employment Law.' Regular meetings have been held with the Minister and his officials, including the Permanent Secretary. Employment law is a devolved responsibility for Stormont and there has been considerable pressure from business lobbyists for the extension of plans to 'reform' the law by the Tory-led Westminster government.

The Review sits alongside the Employment Law-related Red Tape Challenge to reduce regulatory burdens on business.

As the laws in the UK are being changed for the worse, the NIC decided that protecting the status of working people in Northern Ireland was a priority. A hopeful sign was the establishment of a Labour Relations Agency Roundtable, where an equal number of employer's and employee's representatives would take a comprehensive view of NI employment law.

H2 Review of Employment Law

The origins of the 'Review of Employment Law' lie in the proposals contained in a report produced by Adrian Beecroft, millionaire, Conservative Party donor and chairman of Dawn Capital, the firm that has a large stock in Wonga.com. Solicited directly by the Prime Minister this report was to consider how Employment

Protection Laws (EPL) could be weakened for smaller businesses to supposedly create jobs and economic growth.

The leak of Beecroft's unexpurgated report revealed his desire to roll back employment rights to the 19th century. Unfair dismissal would be removed from every worker, to be replaced with the employer's right to no fault dismissal. Sacking large groups of workers through redundancy would be made easier. Other measures suggested include, exempting small firms from laws requiring them to get a license if they employ workers under the age of 16, watering down of TUPE rules, introducing fees for accessing tribunals and capping awards, allowing employers to opt-out of gang master legislation, and proposals to undermine discrimination law, parental leave, and flexible working.

Beecroft was widely derided as an ideologically driven wish list with little regard to pragmatism and completely devoid of evidential basis. Faced with widespread hostility to the leaked report the Government were forced to issue a slightly modified version of Beecroft, but with little substantive change to the original content. Following consultations the Department for Business, Innovation and Skills (BIS) has introduced considerable elements of Beecroft into GB law.

Employment Law Pre-consultation, 2012

In NI, Dr Stephen Farry MLA, Minister for Employment and Learning issued a pre-consultation discussion paper, in 2012, based on the BIS agenda. The proposals in the discussion paper fell under three broad themes:

- Early resolution of workplace disputes;
- Efficient and effective employment tribunals; and
- Measures to reduce the regulatory burden of existing employment legislation.

The most significant issues contained in this discussion paper included:

- Proposals to have Tribunal Chairs sitting alone in unfair dismissal cases;
- Empowering tribunals to direct parties to bear the costs of witness attendance, where a witness has attended pursuant to a witness order, with the losing party ultimately reimbursing the successful party for any such costs already paid out;
- Charging fees to use tribunals;
- Doubling the maximum level of the pre-hearing deposit to £1,000;
- Doubling the maximum level of costs that could be awarded to £20,000;
- Giving Tribunals discretion to levy a financial penalty, payable to the Treasury, on employers found to have breached employment rights;
- Renaming of Compromise Agreements as Settlement Agreements;
- Change in qualifying period for exercising right to claim unfair dismissal from one to two years;
- Reduction in the consultation period for Collective Redundancies;
- Changes to the calculation of, and the introduction of caps to statutory awards and payments under employment rights legislation;

- Proposal to introduce compensated no fault dismissal for micro firms;
- Introduction of a system of protected conversations - allowing employers to raise issues such as poor performance or retirement plans that cannot be used as evidence in a subsequent tribunal claim;
- Review of employment regulations.

In our 33 page response to this discussion paper Congress relied on the wealth of research into the economic effects of employment laws and exposing that the evidence goes against the Government's view that relaxing employment laws will generate large economic improvements in the UK. Further to highlighting the total lack of evidence behind the Government's case for the changes Congress also highlighted the adverse social and economic impact of each of the proposed changes in the NI context and the potential for the certain proposed changes to be challenged under international law.

Congress also noted that the UK has the lowest degree of protection in Europe and third lowest of all the countries examined by the OECD which suggests that the economic downturn is being used as a front for a continued onslaught on workers.

Proposals for an alternative dispute resolution system were included in the Congress response along the lines of the Rights Commissioner model aimed at taking less complicated cases out of the Tribunal system.

Congress made clear its rejection of the demands from employer's organisations to cut "red tape" as this is simply a cover for reducing standards for workers, eroding rights that attempt to balance the power

between employers and workers and it is an unconscionable attack on the right of access to justice. On the back of this the Congress response made the case for the removal of the "red tape" burdening the trade union movement and calling for the repeal of anti-trade union legislation.

Congress did welcome the Minister's view as stated in the forward of the 'Employment Law Discussion Paper' that simply mirroring the UK Government's employment law review *"would not be consistent with the Programme for Government which is about developing regional solutions that are more sensitive to the particular needs of individual citizens and local businesses."* It should be noted that in 2011, following the input of Congress, the Minister introduced the Employment Act (Northern Ireland) 2011 establishing a dispute resolution system that differed significantly from that in the rest of the UK. The key developments resulting from that review were:

- retention of the statutory procedural framework governing most disciplinary issues and dismissal situations (in GB the procedures have been repealed);
- repeal, as in GB, of the statutory grievance procedures;
- the introduction of a revised Labour Relations Agency (LRA) Code of Practice on Discipline and Grievance;
- the introduction of an enhanced LRA pre-claim conciliation service;
- increased focus on the use of mediation; and
- the development of an enhanced arbitration scheme, covering all discrimination and non-discrimination jurisdictions, introduced in 2012.

Employment Law Review Consultation, 2013

In 2013 the Department of Employment and Learning moved to a full consultation abandoning some of the proposals contained in the pre-consultation discussion paper. We are still awaiting the outcome of this consultation.

The main proposals in the consultation included:

'Early resolution of workplace disputes;'

- Routing of all potential tribunal claims to the LRA in the first instance, with the objective being to create conditions where people are encouraged to consider the merits of resolving their disputes without the need to go through a formal legal process;
- Development of an early neutral evaluation service that would provide parties with a more informed understanding of the potential outcome of a tribunal claim.

'Better regulation measures;'

- Consideration of the merits of extending the current qualification period for unfair dismissal. In Great Britain the qualification period was extended on 6 April 2012 from one to two years, on the basis that it would increase business confidence, encourage companies to recruit more staff, and potentially reduce the number of tribunal claims;
- Consideration of the merits of amending collective redundancies consultation periods;

- Proposals to introduce a cap of 12 months' pay on the compensatory award that a tribunal may issue in respect of a finding of unfair dismissal;
- A review of the existing policy for compromise agreements, including the potential for introducing a process of protected conversations that might allow for an employer to have a conversation with an employee about sensitive issues such as performance, where no employment dispute exists, on the basis that these conversations would not be admissible in an unfair dismissal tribunal hearing.

Under the 'Early resolution of workplace disputes' Congress gave cautious welcome to the proposal for the LRA's Early Conciliation model and 'neutral assessment' service, highlighted concerns and made recommendations including that the proposals be trialled for a one year period with a monitoring process leading to a review at the end of the year. However, Congress made clear that we did not consider the matter solved. Congress called for fundamental review of Industrial Relations procedures and the establishment of new models which would be a vehicle for expeditious and voluntary resolution of collective and individual disputes and breaches of employment law.

In our response, Congress opposed all the proposals in the section of the consultation curiously entitled 'Better regulation measures.' Congress asked who this is 'Better' for. It is certainly not 'Better' for working people, nor, Congress argued, is it better for job creation and economic growth.

Congress welcomed the fact that the consultation document took on board many of the points raised by Congress

in our response to the 2012 pre-consultation discussion paper. However, Congress was deeply concerned that despite the absence of an evidentially based argument supporting the implementation of these proposals, which flow directly from Beecroft, they were still being considered by the Minister.

For example, on the issue of the unfair dismissal qualifying period the DEL consultation document stated:

'The Department (DEL) has been unable to establish any causal link between the unfair dismissal qualifying period, and employment growth, inward investment and the volumes of tribunal claims. It could therefore be argued that it is very difficult to determine how an increase in the qualifying period could possibly affect these factors.'

It continued,

*'Whilst the Department has been unable to establish any causal link between the unfair dismissal qualifying period and employment growth, inward investment and volumes of tribunal claims, **we are aware of considerable demand from employers and business representative bodies for a review of the current provisions** (our emphasis) in order to increase competitiveness, employment and investment. We are therefore keen to seek your views on a range of unfair dismissal qualifying period options.'*

As part of our response Congress stated,

*'There is clearly no evidence that it will **'increase competitiveness, employment and investment,'** yet it is in this consultation despite the potential negative impact that removing EPL (Employment Protection Law) may have on workers,*

their families, the economy and even social cohesion. Just because employers demand something does not mean that it is right and governments should concede to their whims without careful consideration of the wider societal and economic impact.'

In the absence of an evidentially based argument providing the basis for the implementation of these proposals the DEL consultation document referred to employer bodies in N.I. raising the following concerns:

'...the differential between the Great Britain and Northern Ireland qualifying periods may have an adverse impact on our competitiveness and, in particular, our ability to attract Foreign Direct Investment.'

'In addition, those organisations which operate on a UK-wide basis have highlighted that any differential between Northern Ireland and the rest of the UK would create significant logistical and administrative challenges, in that they would have to operate two different systems'.

'Employer bodies have also suggested that this disparity will discourage indigenous companies, particularly SMEs (Small and Medium Enterprises), from increasing their workforce, and may also act as a disincentive for potential start-up businesses.'

No case was made in the document to support any of these, what are at best, perceptions.

Taking again the proposals on the unfair dismissal qualifying period as an example, Congress responded as follows:

'In addition to what we have stated above, as well as elsewhere in this response, Congress again asserts that

there is no evidence on which to base these concerns.

'The argument that a better level of EPL here will put off foreign investors can be rebutted by examining the facts.

'In **April 2012** the qualification period for protection from unfair dismissal was raised from one to two years introduced in GB.

'In **July 2013** the Enterprise Minister Arlene Foster welcomed a UK Trade and Investment (UKTI) report which shows that Northern Ireland is one of the most successful regions in the UK and Europe for inward investment. Minister Foster said: "This report from UKTI confirms that Northern Ireland is one of the leading destinations in Europe, and one of the most successful within the UK, for inward investment."

'PWC says that "InvestNI enjoyed a remarkably successful year in 2012/13 in terms of attracting inward investment, delivering a 41% increase in foreign direct investment (FDI), with the number of investment projects rising from 27 in 2011/12 to 38 for 2012/13.

'Esmond Birnie, PWC, stated "that's substantially ahead of 11% increase in UK FDI over the same period, with new projects including legal services, financial service and ICT securing almost 2,800 FDI jobs in Northern Ireland: "Admittedly the Northern Ireland increase comes off a relatively low base but it still serves to demonstrate that the region remains remarkably attractive to overseas investors."

'Congress believes, and the evidence above seems to confirm, that FDI is based upon decisions on the location of their investments on other more important

considerations than simply how easy is it to dismiss workers. Certainly they will consider the labour relations environment which would indicate that the concentration should be on establishing alternative models for dispute resolution and raising productivity rather than considering counterproductive and ideologically driven attacks on the limited EPL in this country.

'Congress notes the findings of the 2011 PWC survey on 'the level of perceived attractiveness of a range of factors for corporate investment' as contained in their document 'Corporation Tax – Game Changer or Game Over?' This survey revealed that 'Labour Law Flexibility' came 13th out of 18 factors which FDIs consider when deciding to invest. In this table 'Labour Law Flexibility' came just above 'Possibility of increasing my company's productivity in the UK,' and 'Commitment to supporting low carbon business.'

'With regard to the fear that 'significant logistical and administrative challenges' may be created for 'organisations which operate on a UK-wide basis' if they 'have to operate two different systems,' Congress would like to see the substance behind this assertion as we are at a loss to understand what these 'significant logistical and administrative challenges' may be.

'Let us examine each of the proposals for 'significant logistical and administrative challenges,' as follows:

'Should the unfair dismissal qualification period remain at one year in N.I. then no change is required on the part of the employer. This is simply a matter of awareness raising for an employer, or HR department which companies that are of a size and sophistication to operate in the two jurisdictions are likely to have.

When dismissing an employee with less than two years' service in the GB arm of the operation it would be expected that good employers policies and procedures would adhere at least to the ACAS Code of Practice on disciplinary and grievance procedures. Congress is therefore unaware of any 'significant logistical and administrative challenges,' that will arise from maintaining the status quo. In fact it would be more of a logistical and administrative burden on employers and others if a range of qualifying periods are introduced, especially if they vary with the size of the workforce.

'Congress would also strongly challenge the suggestion from employer bodies, 'that this disparity will discourage indigenous companies, particularly SMEs (Small and Medium Enterprises), from increasing their workforce, and may also act as a disincentive for potential start-up businesses.'

'Congress regards this suggestion as spurious and impossible to quantify. There is no apparent reason why maintaining the status quo in terms of EPL would suddenly put SMEs off from growing their businesses.

'It is worth pointing out that the 'Small Business Barometer' commissioned by BIS and published in October 2011 asked 500 small and medium-sized businesses about their main obstacles to success. The biggest problem (cited by 45 per cent) was the state of the economy, while obtaining finance from the banks was the next biggest issue (12 per cent). After this came taxation, cash flow and competition. Just six per cent of small businesses listed regulation, or 'red tape', as their main barrier to growth.

'In expanding businesses few employers will consider the remote chance of a

prospective employee bringing, let alone succeeding in, an unfair dismissal claim at some point in the future. Employers recruit because they have a need for staff and believe it is in the overall interests of their business to take someone on.

'There's no evidence that no-fault dismissal would make a positive contribution to economic growth in the UK by encouraging the smallest firms to recruit more employees. Indeed, by increasing job insecurity and reducing employee engagement, it would be more likely to damage growth.

'Congress would again refer to the evidence above from Van Reenen and others in terms of the dangers of implementing a two tier system for EPL based on the size of the business. The studies highlight a further problem with creating more EPL exemptions for small firms in that as the regulations kick in when firms get large they will be reluctant to grow. These size-contingent regulations can reduce the incentives of small firms to become larger, effectively subsidising companies to remain inefficiently small.'

In addition to challenging the unsubstantiated arguments of employers organisations the 73 page response to the consultation from Congress again relied on the wealth of research into the economic effects of employment laws and exposing that the evidence goes against the Government's view that relaxing employment laws will generate large economic improvements in the UK. Further to highlighting the total lack of evidence behind the Governments case for the changes Congress also highlighted the adverse social and economic impact of each of the proposed changes in the NI context and the potential for the certain proposed changes to be challenged under international law.

We are awaiting publication of a response document from DEL.

Further Aspects of the Employment Law Review 2013

Also included in the 2013 consultation on Employment Law, was a section on the review of the legislation governing Public Interest Disclosure – ‘Whistle Blowing.’ Further to this the Minister also commissioned a number of discrete projects to be taken forward separately from this public consultation process. These projects were:

- A review of the current tribunal rules that takes account of the recommendations of Justice Underhill’s review in Great Britain. The key outcome from this review would be the production of a single, consolidated set of tribunal rules designed to improve the experience of people accessing Employment Tribunals; and
- Examination of the Working Time and Conduct of Employment Agency Regulations under better regulation principles, with “a view to reducing unnecessary bureaucracy.”

A review of the legislation governing Public Interest Disclosure – ‘Whistle-Blowing.’

This section of the consultation covered:

*Closing a ‘legal loophole that currently exists within whistleblowing legislation, whereby an individual can rely on the employment protections afforded, where the matter relates to his/her own personal work contract. The intention of the legislation, as the title of the 1998 Order suggests, is to normally only afford protection where disclosures are made in the **public** interest.’*

The legal amendment to suggested by DEL would ‘alter the definition of “disclosures qualifying for legislation” to cover “any disclosure of information which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of” several listed examples of malpractice in the workplace, such as criminal offences, failure to comply with legal obligations, etc.’

Congress opposed this amendment as it demanded that workers overcome an additional statutory definition of public interest results in a number of problems. It would generate considerable uncertainty as the test further exposes a claimant to the dangers of restrictive judicial interpretation that often fails to act in accordance with the spirit of the legislation.

Congress agreed with the proposal that the Northern Ireland Public Interest Disclosure legislation should be amended to allow protected disclosures to be made otherwise than ‘in good faith.’

Congress also agreed with the proposal to amend the definition of ‘worker’ should be amended in Northern Ireland (for whistleblowing purposes only), to ensure that various NHS workers who were inadvertently excluded from the scope of the legislation are covered. In our response Congress called for the definition to be a broader and more flexible definition of worker is required to meet increasingly flexible working arrangements and work practices to ensure that the legislation has maximum coverage and protects all those at work and called for protection under the legislation for protection from ‘blacklisting.’

In the response Congress, amongst other recommendations, called for the legislation to be amended to force all

employers to be required to provide and maintain effective whistleblowing procedures that would assist individuals in the raising of concerns. Such a mandatory requirement would have to be accompanied by penalties for compliance failure.

Efficient and effective employment tribunals

The review of the current tribunal rules is being carried out under the auspices of the OITFET and we are still awaiting the release of the consultation document on this. Congress welcomed the decision of the Minister to depart from GB by not taking forward the following proposals in the 2012 pre-consultation document:

- allowing a tribunal chair to sit alone in unfair dismissal cases;
- introducing witness expenses;
- increasing the maximum level of costs that may be assessed by a tribunal;
- introducing financial penalties on employers; or
- requiring the payment of fees to access and proceed through the tribunal system.

Examination of the Working Time Regulations

Congress nominated representatives to the joint stakeholders body that examined the Working Time Regulations "a view to reducing unnecessary bureaucracy." The group concluded that any "gold-plating," a term objected to by Congress, was necessary to achieve the need to implement the Directive whilst maintaining an appropriate balance between the needs of employers and the rights of workers.

The main results and recommendations from this project were:

- a reduction in the administrative burden achieved through consolidation of a number of separate statutory rules into a single set of Regulations;
- strengthening of existing guidance and support i.e. detailed Guidance on the Working Time Regulations, and an 'At a Glance' poster for use by SMEs ;
- improved signposting;
- improved working relations with external stakeholders.

We are awaiting a public consultation.

Examination of the Conduct of Employment Agency Regulations

Congress nominated a representative to the joint stakeholders body that examined the Conduct of Employment Agency Regulations in response to the Minister's view that the Regulations had become overly complex and would benefit from a thorough review to highlight areas for retention, improvement or removal.

Below is a summary of the key legislative proposals that emerged from this group which will be put to a full public consultation.

The streamlining of procedures and reducing administrative burdens on agencies by:

- introducing an alternative to the agency having to confirm and record every work-seeker's consent for every potential post for which they might be put forward;
- reducing the content of the assignment confirmation notices that agencies have to issue to every worker for every assignment; and
- removing potentially unnecessary suitability checks.

Providing extra protections for work-seekers by:

- introducing the right of workers to register with as many agencies as they wish;
- introducing a ban on agencies offering work-finding services with conditions; and
- adding further protection to ensure workers receive their earnings for work carried out, where a third party may be involved in the payroll process.

Workers in the entertainment sector

The two key proposals for workers in the entertainment sector were both with regard to providing extra protections to work-seekers by introducing:

- a potential outright ban on charging publication fees to work-seekers; and
- an option of reasonable exclusivity clauses in work-seekers' contracts with entertainment agencies.

Agencies' relationships with hirers

The proposals arising from consideration of agencies' relationships with hirers focused on improved procedures, such as increasing the content of the terms of business between agencies and hirers, in order to reduce the content of the assignment confirmation notices to hirers.

Consultation on proposed changes to the Transfer of Undertakings (Protection of Employment) (NI) Regulations 2006, and the Service Provision Change (Protection of Employment) (NI) Regulations 2006

This review was table under the 'measures to reduce the regulatory burden of existing employment legislation.' In the conclusion to the response from Congress to the Consultation on proposed changes to the Transfer of Undertakings (Protection of Employment) (NI) Regulations 2006, and the Service Provision Change (Protection of Employment) (NI) Regulations 2006, it stated the following:

'It is the view of Congress that this consultation is an exercise in attacking employment protections established in the TUPE Regulations and is part of a broader political push by the Government to suppress basic employment rights to the material advantage of business interests. Congress believes that such a strategy is incredibly short-sighted for many reasons (some referred to above) including the failure to recognise value to the economy of having decently paid and secure workers.

'While TUPE is complex, detailed and has notable limitations, in its current form it generally does provide some protection to employees subject to business transfers from abusive and unscrupulous employers. Congress rejects the proposals and as commented above have proved ample illustration of the need to retain and even improve TUPE to do as it is designed to do, namely, to protect employment and to protect employees.

'Congress notes the statements in DEL correspondence that 'employment law is devolved to the Northern Ireland

institutions', and that 'the settled view of the Northern Ireland Executive and Assembly has yet to be determined.'

'Congress believes that any such determination must be a positive exercise unique to NI institutions; reflect this and NI specific consultations; set out clear options; and follow engagement with other EU member states and relevant EU institutions on the overall trends and developments in the Acquired Rights Directive.

'Such a review should cover all aspects of the application of the Directive, including related aspects of guidance on pensions in the context of ARD/TUPE/SPC transfers.

'In considering future application of this strategic EU legislation within a devolved framework, the Executive and Assembly should reflect the following principles:

- The application of the Good Friday and St. Andrews agreements and related legislation, with particular respect to the promotion of equality and human rights;

- The need for employment law to support wider Executive goals for the reduction of inequalities, the promotion of a value-added rather than race to the bottom economy, the preservation and enhancement of skills and training, and the reduction of unemployment and economic inactivity to achieve principles of social solidarity;
- The economic contribution and value of public sector direct delivery of public services.

'The Executive and Assembly have no obligation to:

- (a) Remove Service Provision Changes from the Regulations, particularly as this aspect of the Directive is already reflected in devolved legislation.
- (b) Delete requirements for transfer disclosure of information to transferees.
- (c) Reduce protection against contract change and unfair dismissal.
- (d) Place 'location' into the definition of Economic, Technical and Organisational change.



Agency workers

- (e) Allow transferees to pre-consult on redundancies.
- (f) Specify any time period for the applicability of terms and conditions derived from collective agreements.

'The above set of proposals from the GB Department for Business Innovation and Skills represent a fundamentally mistaken assumption that TUPE is 'gold plated'.'

Congress is currently waiting for the publication of DEL's response to this consultation. However, DEL officials briefed the Assembly, Employment and Learning Committee (ELC) on 15th January 2014 revealing their thinking on the changes to TUPE, which could have adverse implications for the Local Government Bill currently before the Assembly and for any legislation on ESA. A delegation from the NIC met with DEL officials to raise our concerns over the content of their submission to the ELC, and the NIC have requested to address the ELC on the position of Congress.

H3 Industrial Disputes

The NIC supported and assisted affiliates in a range of industrial disputes and redundancy situations. These included:

- Royal Mail
- Post Office
- HMRC
- Border Agency
- DVLNI
- Exploris
- Quinn Group
- Lagan Brick
- FG Wilson
- Wrightbus
- Primark
- Belfast Telegraph
- Patten
- Ulster Bank
- Civil & Public Services
- Education
- Further Education/ QUB/ UU
- Health Services

The NIC and the trades councils also organised supportive rallies for workers in struggle across the EU, participating in public events to highlight ETUC Days of Action.

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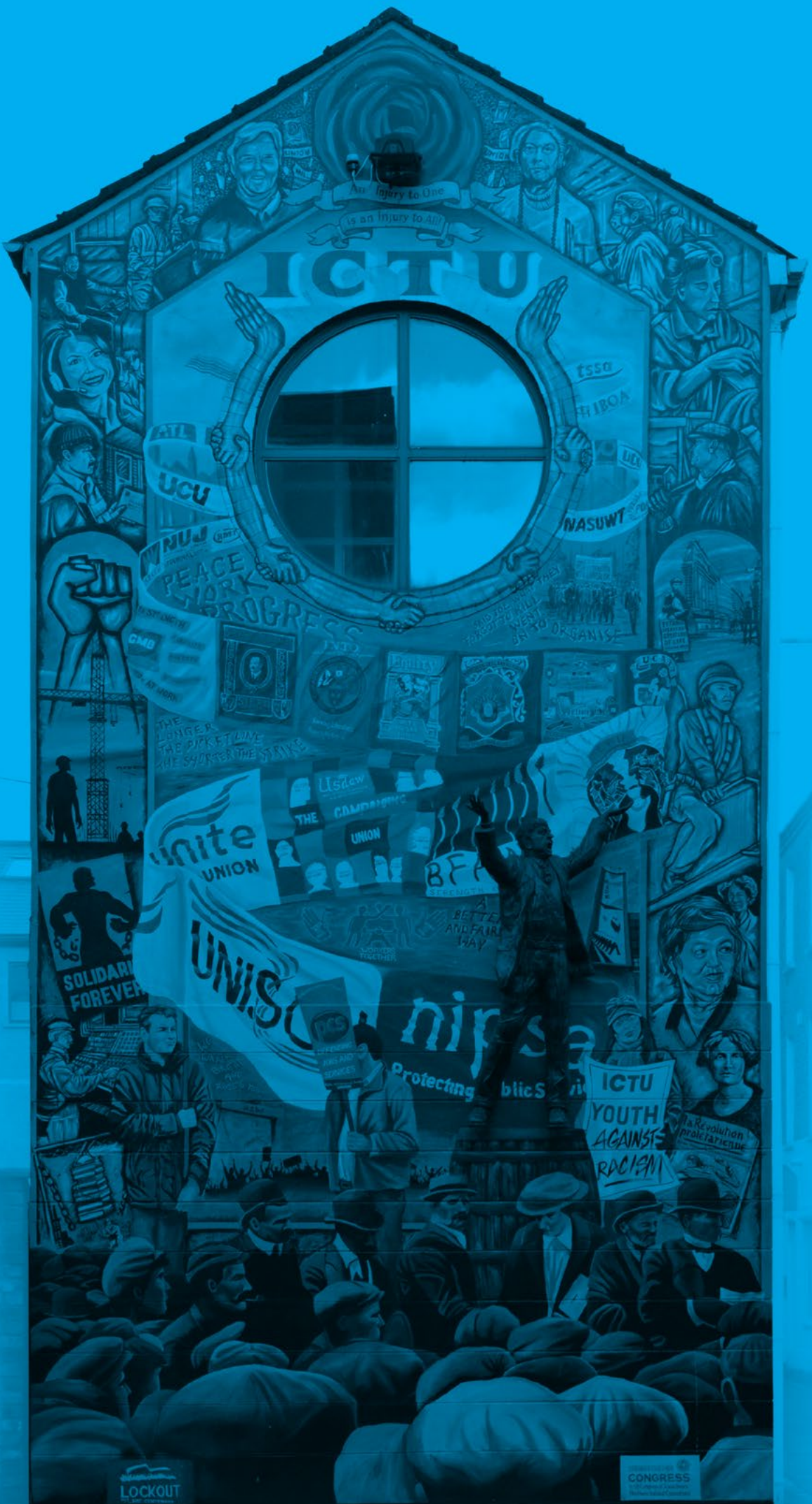
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i Health & Safety



Health & Safety

"Pray for the dead but fight like hell for the living." Mother Jones

The Health and Safety Committee continues to engage in a varied work programme including responding to consultations, organising events, supporting safety representatives and campaigning for safer workplaces.

Committee & Officers

Barbara Martin (UNISON) was re-elected as Chairperson of the NIC Health & Safety Committee at the reconstitution in May 2012, Geraldine Alexander (NIPSA) was elected as Vice Chair.

Workers Memorial Day

Workers Memorial Day, held all over the world on 28 April, is intended to remember all those killed at or by work, and to strengthen our resolve to reduce risks and protect people from injury in the workplace.

In 2011, the Congress event heard from the family of David Layland, a GMB member who lost his life at his place of work, a landfill site just outside Belfast.

The Congress Health and Safety committee wished to mark David's contribution to health and safety and also commemorate the many hundreds of workers who have died or been injured at or because of work. In 2012, the Committee, together with the Chairperson of the Enterprise Trade & Investment Committee at the NI Assembly, planted a native cherry tree in the grounds of Stormont Estate. A specially engraved plaque, sponsored by the GMB union was placed at the tree, in what was a moving ceremony.

In April 2013, the Committee held a reflection ceremony at the tree and afterwards heard from the Chair of the Northern Ireland Committee as well as the Chief Executive of the Health & Safety Executive for Northern Ireland at an event in Parliament Buildings.



Representatives from the ICTU Health and Safety Committees North and South together with Esther Lynch and Clare Moore, ICTU staff.



Carmen Biagioni pictured with NIC ICTU Chair Pamela Dooley and HSENI Chair George Lucas.

European Safety Week

Events for European Safety week were held in 2012 and 2013 and were attended by safety reps and trade union officials.

Safety Rep Award

The Award is given to the Safety rep who, in the view of the panel, has made a significant and lasting contribution to workplace health and safety.

The 2012 winner of the Safety Representative Award was **Norman Gray**.

Norman impressed the judging panel by his extensive knowledge of workplace health and safety and his passion and commitment to making workplaces safer and to protecting and enforcing health and safety legislation.

The winner of the 2013 award was Carmen Biagioni from UNISON. Carmen is the first woman to be presented with the award and the judging panel

was especially pleased that a highly commended certificate was also awarded to a woman, Karen Taylor a UNITE Safety Representative.

The award was presented at a packed event in December 2013 when among the guest speakers were Denise Bertuchi from the Joint Union Asbestos Committee and Paddy Mackel from the ICTU Education Trade Union Group.

Both speakers talked about the issue of asbestos in schools and reminded the event that ICTU policy is to call for the safe removal of asbestos from all school buildings in Northern Ireland.

In taking this issue forward, ICTU has written to the HSENI to ask for support for recommendations contained within a report published by the All Party Parliamentary Group on Occupational Health and Safety.

In the report entitled *Asbestos in Schools: the Need for Action*, the All-Party Group recommends that:

- The Government should set a programme for the phased removal of asbestos from all schools, with priority being given to those schools where the asbestos is considered to be most dangerous or damaged.
- Standards in asbestos training should be set and the training should be mandatory. The training should be properly funded.
- It is recommended that the DfE and HSE jointly develop asbestos guidance specifically for schools and that current standards be reviewed.
- A policy of openness should be adopted. Parents, teachers and support staff should be annually updated on the presence of asbestos in their schools and the measures that are being taken to manage it.
- Pro-active inspections to determine the standards of asbestos management should be reinstated, with a view to reducing future costs.
- Data should be collected centrally on the extent, type and condition of asbestos in schools and this becomes an integral part of the data collection of the condition of the nation's schools.

Relationship with Key Strategic Bodies

The Health and Safety Committee continues a good working relationship with the Health and Safety Executive Northern Ireland. We were particularly pleased to welcome the appointment of Mr Keith Morrison as the new Chief Executive of HSENI. In maintaining close communication, Mr Morrison came to a number of meetings of the Committee in 2013.

Changes to legislation – Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR).

A delegation from the Committee was invited to give evidence to the Enterprise Trade and Investment committee in January 2013 about proposed changes to the RIDDOR legislation.

The consultation proposed, among other changes, to change the reporting requirements for accidents and dangerous occurrences in the workplace from three to seven days, a move which was vigorously opposed by the committee. Following the extensive evidence session, and submissions from a wide range of organisations opposing the changes, it was confirmed that the changes would be withdrawn pending further consultation.

The Health and Safety Committee was disappointed that the HSENI issued a further consultation in late 2013 on the RIDDOR legislation.

Responding to the consultation, ICTU made the following observations:

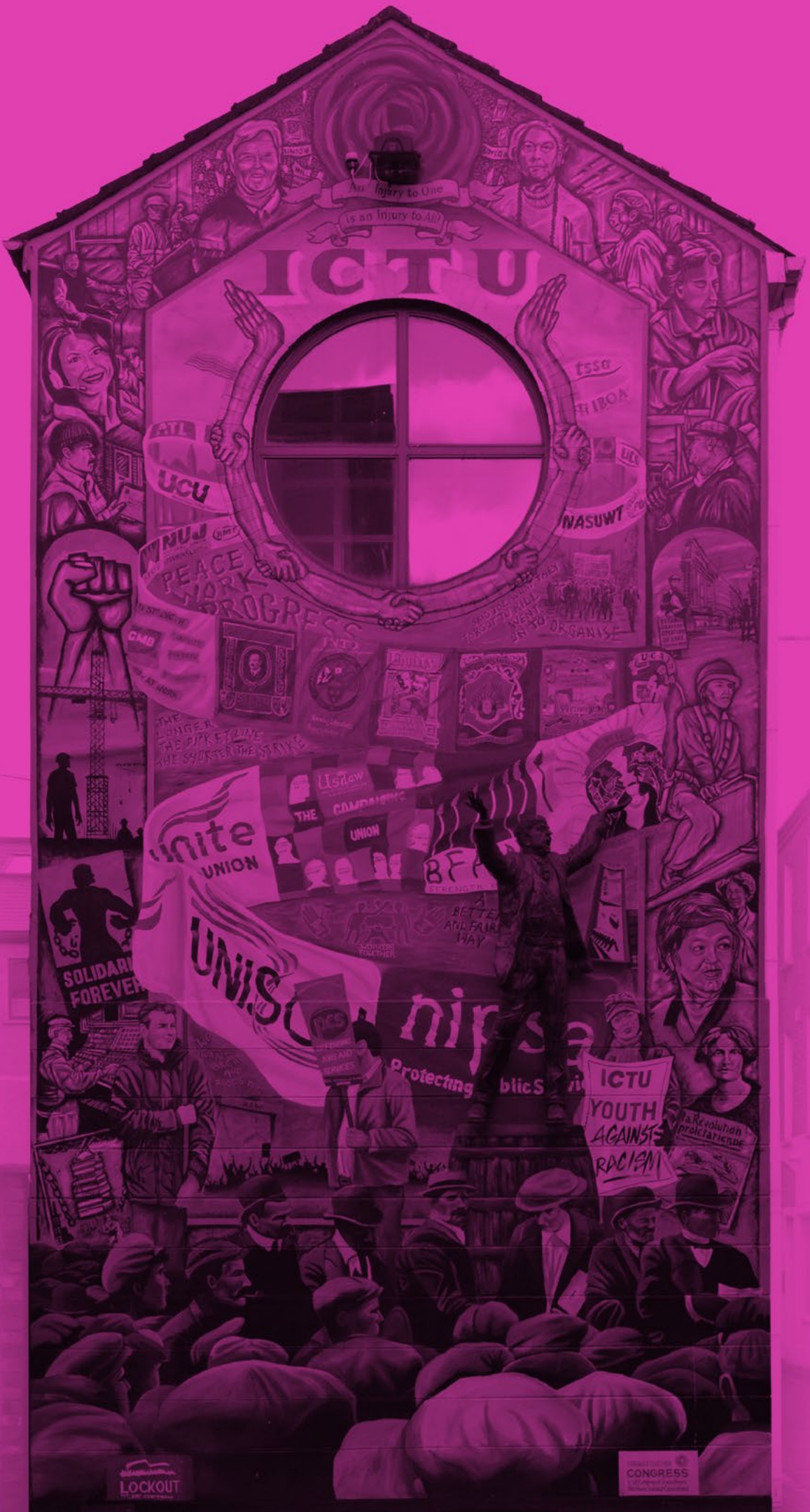
1. The ICTU is not against simplification and the removal of unnecessary 'red tape'. Unnecessary, complex or cumbersome regulations can harm business, jobs and the economy and make the job of the health and safety representative more difficult. However we believe that these proposals will reduce the level of protection in the workplace and for that reason we must firmly voice our opposition to many of the proposals.
2. We believe them to be in breach of European Law, the 1989 Framework Directive, and to be unlawful under UK law.

3. The consultation is clearly biased towards business, and fails even to ask a single question about workers' health and safety. This is contrary to what the RIDDOR Regulations 1995 and the Health and Safety at Work Act 1974 are about.
4. The consultation document fails to link the recording and reporting to other recording and reporting systems, in particular the accident book. This means that the consultation is reduced to seeing the process, and the information received through RIDDOR, in isolation. The proposals will not even increase compliance and may reduce compliance levels as SMEs who will have to report on an even less regular basis. Linking the requirements to the incident selection criteria will also reduce compliance as employers will fear a visit.
5. The proposed amendments would fail to protect or improve the health, safety and welfare of workers as it erodes the effectiveness of early prevention measures to protect workers and the general public, nor promote business efficiency or reputations;
6. We are concerned that removal of several important categories of injuries to the reportable major injuries list will result in the loss of this data.
7. We are opposed to the removal of the current 47 reportable diseases. We share the view, expressed in the NIPSA response, that the proposed categories are not actually categories at all and that many are conditions in their own right.

The full ICTU response to the consultation is available on www.ictuni.org

Health & Safety i

i Appendix



Appendix

List of Submissions on Public Consultations

- DEL 'Discussion Document' on the future of Employment Law in Northern Ireland July 2012
- TUPE 2013
- Water and Sewerage Services (Amendment) Bill 2012
- BIS & DEL consultation on EU Posted Workers' Directive July 2012
- ESF & ERDF consultations for 2014-20 EU MFF (Budget)
- Welfare Reform submission to Ad Hoc Stormont Cttee Jan 2013
- Public Sector Pensions Bill 2013
- Workplace Defined Contribution Pensions 2013
- Transforming Your Care Jan 2013
- Consumer Council 2013
- RIDDOR 2013
- Haass Submission Dec 2013
- DEL Employment Law Review Nov 2013
- Childcare Strategy
- Sharing Parental Rights, Extending Flexibility at Work
- Consultation on the Limited Circumstances for a Lawful Termination of Pregnancy in Northern Ireland
- Human Trafficking and Exploitation Bill (Further Provisions and Support for Victims);
- Review of Apprenticeships and Youth Training
- Domestic and Sexual Violence and Abuse Strategy
- Review of the Regulations on Injuries, Diseases and Dangerous Occurrences NI.
- Tuition Fees
- Educational Maintenance Allowance
- Steps to Success
- Housing Benefits for Rates

A number of these consultations have been responded to specifically by the ICTU Women's Committee, LGBT Committee and Disability Committee.



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