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SEPTEMBER 2009



BRENDAN HAYES ON WHY HE SAID NO TO REPORT IN THE END IT WAS A QUESTION OF FAIRNESS

COMMISSION ON TAXATION **EXCLUSIVE** PAGE 6

CONGRESS VOWS MASS CAMPAIGN

CONGRESS is to organise a mass campaign focusing on the jobs crisis, workers' rights and cuts in public services.

Stating talks with Government had "produced nothing", general secretary David Begg said: "Congress sees no alternative but to mobilise its membership – some 650,000 people and their families – in a campaign of sustained opposition to these policies."

He added this was to impress upon Government the central importance of fairness and social justice in finding a resolution to the crisis.

The Executive Council of Congress will meet on September 30 to finalise and approve details of the campaign.

FULL STORY PAGE 5



► Drive will focus on jobs, workers' rights and cuts to public services

► Bid to mobilise 650,000 workers and their families

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IT'S THE IRISH CITIZEN NAVY!

THE "IRISH Citizen Navy" launched a waterborne protest in support of the Marine Terminals strikers. Demonstrators in several craft took to the Liffey waters on August 27. Local community activist said: "East Wall and Ringsend have strong links with the port, as workers, seafarers, boating and water sports enthusiasts. This is just their way of showing a bit of solidarity with the men and women on strike. In the week that marks the centenary of the start of the 1913 Lock-out maybe we should establish an Irish Citizen's Navy to follow the example of the Irish Citizen Army."



SHOW OF SUPPORT PAGES 16 & 17

David Begg
General Secretary



We won't be cowed by neoliberal lies

OVER the last three decades, the opponents of trade unions have managed to pull off quite a remarkable coup.

They are small in number and belong to tiny elites in business and on the wilder shores of politics. They are an unrepresentative minority. Yet they have enjoyed success in portraying unions as irrelevant, as being little more than marginal groups or 'sectional, vested interests'.

And their propaganda is endlessly parroted in certain media outlets. It is an astonishing optical illusion, in which the laws of physics are inverted and the rational world is turned on its head.

There is a method to their madness. Those that depict unions as irrelevant to the modern era do so as part of a wider political project: the neoliberal agenda.

In a society with weakened trade unions the power of business is multiplied considerably, as is its capacity to overturn and roll back any gains that have been won by workers.

This is the real goal of people who would have you believe that the Irish union movement exists only at the margins of society.

In fact the opposite is the case. Congress has in excess of 850,000 members across the island of Ireland. That makes us the largest civil society organisation on this island.

Through sheer weight of numbers, there is a union presence in virtually every community, north and south. Teachers, tradesmen, transport workers, nurses, carers, rescue workers, engineers, hotel staff, bar and shop workers... the list is as long and diverse as human life itself.

No reasonable person could claim it reflects a

movement that is either irrelevant or removed from the harsh realities of life today.

In fact it is on this section of society that the burden of the current crisis has fallen. Jobs are being lost and peoples' homes are being threatened.

Those still in work and still earning – the great mass of whom are low and middle income earners – are being asked to carry a disproportionate share of the burden of this crisis. It is to these earners that Government has repeatedly turned to refill coffers emptied by errant bankers and builders. First incomes were cut and now vital public services are threatened. This cannot continue.

THREATS

On September 30, the Congress Executive Council will meet to finalise plans for a campaign of sustained opposition to current Government policy: from inaction on the jobs crisis to threats to public services.

In short, our campaign is aimed at ensuring that the 'burden of adjustment' is no longer foisted on those who already bear a heavy burden.

The McCarthy Report, the Commission on Taxation, the official response to the banking crisis, threats to social welfare and the minimum wage – all have a common thread running through them: to preserve the status quo and pretend that the world as we knew it can be restored to rude health. That is an illusion.

We do not require an adjustment or a 'correction', we require a fundamental change of direction.

If we want a genuine recovery we must ensure that justice and equality are at the heart of everything we do.

NAMA PROTEST

BANKS BAILED OUT WHILE WORKERS 'BLUDGEONED'

STRIKING workers from the Coca Cola, Green Isle Foods and Marine Terminals disputes joined 1,500 SIPTU and TEEU members in a rally outside Leinster House as TDs prepared to debate the draft NAMA legislation earlier this month.

In a joint statement issued in advance of the September 16 protest, TEEU general secretary designate Eamon Devoy and SIPTU general president Jack O'Connor said: "The Government is taking an incredible gamble with the Irish taxpayers' resources at the same time as they are looking the other way while PAYE workers in Coca Cola, Marine Terminals, Green Isle Foods, Mr Binman and the Manor Nursing Home are being bludgeoned into the ground by employers who haven't even the decency to participate in Labour Court investigations of the issues in dispute."

They warned: "The debts recklessly incurred by greedy bankers are being shifted on to the shoulders of the taxpayers while PAYE workers are being thrown to the wolves by the Government."

The rally was organised under the banner of the Trade Union Federation which links the two unions.

Contrasting Government policy "towards the banks [with that] towards the PAYE workers they expect to foot the bill for NAMA", Mr Devoy claimed this amounted to a "socialisation" of debt and was being pushed through in the face of pay cuts and dismissals in a number of high-profile disputes. Workers from Coca Cola HBC Ireland, on strike for four weeks, Green Isle Food, out for three weeks, and a delegation from the long-running Marine Terminals dispute stood should-

der to shoulder at the Kildare Street entrance to the Dail with supporters and other SIPTU and TEEU members.

Strike breakers have been drafted in to all three sites and court injunctions sought to minimise the effect of pickets – marking a sea change in the way some management teams deal with industrial disputes.

SIPTU branch organiser John Dunne said: "My



members have been on strike at Coca Cola since August 27 over company plans to outsource 130 jobs to third party companies."

He claimed workers wanted the issues heard in the Labour Relations Commission and that the issues had been referred to the body as far back as July 8, but that the company had sacked all the strikers on September 8.

Mr Dunne added: "Members are attending the Dail protest to show how angry they feel regard-

ing the softly softly approach adapted to financial institutions, who are largely to blame for the country's current economic situation, and the way employers are allowed to ignore basic industrial relations procedures."

Referring to the dispute at Naas-based Green Isle Foods, Mr Devoy claimed the firm had used workers as scapegoats unfairly dismissing them and introducing strike-breakers.

Calling for an end to "double standards", he added: "On the one hand we have big business being bailed out through NAMA and on the other, employers are using the crisis created by financial institutions to attack PAYE workers. It is a 'lose-lose' scenario for Irish workers."

"Like everyone else our members' living standards are under attack as their capacity to repay mortgages and pay daily bills is reduced, while employers do what they like."

Later responding to Finance Minister Brian Lenihan's presentation of the NAMA legislation in the Dail, Congress President Jack O'Connor claimed the current proposals exposed taxpayers to a massive risk with a potential exposure of €54 billion.

He described Mr Lenihan's assertion that he will bring in a banking levy if NAMA overpays the banks as providing "little comfort" for the taxpayer.

Pointing out there was no legislative provision for this, he added: "We can be sure that the banks will fully benefit if NAMA gets its pricing right but we can be a lot less confident that the banks will be made to pay if NAMA gets it wrong."

BASIC DEMANDS

▶ The right to use agreed industrial relations procedures, including the Labour Relations Commission and the Labour Court

▶ The right to have their case heard through agreed procedures

▶ The right to try and save jobs for directly employed Coca Cola Workers

▶ The right to have the positive contribution of workers to Coca Cola HBC acknowledged by its new management team.

COCA COLA DISPUTE

Labour Court proposals

THE Labour Court has made a settlement recommendation over the four-week long dispute at Coca Cola HBC Ireland.

Following a hearing on September 18, the court proposed the company offer a redundancy package in line with arrangements previously agreed with SIPTU.

It also suggested there should be further talks on the union's proposal to conduct a feasibility study looking at the retention of jobs at the Ballycoolin plant in Dublin.

Branch organiser John Dunne said: "An opportunity now exists through this rec-

ommendation to conclude an amicable settlement in the interest of all parties.

"We are therefore urging the company to accept the Labour Court recommendation and bring this dispute to an end."

The move is a welcome development. Earlier this month SIPTU general president Jack O'Connor had warned the strike was entering "a very dark phase".

He made his comments during a visit to union members on picket duty outside the Cappagh Road depot in Dublin. At the time he claimed the company had refused to

engage with the union at the Labour Relations Commission.

Mr O'Connor said: "This is a company that has not had a trade dispute in living memory, whose workforce previously delivered major change programmes and initiatives, all through the normal industrial relations process."

"What is now of major concern is the employers' attitude to the tried and tested system of local collective bargaining followed by joint referral to the Labour Relations Commission and to the Labour Court if necessary."

46 printing jobs lost

UNITE has described the closure of the Kilkenny People printing press with the job of 46 jobs as a hammer blow to the local economy.

The plant – which has printed the title for 100 years – was sold to regional news giant Johnston Press four years ago.

UNITE regional officer Billy Kyne said the union would be fighting for the best possible terms for what he called "the most loyal and long-standing group of workers in the country". He added: "We expect Johnston Press to play fair with their Irish workforce."

Health attacks up 400

FIGURES from the UK's Department of Health have revealed there were 3,622 attacks on healthcare staff in Northern Ireland in the six months up to March.

Stormont Health Minister Michael Gimpsey said such attacks – representing a rise of 400 on the previous six month period – would not be tolerated.

He added: "Since I came into office, a zero tolerance campaign has been running. This has included strengthening the law to ensure that people who are violent and abusive are dealt with fully."

COMMISSION REPORT

ICTU fear workers could bear tax brunt

CONGRESS has expressed deep concern that the recommendations of the Commission on Taxation could result in "significant new burdens being placed on already hard-pressed working people."

Congress Economic Advisor Paul Sweeney said: "The Commission's recommendations, if implemented in full, could see working people hit with higher costs at an already difficult time, while the business sector would benefit – effectively a transfer of resources from one to the other. That is neither fair nor sustainable."

"We have always believed and supported tax reform as we believe in an equitable, fair and progressive taxation system – unfortunately we cannot see how the Commission's report will deliver on that goal," Mr Sweeney said.

"This exercise was flawed from the beginning: its terms of reference and composition virtually guaranteed this outcome. We support the decision of the trade union representative to the Commission – Brendan Hayes of SIPTU – not to sign the final report and agree fully with his reasons for so doing."

"The entire exercise was driven and dominated by an outdated ideology that has been abandoned wholesale across the globe. This misguided philosophy is what has caused the greatest financial crisis of the modern era. Remarkably some still believe it to be a suitable reference point and basis for an examination of our tax system."

"Our fear is that the tax base had not been widened but that the burden imposed on working people, as opposed to business, has been increased."

BRENDAN HAYES: PAGE 6



People power: Mass demo organised by Congress in February

Picture: Anna Farrell, TEEU

MASS DRIVE ON JOBS AND CUTS

CONGRESS has announced it will organise a campaign of sustained opposition to Government inaction on jobs, the threat of cuts to public services and to ensure the burden of economic adjustment is not borne disproportionately by working people and their families.

In a statement issued on September 16, general secretary David Begg stressed that fairness and equality had to be at the heart of any solution to economic crisis.

He said: "Not alone has there been no action to keep people in work, but those defending their jobs have been subjected to extraordinary mistreatment and abuse."

"There are currently five serious private sector disputes in progress in which the behaviour of

the employers is more in tune with practices from the early 1900s, than with a modern society."

"Our talks with Government have not produced anything. Congress therefore sees no alternative but to mobilise its membership – some 650,000 people and their families, in this jurisdiction – in a campaign of sustained opposition and in order to convince Government that fairness and social justice must be central to any proposed solution to the crisis."

A special meeting of the Congress Executive Council will be convened on September 30 to finalise and approve detailed proposals for the campaign.

These will drawn up in advance by the General Purposes Committee of Congress.

OLD-STYLE MANAGEMENT TACTICS BLASTED BY CONGRESS

LOCKOUT MENTALITY

CONGRESS has claimed the behaviour of a number of companies involved in a series of continuing high-profile disputes is more in keeping with the industrial relations of a bygone era.

Nearly 100 years after the infamous Dublin Lockout, some firms are once again resorting to court injunctions and to drafting in strike-breakers against workers taking industrial action.

Increasingly employers are making less use of state mechanisms in place to resolve disputes – such as the Labour Court – and seem intent on deploying more aggressive tactics.

Earlier this month, Congress general secretary David Begg referred to the "extraordinary mistreatment" meted out to employees who he claimed were simply defending their jobs.

He said: "There are currently five serious private sector disputes in progress in which the behaviour of the employers is more in tune with practices from the early 1900s than with a modern society."

This view was echoed by one of the Marine Terminals Ltd strikers who claimed the foremost reason that the stoppage was taking place was that the company had made workers redundant with no negotiation.

He said: "That is why we are on strike – and

that is what the company still refuses to discuss."

Last month, SIPTU general secretary Joe O'Flynn slammed what he called the "bully boy tactics" of Peel Ports bosses at Marine Terminals and claimed they had shown "total contempt for the conflict resolution institutions of the Irish state". He told a rally outside the Marine Terminals site on August 24 that the firm had "set its face" against engaging in serious negotiations with employees.

Mr O'Flynn added: "Peel Ports are trying to set the clock back a hundred years to secure super profits for themselves and consign dockers and their communities to penury."

One of the strikers claimed the company "seemed quite happy to leave us outside for as long as it takes to break our spirits". Peel Ports management has often made use of the courts during the stoppage.

They applied for a High Court injunction on July 3 frustrating workers attempts at mounting an effective picket. The following month an interim injunction was granted against SIPTU, Congress and a number of named officials and strikers preventing them from "intimidating" strike breakers or referring to them as "scabs".

On September 16, another injunction pre-

vented SIPTU and Congress from distributing flyers or publishing details of those who had continued working during the strike at MTL.

However, on that occasion, Mr Justice Kevin Feeney ruled that workers were entitled to use strong language – including "scab" – outside the company's gates.

Green Isle Foods has also made use of strike breakers and the courts during the continuing dispute at its plant in Naas, Co Kildare.

According to the TEEU, 40 workers have been drafted in from other operations in Britain to carry out the work of the striking staff.

The stoppage arose out of the dismissal of three workers over alleged misconduct involving computer use.

TEEU general secretary designate Eamon Devoy claimed the dismissals were a "clear case of ordinary employees paying for sloppy management procedures".

He added the union had offered to discuss the issue but that the company seemed determined to use it as a means of pursuing an "anti-union agenda".

Mr Devoy said: "What they're doing here is trying to use their own blunder to get rid of workers they wanted to make redundant anyway."

EXCLUSIVE BRENDAN HAYES ON



GOVERNMENT'S **NOT** MAKE US A **WON'T** CREATE

WHY HE COULDN'T SIGN REPORT

LOW TAX MODEL WILL FAIRER SOCIETY AND A VIBRANT ECONOMY

LOW taxes, inequality in the provision of health and education, a growing income gap and sub-optimum economic growth: these are not separate, unrelated issues, but are inextricably connected and bound up together.

And it is this deep connection that meant when the Commission on Taxation opted to gratuitously support continuation of our low tax model, I could not sign the report.

The Commission's Term of Reference were designed to underpin and reinforce conventional wisdom on taxation policy in Ireland, which holds that low income and corporate taxes promote the economic growth necessary to generate the revenue required to run public services.

Within that limited framework the Commission was mandated to review the efficiency and fairness of the tax system and to make recommendations on proposed changes. In addition the Commission was directed to leave untouched the current corporation tax rate, make recommendations on the design of a carbon tax, indicate how long term savings for retirement could be incentivised through the tax system and bring forward proposals on how local government might be financed through future charges and taxation.

There was no mandate to address social or economic inequality, to provide for a fairer society or to make recommendations on how income and wealth might be redistributed to bring about social cohesion in tandem with economic growth.

The members of the Commission were chosen by the then Minister for Finance, Brian Cowen. The Minister did not disclose why any of those he appointed were selected to serve.

However, the Commission members acted with integrity in discharging their mandate.

And while I could not sign the report, I believe they are convinced that the recommendations they made are in the best interests of Irish society and the economy.

However, I am also confident that another group of people drawn from different backgrounds would have come to different conclusions with equal conviction that they too were acting in the best interests of the Irish people.

There are many good recommendations in the Commission's report. For example, it recommends a broadening of the tax base, the elimination of many of the reliefs that were availed of by wealthy individuals to avoid paying tax, suggests systematic cost benefit analysis for evaluating tax expenditures in future and makes some valuable proposals on the future financing of local government.

*To raise doubts
about low tax
model is to
commit heresy
and economic
treason*

However, in assessing the report as a package of measures I asked one key question: would the Commission's recommendations do anything to eliminate social inequality? The broad answer was that they would not.

There remain far too many reliefs in the Commission's recommendations that continue to promote inequality rather than reduce it. Thus, it recommends the introduction of a "modest" earned income

credit for the self employed. This earned income credit is essentially the extension of the PAYE Tax Allowance to the self employed. If this was done at the same level as the PAYE Allowance the cost to the exchequer would be in the region of €600 million per annum. In essence, close to the entire net value of a property tax would be gifted to the self employed.

Whatever justification there is for this, and I find it hard to identify any, it is totally indefensible that this would be done without any restrictions on the current expenses regime that applies to the self employed. That regime is generous to a fault and is used to finance activities that would be paid for out

of after tax income, by the PAYE sector. The 'best of both worlds' nature of the recommendation, at the cost of up to €600 million to the state, is not defensible.

Another example is the recommendation in respect of professional sports people. Here the Commission proposed that professional sports people should be entitled to reclaim up to €350,000 tax back at the end of their sporting careers. In essence the taxpayer would be subsidising the income of millionaires in order to keep them playing in Ireland.

A similar recommendation was made in respect of "leased land relief" where people who lease out their land on a long term basis can receive up to €40,000 per annum tax free.

Or the decision to recommend a reduction in the current tax rate on some 'dividend income' – irrespective of the location of the investment and without any linkage to the creation of jobs or economic activity in this state.

Of particular concern was the decision to recommend that the proposed new third rate of income tax should be set at a level below the current top rate of tax. In essence this meant that those on super incomes would pay no more tax than at present.

By implication the exchequer would either lose revenue, if it set the new rate between the two existing rates without doing major surgery on the tax bands, or those on incomes currently outside the tax net would now be taxed.

I could not support a proposal that would in effect exempt those on super incomes from paying additional tax and impose taxes on people with low or marginal incomes.

It appeared to me that these and other recommendations were indefensible and would have had the effect of increasing the tax burden on those least able to pay, while protecting those with the ability to pay from contributing more, an outcome that would have simply entrenched and exacerbated social inequality.

However, in many ways these specific recommendations are on the margins of the real debate that needs to take place. Ireland

is one of the most unequal societies in the developed world. The incomes of those at the top of society are rising at a much faster rate than that of those at the bottom. Indeed the really revealing figures from the recent ESRI report on pay is not the so-called gap between the public and the private sector, but the growing gap between those at the top and those at the bottom of the income scale.

Conventional economic wisdom holds that this is inevitable and that there is little we can do about it. Add this to the privatisation and commercialisation of health and education services and the chronic underfunding of public services and you see clearly how the social and economic capacity of the state is being undermined and inequality is reinforced.

The low tax model has assumed near consecrated status and is beyond either reason or question, a fact which is reinforced regularly in both print and broadcast media. To raise any doubts about its efficacy is to simultaneously commit heresy and economic treason.

The argument that public services need to be cut is essentially a demand for the continuation of a massively unequal society. Those on high incomes would prefer to purchase education, health and other public services through the private sector. In this way they need only look after themselves and their families through private provision, as opposed to contributing to the provision of public services, in proportion to their income and means.

The state supports this process by large scale tax relief on private schools and hospitals and private health insurance. In effect the tax payer is subsidising private health and education, while at the same time supporting a low tax policy that undermines the provision of public services to the great ma-

jority of citizens. A similar process is taking place with regard to the introduction of local charges, pension provision, college fees and nursing home care.

The drive for low taxes on incomes and wealth effectively means that substitute charges are necessary to finance the provision of services.

Thus, the total cost of providing first class third level education is greater than the finances currently available to the universities. As a society we can address this shortfall in a number of ways. We can pay more in taxation or we can levy charges on students or their families: that is, we can pay at the point of use or we can pay through general taxation.

Either way we pay roughly the same amount. In order to pay the charges out of

*I could not back a
proposal that would
exempt those on
super incomes
from paying
additional tax*

taxation we need to raise taxes. However, those on high incomes and those who enjoy considerable levels of wealth, including some of our own members, would rather keep taxes low and pay fees at the point of use. This is understandable as in these circumstances they only have to pay for themselves or their own families. When their children have completed university the liability to pay is dis-

charged. But when the charge is levied through taxation they make a contribution towards the cost of educating all the children of the state.

However, middle income families find the burden of paying at the point of use much more difficult to finance and the cost can be crippling. They cannot afford to meet the burden out of current income and normally need to borrow to finance it.

The result is that middle income families see the level of public services available to them as totally inadequate and resent paying taxes for poor services and having to make up the additional monies that are levied through charges at the point of use. This in

turn causes them to buy into the low tax argument to their own detriment and bring about the very pressures they are reacting against in the first place.

The politicians refuse to face up to the real debate and over promise on public services and then under deliver, giving rise to a huge level of distrust of the state and its capacity to deliver quality services to the public in any form.

The only people who gain from the process are the wealthy who provide for themselves anyway and avoid any requirement to address the wider issues facing society.

The normal justification for a low tax economy is that it is the most successful model of economic development that has ever been constructed. But the evidence does not support this view.

There are many pathways to economic growth and a low tax model is not the most successful by a long shot.

Indeed anyone interested in exploring the data might follow the link below, where it is clearly demonstrated that the most successful countries across all social and economic indicators are those that have followed high tax and social security growth models.

www.sourceoecd.org/pdf/society-ataglance2009/812009011e-01.pdf

By and large these are the Nordic countries and they have been particularly successful in managing social progress and economic growth, combined with high levels of taxation and first class public services.

The Report of the Commission on Taxation was compelled by its terms of reference to look at one model and one model only. It had no mandate to address the social consequences of adopting that model.

I am of the view that the model adopted is not capable of providing Ireland with both a vibrant economy and a socially cohesive and fair society.

Accordingly, despite the many progressive individual proposals it contained, I believe that the overall report will do little to promote economic growth, secure social progress and bring about a fair society.

WAGE MYTH DASHED

NEW data from the European Commission has exploded the myth about Ireland's "over generous" minimum wage levels in comparison with the rest of Europe.

The Eurostat report which tracked minimum wage levels in 20 EU states in January showed the monthly minimum take-home here was €1,462 – second only to Luxembourg at €1,642.

But when the actual purchasing power of this amount was taken into account, Ireland slipped to sixth in the earnings league at €1,152 per month.

Other states with a higher minimum wage when gauged against this measure were UK (€1,154), France (€1,189), Belgium (€1,254), Holland (€1,336) and Luxembourg (€1,413). The find-

ings follow controversial comments in July by Finance Minister Brian Lenihan in which he claimed the minimum wage had been "under debate" for months.

He said: "Clearly if the minimum wage becomes an impediment to job creation the Government has to look at it."

Responding to the EC findings, Congress economic adviser Paul Sweeney said: "In some respects, this is the Government hoist on the petard of its own flawed policy."

"Our minimum wage must be high because in most other EU countries, people benefit from a good 'social wage' – free childcare, free access to primary health care etc. People on the minimum

wage in Ireland must pay for these services.

"Congress constantly opposed the Government policy from 1998 to shift tax from direct taxes on incomes and profits to consumption."

"We said it was regressive and it pushed up prices. At one point we demonstrated that it added over a quarter to Irish inflation. Government policy in moving to high consumption taxes such as 21.5% VAT and user charges over time had led to Ireland's high price levels."

"Our price levels are second only to Denmark in the EU27."

"But in Denmark you have a free health system, a public transport system that works and full child care."

FG promise on new union law

FINE Gael will, if elected, introduce legislation that will recognise the rights of workers to engage in collective bargaining.

Employment spokesman Leo Varadkar said the right was included in the Charter of Fundamental Rights and claimed the issue was "centre stage" in the debate over Lisbon Two.

He added: "Ireland is the only country in Europe in which workers do not have a legal right to engage in collective bargaining with their employer."

"Fine Gael believes that if the Irish people vote for the Lisbon Treaty, any future government must honour the Charter in its national laws."

"That is why Fine Gael is now committing itself, in Government, to legislating for this important right."

IMPACT slams ESRI pay data

IMPACT has rejected calls for public sector pay cuts, following the release of wages data in a Economic and Social Research Institute report.

The union claimed the findings were based on statistical averages that did not compare real jobs in the public or private sectors.

Claiming the paper was a re-hash of research published last year, IMPACT spokesperson Bernard Harbour said: "The ESRI is on record as saying pay should be cut in the private sector as well as the public service."

"The fact this edited version of the ESRI's 2008 paper has been re-issued now clearly suggests that it's part of the softening up exercise for public service pay cuts in the forthcoming Budget. But the pay of private sector workers is firmly in the ESRI's sights as well."

Last month IMPACT general secretary Peter McLoone warned the Government the union would take industrial action – including strikes – if attempts are made to impose public service pay cuts, pension reductions or compulsory redundancies.



Communities Against Cuts

Uniting the Community Sector & Trade Union Movement

SEPT 30

THOUSANDS are expected to attend a Communities Against Cuts protest in Dublin at the end of the month.

Organisers claim the September 30 march will give people an opportunity to express their anger over savage cuts in community sector budgets.

Recommendations contained in the McCarthy report will – if enacted – see 6,500 jobs go in the sector at local level.

A spokesperson said: "These cuts are ripping the heart out of local communities. We are call-

ing on all community activists, community workers, volunteers and service users to mobilise and participate on September 30.

"We are also calling for solidarity from all public and private sector workers."

The campaign against the cuts is organised by SIPTU, IMPACT and the Community Sector Employers Forum.

Communities Against Cuts protest march
Wednesday, September 30
Assemble 1pm at Parnell Square, Dublin

Picture: Evelina Sodukyte

'Obscene' onslaught on public sector pay

SIPTU general president Jack O'Connor has hit out at "the fanfare of propaganda" directed against public sector workers.

He was reacting to the release of an ESRI policy paper on public sector pay, which he claimed was "as totally misleading as it is objectionable".

Mr O'Connor – who is also Congress president – said: "This is not a new study, but a reworking of a draft previously made public by the ESRI last December. It confines its analysis

of data to the period between March 2003 and March 2006, during which the benchmarking catch-up awards were being implemented.

"And it very conveniently omits the fact that before such catch-up, during the four-year period to December 2002, public sector pay had been increasing at only half the rate of increase in the private sector."

He claimed that the data failed to compare like with like, adding: "More significantly still, the ESRI has decided

to ignore the fact that pay in the private sector was being depressed during that period, due to the rapidly growing employment of immigrant labour."

"At a time when we are witnessing the obscene molly-coddling of bankers who have brought on such a devastating economic crisis, it is high time that the propaganda onslaught on public sector workers, and on the lower paid workers among them in particular, is brought to an end."

Pay cuts
Downturn
Future uncertain for many
Recession
Job threats
Pensions collapse
Credit crunch
Crisis
Downturn
Recession
Shares plummet
Job losses on the increase
Cuts to services
Market crash
Tax increases
Shortfall

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NEWSBRIEFS

More must be done to deal with jobless crisis

THE IRISH National Organisation of the Unemployed has called on the Government to make the jobless crisis its number one priority before the scourge of long-term unemployment becomes endemic to society once again.

It follows the release of Central Statistics Office data that shows the unemployment rate in the Republic now stands at 12.2%.

A total of 423,400 people were on the seasonally-adjusted register at the end of July.

While welcoming last month's announcement by Tanaiste Mary Coughlan of a €250 million scheme to protect vulnerable jobs, INOU policy and media chief Brid O'Brien warned: "Given the scale of the unemployment crisis, considerably more needs to be done."

Record quarterly hike in UK unemployment rates

FIGURES released by the Labour Force Survey have revealed the largest quarterly increase in UK unemployment since records began in 1981.

The 281,000 rise in the three months to May brought the UK jobless total to 2.38 million – 7.6% of the working population.

Unemployment among 18 to 24 year olds jumped to a 16-year high of 726,000.

The unemployment rate for this group now stands at 17.3%.

Dubbing the figures "horrendous", TUC general secretary Brendan Barber called for swift government action to tackle the problem of joblessness and warned of the "permanent scar of long-term unemployment".

GOVT MUST STOP FEAR ECONOMICS

SIPTU has called on the Government to stop fuelling "the economics of fear" and warned that a "non-stop mantra" about pay cuts would only serve to further depress consumer confidence and lengthen dole queues.

Head of research Manus O'Riordan said: "We are well on our way to reaching half a million unemployed in the New Year."

"The present unemployment rate is primarily being driven by a collapse in consumer expenditure due to the climate of fear that appears to be the over-riding objective of Government policy."

Describing the pay cuts strategy as the Government's "chief weapon", he added: "The latest industrial earnings data prove that the non-stop mantra about pay cuts in industry being widespread is just not true."

"Even if we discount the overall earnings increase for all employees in industry of 5.9 per cent annually, because it may be structurally affected by large scale redundancies among lower paid manual workers and rising numbers in management positions, the average earnings increase for manual workers themselves still works out at 5.2 per cent in the full year."

"Of this, 4.5 per cent is accounted for in the six months since the third quarter of 2008."

"This means that the IBEC survey which found that pay increases were more common than pay cuts is in fact still the case and the trade union movement in determined that it remains so."



O'Riordan: Cut out doom laden mantra

Picture: SIPTU

Watchdog chief's pay freeze call attacked



Campfield: Progressive tax

TRADE unions have lashed a call by Audit Commission chief executive Steve Bundred to slap a pay freeze on the UK's six million public sector workers.

He also attacked politicians for not acknowledging "severe pay restraint" was needed to rebalance public finances.

Mr Bundred said: "At a time when inflation is likely to be between 2% and 3%, a pain-free way of cutting public spending would be to freeze public sector pay, or at least impose severe pay restraint."

"This is especially true if real wages in the private sector are still falling."

In 2007-08, the watchdog chief's annual pay was £212,000 – equivalent to £4,077 a week. UNISON general secretary Dave

Prentis hit back claiming pay freezes were no way to steer the country out of recession.

He said: "Let's be clear, the recession was caused by bankers and speculators and the lack of regulation."

"Yet, low paid public sector workers, who will be helping communities deal with the fall-out, are being asked to pay the price – it's just not on."

"We all want to see a bit of fairness injected into the system. How about cracking down on the tax evaders and making the rich pay their fair share, rather than always targeting the low paid workers?"

NIPSA deputy general secretary Brian Campfield also attacked the pay freeze call.

He told The Union Post: "The

last 25 years has seen the transfer of wealth from the bottom and middle sectors of our society to those at the top and to the major financial and other corporate bodies, the very individuals and organisations which have played their financial roulette at the expense of ordinary working people."

"Now they want public servants – most of whom are already low paid – to carry the burden."

"What we need is higher wages for public servants and a more progressive tax system that secures more tax revenues from company profits, high earners and those with large assets."

We'll use poll power on health

A LEADING US trade unionist has claimed unions will deploy their massive voting and mobilising power in forthcoming Congress polls to support candidates who back health care reform.

AFL-CIO secretary-treasurer Richard Trumka claimed unions would "step up and use their energy and votes" for those politicians "who want to fix what's wrong with the system not maintain a broken status quo". Speaking

ing on CNBC News, he said: "Every 30 seconds an American declares bankruptcy because of medical bills."

"Millions of people don't have health care. You have millions of small businesses and large businesses that are struggling because health care costs are out of sight."

"Insurance companies have a stranglehold on us. The only way to break that stranglehold on the

health care industry is to have a public option. The fight to reform the health care system and provide quality, affordable health care for everyone is at a critical point."

"Now is the time to make it clear: America's workers are looking to elected officials for leadership and support, and how members of Congress vote on health care will be at the forefront when they go to the polls to vote."



Trumka: Voting power

Picture: AFL-CIO



Gambian journos freed

SIX jailed Gambian journalists have been freed following intense campaigning by Amnesty international, the NUJ and the International Federation of Journalists.

Announcing the release on September 7, Gambian Interior Minister Ousman Sonko praised the country's President Mr Jammeh for his "humanitarian" gesture made in "the spirit of Ramadan".

The journalists, three of whom are executive members of the Gambian Press Union, were convicted on August 9 of sedition and defamation and sentenced to two years in jail and fined the equivalent of \$10,000.

The six – Emil Touray, Sarata Jabbi Dibba, Pa Modou Faal, Pap Saine, Ebou Sawaneh and Sam Sarr – were charged following the publication in two newspapers of a GPU press release which criticised the way Mr Jammeh spoke about former GPU president Deyda Hydara who was murdered in 2004.

Left: Joint Amnesty/NUJ protest outside Gambian embassy

Picture: Amnesty International

GOVERNMENT MEASURES 'TOO LITTLE & ALWAYS TOO LATE'

POLICY ON JOBLESS JUST NOT WORKING

CONGRESS assistant general secretary Sally Anne Kinahan has claimed Government measures to combat rising unemployment are just not working.

She was responding to the latest data that showed a hike in jobless numbers to 11.6 per cent.

Pointing out that the rate of increase was the sharpest in the Eurozone, Ms Kinahan said: "We are falling further than any other EU country, which means it will take us far longer to climb out of this recession."

"While some countries show signs of growth, we continue to hemorrhage jobs."

"Yet Government continues to treat the jobless crisis as some sort of seasonal blip, instead of the national emergency it actually is."

"To date, their measures have been too little and always too late. Nothing introduced so far even grasps the scale of this problem."

She said that governments across Europe had intervened strongly in the labour market to keep people at work and to upgrade their skills.

Ms Kinahan added: "Germany alone has kept 1.25m people in work through state-supported short-term working."

She also expressed concern over the fall in those seeking Jobseekers' Benefit adding: "There were 2,622 fewer people claiming this benefit in August, as compared to July, following the Government decision to cut eligibility from 15 to 12 months after

which a strict qualifying test kicks in. Have these 2,622 people become victims of this cut?"

"If so, Government has compounded its inertia by punishing the victims and making the jobless pay for the crisis."

Last month, Ms Kinahan gave a "guarded welcome" to the Employment Subsidy Scheme unveiled by Tanaiste Mary Coughlan, claiming it was "step in the right direction" but fell "far short of what is required."

At the time, she said: "While we do welcome Government engagement with the jobs crisis as a step in the right direction, this new scheme falls far short of what is required."

Ms Kinahan added: "When we were first given details of these proposals during negotiations in June, Congress criticised them as lacking in scale, ambition and application. That criticism is even more valid today, with more than 418,000 people out of work."

"Taken with the dramatic fall in the tax take, it is also clear evidence that the Government's deflationary strategy is now destabilising and undermining the entire economy."

"We need a response to the crisis that is commensurate with the scale of the crisis – the €1 billion job creation and protection plan which Congress tabled some months ago, would mark an appropriate response from government."

Under the new €250m scheme, the Government will provide subsidies to firms in the manufacturing sector – with a grant of up to €9,100 per worker over 15 months to help firms meet their wage bills.

Ms Kinahan also said Congress had concerns about how the new scheme is structured, particularly the fact that it laid no emphasis on training or upskilling those whose jobs were under threat.

"During negotiations, Congress sought to ensure that affected workers were given full and free access to training and upskilling opportunities, as the only sustainable way to assist threatened enterprises and workforces – but the new scheme does not do that."

"Equally we are concerned at the lack of penalties for employers who abuse the scheme and who fail to use it to protect the maximum number of jobs."

Ms Kinahan pointed out that these issues could have been dealt with by an oversight group, as proposed by Congress, which would have given a voice to those workers affected, employers as well as Government.

But she claimed the new scheme had no such place for workers or their representatives, adding that this was "further evidence that the social partnership talks with Government are well and truly over."

Unite & USW counter anti-NHS propaganda

UNITE have teamed up with the Pittsburgh-based United Steelworkers union to counter widespread misinformation in the US about the UK's National Health Service.

The two unions came together to form Workers Uniting in July last year.

Their latest online campaign is an example of how the partnership – representing three million workers across the US, Canada, Britain, Ireland and the Caribbean – is using its transnational character to maximum effect.

One Iowa senator said the late Senator

Ted Kennedy – a champion of health care reform – would not have received treatment for his brain cancer under the British system. Another senator from South Carolina claimed the NHS did "not allow" women under 25 to receive screening for cervical cancer.

USW international president Leo W Gerard said: "Health insurance reform [in the US] is about human and civil rights – exactly what Workers Uniting was created to fight for."

"The debate in the US has been intense, at times unfairly focused on the many myths

and mistruths being circulated by opponents, including those about the universal health care system in the UK. Our sisters and brothers in the UK know the truth and are helping set the record straight."

UNITE joint general secretary Derek Simpson said: "The NHS is the pride of the UK and workers will not stand by while rich insurance companies spend millions of dollars to promote their smear campaign."

"We are proud of our universal health care system and view the attempts to represent the NHS as inefficient as outrageous."

US reform needs resuscitation - P14/P15

Consultation on flexible working

STORMONT Employment minister Sir Reg Empey has announced a public consultation on proposals to change flexible working provisions in Northern Ireland.

At present employees have the right to ask their employer for flexible working if they have parental responsibility for a child under six, a child with a disability under 18, or if they have caring responsibilities for an adult.

But the right to request flexible working was recently extended to cover parents of children under 16 across the rest of the UK.

Sir Reg said: "Research shows that the right to request flexible working has been a success right across the UK."

"Following the recent extension of the law in Great Britain, it is appropriate to ask whether we in Northern Ireland should follow suit, or whether an alternative approach would be better suited to our local needs."

A second proposal up for consultation concerns an employee's right to ask their employers for time away from their normal work duties to undertake training.

Sir Reg added: "It is also appropriate at this time that we consider whether there is more we can do to support the development of skills in our workplaces. A skilled workforce is central to our economic competitiveness."

NIPSA's Geraldine Alexander said: "We welcome the extension of any rights that will ensure a greater number of working families in Northern Ireland can have the opportunity to avail of a better work-life balance."

"We also believe encouraging employers to invest in the skills of their employees can not only contribute to the health of the business but also the prospects of the individual."

However, according to Congress Equality Officer David Joyce, this approach is in "stark contrast" to the situation in the Irish Republic.

He said: "In the south, there is a completely voluntary ap-



Picture: NIPSA

Geraldine Alexander: Welcome

proach to flexible working and better work life balance which has failed to deliver for working families.

"A study of Ireland's top companies by the National Centre for Partnership – New Models of High Performance – reveals a 17 per cent national usage of flexible working systems, which confirms 2004 data from the Central Statistics Office showing some 80 per cent of people enjoyed no discretion over start or finish times."

"Congress has repeatedly called for a legal right to flexible working for all, the provision of meaningful opportunities for the low-skilled and low paid to access skills' development and the creation of an infrastructure of care that better supports working parents."

Meanwhile, the European Social Partners have agreed a revised framework agreement on parental leave.

One of the changes proposed is the right to request flexible working arrangements upon return from leave.

The Commission will now submit a proposal to the Council for implementation of the agreement by a directive which at the moment seems like the only prospect of a legal access to flexible working for some working parents in the Republic of Ireland.

Success at Carrolls

A SIX-week dispute at Carrolls Joinery has ended with the company agreeing as part of the deal to make a further €650,000 available to compensate workers made redundant.

The August 26 agreement followed intensive talks between SIPTU and UCATT officials and management.

SIPTU branch organiser Ger Kennedy said the dispute had been resolved as a direct result of the huge efforts put in by the workers over the last six weeks in maintaining pickets at the Ballintaggart plant in Co Cork and the firm's head office in Parkwest, Dublin.

He added: "I wish to acknowledge on behalf of the workers involved the solidarity shown by other workers and worker representative bodies that has resulted in this success."

HEALTH

THE IRISH Nurses Organisation has lashed proposals for swingeing health service cuts contained in the McCarthy report.

An Bord Snip Nua called for savings of €5.3 billion to be made involving the shedding of 17,300 jobs across the public service.

Of these, a total of 6,168 jobs would go in the public health sector if the recommendations are acted upon.

In a statement issued shortly after the report was published, the INO claimed such cuts would effectively lead to the "destruction of the public health service" and render it incapable of meeting the needs of ordinary people without health insurance.

It continued: "The report was quite clearly written from the perspective of people who do not see, let alone understand, the challenges facing over stretched, overworked and under staffed frontline services as they strive to meet the needs of ordinary people seeking essential health services."

"The report also reflects a total bias against frontline staff repeatedly suggesting that the staff, through their unions, are barriers to change

who are consistently engaged in restrictive work practices which are costly and ineffective.

"This is patently untrue and simply reflects a long-standing management wish to attack hard-won terms and conditions of nurses, midwives and other essential and hard working professionals and staff within the health system."

Among other recommendations, the McCarthy report proposes a reduction of 168 posts from within the Department of Health and Children with a further reduction of at least 6,000 staff from the health service "mainly" from health administration.

The report also proposes nurses be allowed to carry out routine medical procedures, currently performed by non-consultant hospital doctors.

It calls for a rise in the A&E attendance fee to €125 and a hike in inpatient fees by 20% as well as a full revision of the income guidelines for medical cards.

There is also a proposed 36% reduction, in the number of acute beds, leaving 8,800 out of the total of 12,778.



Frontline staff: Nursing staff will bear brunt

Picture: INO

CPSU lash Snip report

THE CPSU has warned it will oppose – with industrial action if necessary – any bid to implement proposals contained in the Bord Snip Nua report.

General secretary Blair Horan said: "The Executive Committee were very angry at the contents of the report, and considered some of the proposals a deliberate attack on public servants and the services they provide."

The proposals include further cuts in pay and allowances, a new benchmarking exercise and the privatisation of public service work.

Mr Horan added: "A blind belief in free market economics has brought this country close to disaster. Many policy choices of the past decade were fundamentally flawed and a similar policy approach cannot provide a solution to the crisis."

WARNING



Vulnerable are targeted

IMPACT general secretary Peter McLoone has called on the Government to ignore recommendations set out in the McCarthy report because it shows no understanding of citizens' needs or the challenges of delivering decent public services.

He warned that if implemented such policies would target the most vulnerable in Irish society but seek no contribution from those who caused the recession through their greed and recklessness in the first place.

Claiming the report would never command the support of the Irish people, Mr McLoone said: "This report is just one of many, set apart only by its callous disregard for the people who most depend on public services."

"The Government would be well advised to

ignore it and instead engage with the people who manage, deliver and use public services to find ways to maintain and increase them during the recession and beyond."

Mr McLoone also warned the Government IMPACT would respond with industrial action if attempts were made to impose public service pay cuts, pension reductions or compulsory redundancies.

He added: "There will be a reaction which will include sustained, widespread and painful industrial action including strikes."

"I don't believe there will be many, if any, winners if the Government takes this route, least of all among the people who – more than ever – depend on our public services."

DOWNLOAD THE MCCARTHY REPORT AT
www.finance.gov.ie/documents/pressreleases/2009/bl1100vol1.pdf

TEEU: 'What we have we hold'

TECHNICAL Engineering and Electrical Union has warned the Government it will resist any attempt to implement the cutbacks proposed by An Bord Snip Nua.

Giving its response to the McCarthy report, the union claimed workers had exercised "a degree of moderation and discipline" during the boom years in marked contrast to the excesses of "bankers, speculators and developers".

General secretary Owen Wills said the TEEU wanted to give the Government "fair warning" it

did not intend to meekly accept cuts proposed by a group of consultants "who were themselves cheerleaders for the boom".

He added: "Our members have done no more than secure increases over the past decade that were hard earned and, as far as we are concerned, what we have we hold."

"We are putting the Government on notice that if it opts to follow the advice of An Bord Snip Nua and squeeze workers and the unemployed even harder, it will have a fight on its hands."

Taoiseach must clip wings of the hawks

SIPTU general president Jack O'Connor has called on the Taoiseach to go to the polls if he wants to forge ahead with the "slash and burn" policies of "hawks" in the Department of Finance.

Claiming the Government had no mandate to pursue this course, he said: "If the Taoiseach cannot rein in those elements in the Department of Finance who appear determined to wreck the economy and the country then he should call it a day and call a general election."

He added that in the past he had stopped short of making such a call but now believed the country needed to be given a choice between "those who believe that ordinary people should pay the price for the economic catastrophe and those who favour a national initiative for recovery based on the principle that those who have the most should contribute the most".

Mr O'Connor, who is also Congress president, was responding to the publication of the McCarthy report into public expenditure cuts in July. He said it could not be seen in isolation, and was one of a "glut of recipes for the economic crisis that all contained the same ingredient" – to make workers and the least well off pay for the slump.

He added: "The report of An Bord Snip Nua is another illustration of this recipe of reprehensible remedies. It follows the transfer, or socialisation, of the massive bank debts on to the ordinary tax payer and the constant call for workers to take wage cuts."

"It represents an attack on public services and on the social welfare payments of the most vulnerable while simultaneously proposing to sell off important state assets so that those who still have money can pick them up at bargain basement prices."

"This would reflect the disastrous decision of a decade ago to privatise Eircom, which could have been such a vital engine of renewed economic growth."

Mr O'Connor warned Finance Minister Brian Lenihan if he was not careful he would follow in the footsteps of his 1950s predecessor Sean McEntree "who almost turned off the lights" condemning the country to "a decade of zero growth, widespread misery and mass emigration".

He advised the Taoiseach to rein in the Department of Finance before it did "irreparable damage".

Mr O'Connor said SIPTU accepted certain job reductions in the public service were possible but warned frontline services must be maintained.

He added: "We are prepared to fully engage in discussions on these public service issues and we will respond positively, in the context of a progressive social dynamic, to any policies and proposals put to us in good faith by the Government."

"We are not prepared, however, to engage with those who believe that national economic recovery can be achieved through a 'red pen' exercise that rips apart the social contract and places the burden on workers and the most vulnerable in our society."



Picture: Dept of Finance

FIGURES

IMPACT hits out at €8bn PIBA claim on pensions

IMPACT has slammed "fantasy" claims made by the Professional Insurance Brokers Association about public service pensions.

According to figures produced in a PIBA press release in July, private sector workers contribute €8 billion a year towards public service pensions.

But IMPACT hit back claiming the insurers had got their sums wrong and pointed out that even the PIBA had conceded half of the €8 billion figure referred to ordinary social welfare pensions.

These go to all workers, public and private, and are largely funded from employees' PRSI contributions made over their working lives.

IMPACT national secretary Paddy Keating said the PIBA press release was littered with other inaccuracies, including the ridiculous assumption only private sector workers paid tax.

He added: "These are fantasy figures, which take no account of the 6.5% of gross salary that most public servants pay towards their pensions or the 7.5% pension levy imposed in March.

"This interest group, whose objective is to drum up business for companies selling private pensions, also fails to mention that the headline figures paid to public service pensioners include their social welfare entitlements, paid for out of their PRSI payments."

However, Mr Keating did agree many private sector pensions were in crisis.

He added: "The value of occupational pensions has collapsed because of recklessness in the finance sector, which caused the banking crisis and share price collapse, and the fact that so many private sector employers walked away from their pension responsibilities to maximise profits during the boom years."

Cuts mania 'a delusion'

THE TUC has warned a 10% cut in public spending – the equivalent to £58.27 billion – would lead to 200,000 job losses in the public sector.

It claimed there would also be a significant knock-on effect on the UK's private sector with tens of thousands more joining the dole queues.

In an analysis of spending figures published last month, the TUC argued that because health and education are two of the highest spending areas and had both seen major growth since 1997, no cuts package could be implemented without hitting these budgets, including private sector procurement.

Health and education both have large procurement budgets (£67 billion and £16 billion in 2007-08 respectively) so private sector contractors would also lose out from any departmental cuts.

TUC general secretary Brendan Barber, below, said: "A mania has gripped otherwise sensible commentators who are calling for deep cuts in public spending to reduce the budget deficit.

"They talk as if these cuts would have no effect on the private sector or the wider economy, and that health, education and front-line services would hardly notice. But this is a delusion."



Do you hear us, Mary? Migrant protestors make their feelings clear Picture: MRCI

CONGRESS HAILS MIGRANTS MOVE

CONGRESS has welcomed changes to regulations governing non-European Economic Area migrant workers who have been made redundant.

The new guidelines, announced by Justice Minister Dermot Ahern and Tanaiste Mary Coughlan on August 28, double the length of time a newly-redundant migrant worker has to seek alternative employment from three to six months.

Backing the move, Congress official Esther Lynch said: "There are about 13,000 workers on employment permits and given the danger of some people blaming migrant workers for the problems we face it's important to be clear that they are in no way a contributing factor to the overall unemployment situation.

"Indeed these 13,000 workers are even more vulnerable to losing their job for reason of redundancy.

"That why Congress advocated a fair approach to amend the permit rules to allow an adequate period to seek new employment and to be able to do so without the need for their employer to fulfill the labour market test.

"But it's a real sting in the tail for workers that they now have to pay for their permit. It's not fair, and Congress will continue to fight for a just system that charges the employer not the worker for the permits."

Non-EEA migrant workers who have lived and worked in Ireland for five years under the work permit system will also be granted a new permission to live and work without the need to apply for another work permit. Migrant Rights Centre Ireland deputy director Bill Abom said: "This victory is as a result of a hard

fought campaign to change the unjust and cruel policies that were introduced by the Government back in June.

"This campaign was driven by migrant workers themselves together with the support of trade unions, employer bodies, the faith community and other immigrant organisations.

"While there are still several issues and barriers to overcome both Minister Ahern and the Tanaiste have heard the collective voice of migrant workers and have done the right thing."

He added: "These changes will make a significant difference in the lives of thousands of non-EEA migrant workers who have committed themselves to Ireland, but whose lives have been hanging in the balance.

"These changes give migrant workers greater equality and greater opportunity to support their families and to contribute to Irish society."

However, Mr Abom criticised a recent decision by Minister Ahern to impose a new €500 fee on non-EEA long-term residents in Ireland.

Calling the move "shameful and underhanded", he said: "Many migrant workers are struggling to support themselves and their families at this moment.

"The fee places an additional burden on migrant workers, who already pay their taxes and numerous other fees."

At present as well as paying taxes non-EEA migrants must also stump up a number of fees to the Government including €500-a-year work permits, €100 for annual re-entry visas and €150 for GNIB registration cards.

CONGRESS and the MRCI have welcomed a new scheme to 'regularise' migrant workers who have become undocumented for reasons beyond their control.

The scheme – announced on September 14 by Justice Minister Dermot Ahern – allows non-EEA migrant workers who have become undocumented through workplace ex-

ploitation, deception, or unexpected redundancy to apply for a four-month temporary residence permission. Having this "bridging visa" will give those affected the chance of re-entering the work permit system.

Congress official Esther Lynch said: "Condemning undocumented migrant workers to a life of fear benefits no one but abu-

sive and exploitative employers. It is a necessary first step and helps prevent the emergence of a working underclass that is without either hope or protection." MRCI director Siobhán O'Donoghue added: "The Government is on the right path, but this is only the first step towards regularising the 30,000 undocumented persons in Ireland."



Trade unionist who had the doodle bug

LEGENDARY trade union chief Ken Gill, who died in May, was known to be quick on the draw when it came to tough negotiations with government ministers and industry bosses.

He was also an able and perceptive caricaturist and a new book *Hung, Drawn And Quartered*, which brings together some of his cartoons, is a fitting tribute to the Wiltshire-born union stalwart who was once voted "the trade unionist's trade unionist".

A convinced Communist from his teens, Gill sat on the TUC General Council for 18 years and was MSF general secretary from 1988 to 1992.

He had a habit of sketching during meetings and a host of politicians, campaigners and fellow trade unionists were captured by him in ink.

His caricatures were more generous than cruel which reflected the temperament of the man himself.

Hung, Drawn and Quartered: The Caricatures of Ken Gill by John Green and Michael Bończa Artery Publications, 132 pages, paperback, £12/€12 Available at www.arterypublications.co.uk

Michael Bończa Artery Publications, 132 pages, paperback, £12/€12 Available at www.arterypublications.co.uk



UNITE remembers Ken

UNITE is to hold an evening of remembrance next month in Belfast to honour the late Ken Gill. The trade union stalwart, who spent time as an organiser in the city in the early 60s, is fondly remembered by his Irish colleagues.

UNITE Irish Secretary Jimmy Kelly said: "It is fitting that Ireland pays its tribute to Ken who helped invigorate the union movement throughout the island with his wit and well-known powers of persuasion." The event will be held at the UNITE offices on Belfast's Antrim Road on Friday, October 16.

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CONGRESS CALL OVER WAR CRIMES CLAIM



Begg: Fair treatment

CONGRESS chief David Begg has backed an Amnesty International call for an independent inquiry into alleged war crimes carried out during the final stages of the Sri Lankan civil war.

He made his comments in a letter to Foreign Affairs Minister Michael Martin in July.

It followed the adoption of a motion at ICTU's Biennial Delegates Conference earlier that month asking for intensified solidarity work with Tamils in Sri Lanka.

In the letter, Mr Begg underlined his hope that the Irish government would raise the inquiry call both in Europe and internationally.

He wrote: "Two months ago the Sri Lankan army defeated the Tamil Tigers. But this was also a war against hundreds of thousands of innocent civilian Tamils.

"According to witnesses up to a quarter of a million Tamils were crammed into an area not bigger than New York's Central Park, an area which was repeatedly bombarded over a four months period. The large majority of these people were civilians.

"The UN estimates up to 8,000 were killed during the bombardment; other sources claim that more than 20,000 people were killed. There are several reports about serious war crimes committed by the Sri Lankan army."

He also claimed that following the end of hostilities some 300,000 Tamils were being held in "welfare centres... that are concentration camps in all but name" and pointed to worrying reports that up to 1,000 detainees were dying amid insanitary conditions each week.

Mr Begg said it was near impossible for independent organisations or the international press to enter the compounds to check out the reports. He concluded: "The Irish Congress of Trade Unions also believe that as long as the Sri Lankan government rejects the calls for access and fair treatment of the Tamils interned in the camps, economic sanctions and an arms embargo should be imposed against Sri Lanka.

"The extensive and systematic human rights abuses have to stop. The camps have to close.

"We believe that Ireland, with our own history and experience, can make an important contribution to an international endeavour to find a sustainable peaceful solution in Sri Lanka."



Living in fear: Tamil civilians displaced by the conflict

Picture: Amnesty International

HUNDREDS of thousands of Sri Lankan Tamils displaced by the recent war and living in camps are being denied the most basic human rights, according to Amnesty International.

Secretary General Irene Khan made the claim at the launch of the organisation's Unlock The Camps campaign in July.

Nearly four months after the end of the fighting, civilians are still being forced to subsist amid overcrowded and unsanitary conditions.

In addition, the camps are effectively military-run detention centres.

Amnesty claims the Sri Lankan government's assertion that it needs to hold the Tamils to carry out a screening exercise is not a justifiable reason

to detain civilians including entire families, the elderly and children for an indefinite period. Human rights activists fear with no independent monitors able to freely visit the camps, those inside are unprotected and at risk from enforced disappearances, arbitrary arrest and sexual violence.

It is believed at least 280,000 people have been displaced from areas previously under Tamil Tigers control. These people, including at least 50,000 children, are being accommodated in 41 camps spread over four districts.

When United Nations Secretary General Ban Ki-moon visited some of the camps in May, he said: "I have travelled around the world and visited similar places, but this is by far the most appalling scene I have seen."

Warning on SNA job losses

IMPACT has warned children will lose out following the loss of an estimated 1,200 special needs assistant posts from next February.

Assistant general secretary Philip Mullen claimed the cuts will leave the service spread much thinner increasing the risk some children with special education needs won't have access to an SNA at all.

He said: "In the event a child is left without that support, the school faces three very stark choices.

"The teacher can make extra time to support the child's needs, which would prove particularly difficult as we expect the pupil-teacher ratio to increase in the coming years.

"Alternatively, the teacher can ignore the pupil and get on with teaching the rest of the class.

"In the darkest days of our education system this was the norm, and a return to this approach would be cruel and senseless.

"The only other option left open to the school is to look to put the child in a special education school, cutting them off from the experience of mainstream schooling."

The job losses follow a review by the National Council for Special Education of special needs assistant allocations in all schools.

Mr Mullen also claimed the decision in the last budget to suspend the implementation of

the Education for Persons with Special Education Needs act has paved the way for the loss of 2,000 SNA jobs, as proposed in the McCarthy report.

He added: "This is as far removed from the idea of cherishing all the children equally as we can get as a society.

"The advent of the SNA role and bringing children with special needs into mainstream education has been one of the most positive developments of the last decade in Irish education.

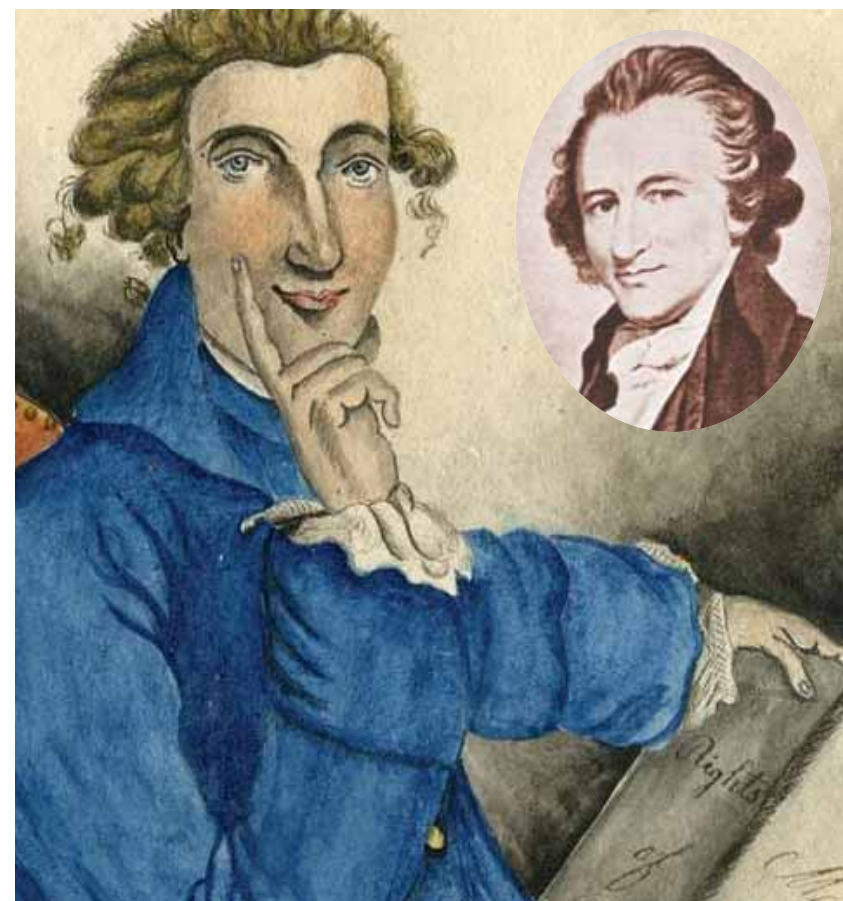
"To turn back the clock now makes no sense.

"The question is not where do we cut jobs, the question is how do we pay for a system of education that has ensured a fairer outcome for these children?"



Picture: IMPACT

Mullen: 'Darkest days'



WINDOW ON PAINE

THE Working Class Movement Library is marking the 200th anniversary of the death of revolutionary writer and political thinker Thomas Paine with an exhibition at Salford Museum and Art Gallery in Manchester.

The exhibition, which runs until November 22, tells the story of Paine's adventurous life, his narrow escapes from death and his involvement in both the American and French Revolutions.

However, the primary focus of the exhibition is on the very modern ideas contained in Paine's three key publications

Common Sense, Rights of Man and Age of Reason – early editions of which will be on display. The exhibition will also contain political cartoons, radical pamphlets and rare editions of books by and about Paine and his followers.

Veronica Trick, a volunteer co-ordinator at the library, said: "If our library had a patron saint it'd be Thomas Paine. He's so much the starting point, both chronologically and ideologically, for working class history."

For details contact the library at enquiries@wcml.org.uk

Illustrations: Courtesy WCML

NIPSA traffic attendants dispute deal is brokered

NIPSA general secretary John Corey has paid tribute to a group of Belfast-based traffic attendants following a successful resolution to their 14-week dispute.

The campaign to reinstate the 26 workers, dismissed by employer NSL Ltd after a protest walk-out in April, had the full backing of the union's General Council.

During the dispute NIPSA staged a daily protest outside NSL's offices in Belfast, as well as lobbying and making representations to MLAs and Stormont ministers.

After a series of meetings with NSL at the Labour Relations Agency's offices, the NIPSA team led by Mr Corey secured an agreement which was unanimously accepted by the dismissed traffic attendants.

One condition was the detailed terms of the settlement were to remain confidential.

However, the core aim of the campaign was to secure reinstatement for traffic attendants and NIPSA confirmed all those dismissed were given the option of accepting reinstatement.

There was also an option of leaving under a compromise agreement which a number of workers decided to accept.

Health and safety at work – one of the factors that sparked the initial walk-out – was also addressed in the settlement.

Mr Corey said: "I pay tribute to the traffic attendants for the way they campaigned for an acceptable resolution which has been achieved.

"I also wish to acknowledge and thank sincerely all trade unions and trade unionists and many others who supported the traffic attendants.

"It is an important example of where both an intensive campaign and concerted negotiations with the employer can secure justice and fairness for workers.

"I acknowledge too the help and assistance provided by the Minister Conor Murphy in ensuring the company accepted the imperative of negotiating a resolution with NIPSA."

Thomas Cook workers stand hailed

TSSA general secretary Gerry Doherty has hailed the determined stand taken by Thomas Cook workers following the settlement last month of their dispute with management over lay-off payments.

The protesting staff, who staged a five day sit-in at the travel giant's Grafton Street store in Dublin, accepted an improved redundancy package.

It followed a deal brokered between the TSSA and company chiefs over 10 hours at the Labour Relations Committee on August 12.

Mr Doherty said: "I am extremely proud of our members at Thomas Cook who secured a better deal by their determination to stand up for their rights against a multinational company."

He declined to reveal details of the

enhanced package but it is understood the firm agreed to increase ex gratia payments to staff on top of the original offer of five weeks pay per year of service.

The dispute began in July after Thomas Cook announced it was pulling out of the Republic with immediate effect following a unanimous vote by staff in favour of strike action.

Gardai raided the travel agents early on August 5 and 27 protesters occupying the premises later appeared at the High Court.

The workers walked free but Mr Justice Michael Peart warned them the rule of law "cannot be broken" as this would be a "recipe for anarchy".

One of the workers went into labour after her arrest and later gave birth to a baby girl in Coombe Hospital.



Picture: TSSA

Occupation: Thomas Cook workers during sit-in



SHOW OF SUPPORT!



SIPTU general secretary Joe O'Flynn has slammed the "bully boy tactics" used by Peel Ports bosses against workers involved in the long-running dispute at Marine Terminals.

He told protestors at a rally outside the Dublin docklands site on August 24 the company had shown what he called a "total contempt" for the "conflict resolution institutions of the Irish state".

Mr O'Flynn said: "This company has consistently set its face against serious engagement with the workers, steamrolling through mass redundancies and threatening further job losses, as well as cuts in pay and conditions."

Mr O'Flynn reminded the several hundred-strong protest, which included a large contingent from north of the border, that it was the centenary year of the founding of the

Irish Transport and General Workers' Union by Jim Larkin. He added: "Its core group was dockers and it was set up to ensure they, and other workers, had decent pay and conditions and security of employment."

"Today Peel Ports are trying to set the clock back a hundred years to secure super profits for themselves and consign dockers and their communities to penury."

"We are not going to let it happen and we are going to do whatever it takes to ensure it does not happen."

"We are prepared to do business with any employer who is prepared to treat employers decently – even Peel Ports – but we also know how to deal with them if they don't."

Messages of support were read out at the rally from dockers' unions in Australia, Belgium and the Netherlands.

PICTURE SPECIAL: EVELINA SADUIKYTE & DARIUS KRYZEVICIUS



SIPTU chief Joe O'Flynn and ICTU assistant general secretary Peter Bunting, left, both addressed the protest

STATESIDE US nurses union chief **ROSE ANN DeMORO** fears time is running



HEALTH REFORM NEEDS

IF THERE is one thing more dysfunctional than the US healthcare system, it may be the grotesque debate over how to fix it.

On the one hand are the wild-eyed conservatives waving Nazi regalia, fabricating tales about national health systems in the UK and Canada, and terrorising pensioners about the non-threat to their health coverage.

But the Obama administration and many of its allies have hardly fared much better, compromising from the outset on the most comprehensive reform, making concession after concession to the right even while holding sizable majorities in Congress, and failing to deliver a message that resonates with the public.

Prospects of broader reform were further undermined by some liberal constituency groups and labour unions, who chose to merely endorse the proposals of the administration and top Congressional Democrats, rather than fighting for a national system as exists in other developed countries, or the still highly popular, government-funded US Medicare system for pensioners.

All of this lunacy must look be-

wildering to the rest of the industrial world which long ago concluded that health care is a fundamental right, and government does have an essential role in promoting the health of its people.

Data just released by the World Health Organization re-confirms that many already know about the embarrassing state of the US system which continues to trail other countries in a long array of healthcare barometers. Both Ireland and the UK, for example, exceed the US in life expectancy, and have lower infant mortality and adult mortality rates than the US though spending less than half per capita on health care.

Aside from spending more for less than anyone else, the US remains distinct in being the only industrial nation that barter human life and health for profit. The result is a big industry of insurance companies that routinely deny medical care simply because they don't want to pay for it, and engage in predatory pricing practices that have prompted half of Americans to skip needed medical care because they can't afford it. While health-

care CEOs enjoy record compensation, American workers and their families have borne the brunt of the broken system. Insurance premiums have risen four times faster than family incomes the past decade, and probably 90 per cent of labour disputes are the direct result of efforts by management to reduce employer-sponsored health coverage.

In a recent TV interview, a Democratic Party consultant who worked on the failed Clinton administration reform plan of the early 1990s, conceded that the White House erred from the start by paying too much heed to the proponents of political expediency.

Rather than propose a national system, as exists in other countries, or simply expand US Medicare to cover everyone, the Obama administration and Congress lowered its standards from the outset, and then began negotiations with conservatives and the healthcare industry which led to additional giveaways.

What was left was a proposal whose central element remains a requirement that all those without health coverage be required to buy private insurance, with subsidies for the low income to purchase policies.

In sum, tens of millions of new customers for

out for President Obama's universal healthcare drive



Picture: Courtesy CNA

RESUSCITATION

a cut-throat private insurance industry that is largely responsible for the present crisis. And a reminder for some of a massive public bailout of the private banks that has angered many.

In exchange, the insurers will be expected to end their indefensible practice of refusing to sell policies to people with prior health problems, and dropping people from coverage when they get sick.

But there will be no requirement to end the equally immoral behavior of insurance companies denying medical procedures or other care, even when recommended by a patient's doctor, because it cuts into their profits.

Further, insurers will likely continue to be able charge as much as they like. And, in a separate controversial deal with the pharmaceutical industry, the White House agreed to sacrifice its leverage on drug companies to reduce their exorbitant charges.

As of late August, the main debate was whether progressive legislators would resist the further concessions to the right, especially as Republican legislators have made it clear that for political reasons they will vote against any reform plan, no matter what's in it.

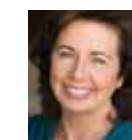
This retreat was clearly articulated by the for-

mer President, Bill Clinton, who chastised a conference of worried net-roots activists on August 13 saying: "I want us to be mindful we may need to take less than a full loaf."

But mobilising activists for a half loaf has proven to be a challenge, as the White House and Congress have learned to their dismay in recent weeks as they struggle to counter those denouncing them from the right.

Even the grassroots network built by candidate Obama that set new standards for campaign activism last year has, the New York Times noted on August 15, failed to produce much enthusiasm for the current health plan, and most liberal constituency groups have not fared much better.

The nation's registered nurses and many doctors continue to press for real change, a national or single payer system based on US Medicare. It is still possible to achieve stronger reform, but time is running out.



Rose Ann DeMoro is executive director of the 86,000-member California Nurses Association/National Nurses Organizing Committee, the largest US union of nurses, and a national vice president of the AFL-CIO.

NEWSBRIEFS

LRD research: UK pay freezes in 23% of deals

FIGURES compiled by the UK-based Labour Research Department have revealed that only around 23% of wage settlements since January have been pay freezes.

Its Payline database, which brings together information on around 2,300 basic pay agreements, found the great majority of deals brokered since the start of the year have been positive.

Researchers came across only a small handful of cases here pay has been actually cut but did confirm that the average settlement had dropped since last year.

The deals ranged from zero to more than six per cent but averaged at about 2.5% in the first half of the year.

One trend identified in the LRD research was the growing difference between long-term and short-term negotiated pay deals.

Since the beginning of the year, the average for long-term deals was 3.2% compared to just two per cent for new deals.

LRD's pay and conditions researcher Lewis Emery said: "It is likely that employers that sign long-term deals with their unions favour stability and good industrial relations, and know that over time the pay picture will probably even out under these deals."

"Freezing pay is a short-term solution, and is not sustainable in the long term. Many employers even in a downturn see the benefits of a more predictable situation where they can be sure of rewarding their staff consistently."

A NEW new code of practice on time off for trade union duties and activities has been published by UK industrial relations service Acas. The new provisions will come into force on October 1. Details of the guidelines are available on www.acas.org.uk/index.aspx?articleid=2642.

Govt could have done more to save SRT jobs

SIPTU has claimed the Government could have done more to save the 1,100 jobs lost when SR Technics closed in April.

It follows news that a new aircraft maintenance factory is to open on the old SR Technics site at Dublin Airport. Dublin Aerospace hopes to employ 226 people within five years.

The company estimates it will create 150 new positions in its first year of operation but, speaking at the September 2 launch, executive director Conor McCarthy said: "There's no reason that number should not be exceeded if we exceed our initial expectations."

SIPTU's Pat Ward said: "While SIPTU welcomes these jobs, we feel that the Minister [Tánaiste Mary Coughlan], her department and Enterprise Ireland should have done much more to save the jobs at SR Technics."

State-of-the-art features on revamped ASTI site

ASTI have just launched a major revamp of their website which is to include a number of state-of-the-art new features.

Facilities for video and podcasts are being developed while members can sign up to RSS feeds and receive emails detailing the latest news and events as they appear on the site.

Every ASTI branch will have its own page accessible only to members.

Branches will also be able to send their photos for inclusion in a website gallery.

Describing it as "campaigning website", an ASTI spokesperson said: "It mirrors all of the union's areas of activity including campaigns, teachers' terms and conditions of employment, professional development, industrial relations and legal issues and education policy." Go to www.asti.ie

LISBON TREATY

SIPTU YES VOTE CALL

Detailed statement gives 'qualified' backing for treaty

SIPTU has given its backing to the ratification of the Lisbon Treaty – though admitted it still “harboured a number of reservations”.

Ireland's largest union flagged up the importance of Labour's recent undertaking to legislate on collective bargaining rights if the party forms part of the next Government.

SIPTU made no recommendation during the last referendum vote.

However, in a detailed statement issued on September 3, the union claimed on balance their analysis showed the ratification of the treaty – including the Charter of Fundamental Rights – “would not make matters worse overall” but would have “the potential to improve them”.

SIPTU pointed out that the “leave it to the market” approach had been exposed over the past year and “the mirage created by a decade of prioritising speculation over sustainable development has evaporated spectacularly with dreadful consequences for working people”.

Against that backdrop, it said Ireland's experience since joining the EEC in 1973 had been “almost universally positive” though admitted that this had changed since 2004.

However, the union claimed this was in large part due to Dublin rather than Brussels.

The statement continued: “Many of the difficulties are actually due to the policies pursued by the Government here. These issues can be addressed by electing an alternative Government with a strong Labour/Left component here next time.”

SIPTU characterised claims from the ‘No’ camp that Irish young people would be drafted into a European Army or the minimum wage slashed to €1.84 as “absolute nonsense” but also attacked the voices of doom in the ‘Yes’ camp if Ireland again voted down the treaty.

It claimed the issues at stake were “much more subtle” than that.

The union warned against the drift towards “strident free-marketism” in Europe in recent years in particular the impact of some EC initiatives and ECJ judgments.

The statement cautioned: “Unless this trend is corrected it will sow division both between states and within them undermining the cohesion necessary for the continued success of the entire EU project itself.”

SIPTU pointed to legal guarantees to be given to Ireland over defence, neutrality, taxation, education, family and the right to life upon ratification.

“It is important to note that this does not represent an amendment, merely a clarification. However, it is not without substance as it makes it absolutely clear that these matters will remain within the exclusive remit of the Irish people to decide for ourselves.”

Turning to the social aspects of the treaty, the union claimed it reflected a “consensus” between business and labour borne out of the carnage of World War Two and “consequently the vision of the trade union and socialist movements for a truly civilised world based on social solidarity globally is reflected in it”.

The union said the right to engage in collective bargaining and the right to take collective action – enshrined in the Charter of Fundamental Rights – would in effect become “primary law” on the same level as the so-called “Four Freedoms” of free movement of goods, capital, services and persons set out in the 1957 Treaty of Rome.

SIPTU acknowledged the Charter was not “a panacea” and admitted it would be open to challenge from those who “prioritise accumulation of profits over the interests of working people and the common good”.

But the statement continued: “The outcomes on all these matters are always determined by the balance of forces in the political and industrial arena.”

The union claimed many trade unionists in the No camp hoped that rejection would result in a better treaty but claimed that this outcome, though not impossible, was “very unlikely”.

SIPTU pointed out recent successes for centre right parties in the European Parliament and suggested “they are not going to sit back and allow a better treaty from the point of view of working people to be formulated”.

The statement added: “It is not simply a case of saying ‘No’ this time and waiting for a better outcome. We must also take account of the possibility of worse emerging.”

While calling for a Yes vote, SIPTU said it would not be sharing platforms with representatives from Government parties.

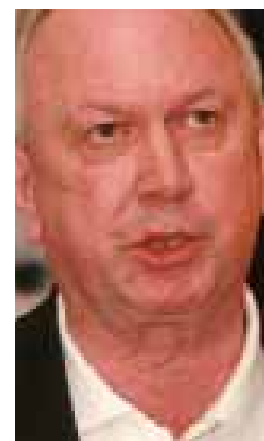
The statement concluded: “Our agenda is not the same as theirs. Our commitment is to the kind of Europe envisaged in the social clauses of the treaty and in the Charter of Fundamental Rights, not in their strategy of implementing the aspects which reflect the priorities of the business lobby, while ignoring the rest.”

The
YES/NO
debate
p24/25



Differing positions: Original text of the Lisbon Treaty

Picture: European Communities



Kelly: No vote call

UNITE calls for a second

UNITE has called on its 60,000 members in the Republic to vote no in the October 2 Lisbon Treaty referendum.

The union – one of the leading opponents of the treaty last year – claims its continued opposition is based on the lack of any progress in the critical area of workers' rights.

Irish regional secretary Jimmy Kelly said: “We were told that workers' rights would be protected under Lisbon and that we were scaremongering.”

“When the Irish government went seeking legal guarantees they got them in areas of taxation, of moral-

ity, and in numbers of commissioners but over workers' rights.

“Instead we got a ‘solemn declaration’ that is worthless given the way in which the European Courts have interpreted workers' rights as being subservient to those of business.”

“UNITE and colleagues across Europe sought the inclusion of a social progress clause in the Lisbon Treaty which would make it clear the fundamental right to organise and the right to strike are in no way subordinate to the economic freedoms pursued by the EU member states.

“This was rejected and instead

we are told to have faith in governments' willingness to treat workers fairly and with respect.”

Claiming the Irish government was “the last we should trust to stand up for workers' rights”, he continued: “Irish workers are alone in Europe as having no legal right to representation by a union.

“Irish workers are alone in Europe as having no provision for pension protection.

“Irish workers are alone in Europe as the only ones whose right to fair pay and employment security are considered by their government as obstacles to economic recovery.” Mr Kelly warned that



SILENCING THE RACISTS

DELEGATES at this month's TUC conference in Liverpool demonstrate their abhorrence of racism during a silent vigil to remember its victims. Hundreds carrying ‘not in my name’ placards gathered at the city's docks for the event which general secretary Brendan Barber said was a direct riposte to the racist BNP. He added: “We are in one of the constituencies that elected a BNP member to the European Parliament. But our message today is that they were not elected in our name – or in the name of the vast majority of the British people who reject the politics of hate.”

Picture: Courtesy of TUC

No vote on Oct 2

voting yes to Lisbon would allow EU institutions “to follow a business over labour ideology which is too loaded against workers all across Europe”.

He added: “Lisbon is not about Ireland's place in the EU. UNITE fully supports the vital role which Europe plays in the everyday lives of Irish citizens.

“Fourteen months ago the Irish people stood up for the rights of working people all across Europe.

“We earned the right to go back to the EU and to clarify and secure elements of the workings of the Union that are essential to get right. The Irish government emerged

from that meeting waving a paper about the legally binding nature of what they had got in some areas, despite having said prior to the vote that nothing could be changed.”

“In the area of workers' rights however, there was a singular failure to secure the clause that would prevent social dumping and second class treatment of workers.

“For that reason we are recommending to all of our members that they should reject Lisbon once again, and we are encouraging fellow trade union members to do likewise.”

TEEU backs a No vote

TEEU general secretary designate Eamon Devoy has claimed trade unions must demand a redrafting of the Lisbon Treaty so that it includes fundamental rights to workplace organisation and representation.

He said his union was recommending a No vote on October 2 because of a deterioration in employment standards in Ireland. Pointing to recent decisions taken by the European Court of Jus-

tice, Mr Devoy added it was not too late for workers to seize the initiative and reject any treaty that failed to include a social progress protocol.

He said: “In the wake of the ECJ decisions, the last thing we need is to consolidate existing European institutions any further without making an effort to balance workers' rights with the rights of business moguls who [can] do what they want.”

Victory for workers sacked by email

A GROUP of Christian bookshop workers - many sacked by fax and email - have won a substantial payout at a UK Employment Tribunal.

The 32 employees worked at the SPCK chain until November 2006 when they were transferred to a new charity called Saint Stephen the Great Charitable Trust, controlled by American brothers Mark and Philip Brewer.

The Brewers tried to force staff to sign new contracts which gave them longer hours, fewer holidays and poorer pension rights.

Between February and June last year the work-

ers were sacked with many receiving the news by email, breaking UK employment law.

Shopworkers' union Usdaw launched a legal fight, lodging claims on the employees' behalf at the Employment Tribunal.

A deal was finally brokered after an interim manager was appointed following the involvement of the Charity Commission in the dispute.

Heather Leather, one of the sacked workers, said: "We simply didn't know what was happening when the Brewers started all this, and we never expected to be treated this way, when we had

done nothing wrong. But Usdaw was behind us from the start and guided us round all the legal hurdles the Brewers tried to put in our way." Usdaw general secretary John Hannett added: "Usdaw's Legal Department has worked hard to ensure that justice was achieved for these workers.

"Because the case was so complex, affecting people in shops across the country, they would never have been able to get such a great result without the backing of a union, and Usdaw is proud to have been able to help them."

NO ALTERNATIVE AS ROYAL MAIL WORKERS BALLOTTED

COMMUNICATION Workers Union regional secretary Lawrence Huston has slammed the Royal Mail's "chaos management" style of cutting jobs while imposing unachievable productivity targets on its workforce.

His comments came as the CWU issued a strike ballot to its members in a bid to end the long-running dispute over terms and conditions, pensions and the introduction of new technology.

Mr Huston said: "This is without doubt a last resort for our postal members.

"No one wants a strike but the 'chaos management' style of Royal Mail, where they have continued to cut jobs and hours, in every office across Northern Ireland, while at the same time putting further and further pressure on

our members to continually improve on unachievable productivity targets, is at the heart of this dispute."

He claimed the Royal Mail and the Labour government - as a major shareholder - could not ignore the worsening situation.

Mr Huston added: "We need an agreement which addresses pay and modernisation, the growing pensions' deficit, and sets out a strategy for growth in new areas of business opportunity for Royal Mail.

"Our members do not want to lose money or disrupt services by taking strike action.

However, while Royal Mail refuses to acknowledge the serious issues facing its own employees, then the CWU has no alternative."



UNITE has called on Stormont health minister Michael McGimpsey to reverse cost-cutting plans that will see one-person rapid response vehicles taking over the role of emergency ambulances staffed by two paramedics. The union's health officer Kevin McAdam said: "A single-manned RRV is no substitute for a fully-equipped frontline ambulance and replacing them will reduce the service to the public."

IBOA: 5,000 jobs could go

THE Irish Bank Officials Association fears 5,000 finance sector jobs could go because of the impact National Asset Management Agency and consolidation will have on the industry.

General secretary Larry Broderick claimed that there was a chance of major consolidation among banks leading to "mergers, acquisitions or closures".

He said that while the union gave "qualified support" to NAMA as "the most realistic option", this backing was conditional on a major change in banking culture and guarantees on protecting staff who had played no role in bad lending decisions. Mr Broderick said greater state

ownership of the banks was "inevitable" but claimed nationalisation would be "Armageddon for the economy and the industry".

Last month, the IBOA chief called on the Government to use its clout as a major shareholder in the banks to ensure they were in the long-term public interest.

He said ordinary bank staff had not participated in the "culture of greed" that had caused the financial crisis but warned: "They could be scapegoated by the same management philosophy which was behind the current crisis unless the Government takes steps to prevent it."

SIPTU and the management of the Gresham Hotel in Dublin have reached agreement under the auspices of the Labour Relations Commission following more than 12 hours of talks. Industrial action has been suspended pending acceptance of the terms by SIPTU members. Both parties recognise the difficult environment in which the hotel is operating and are pleased that a satisfactory way forward has been reached

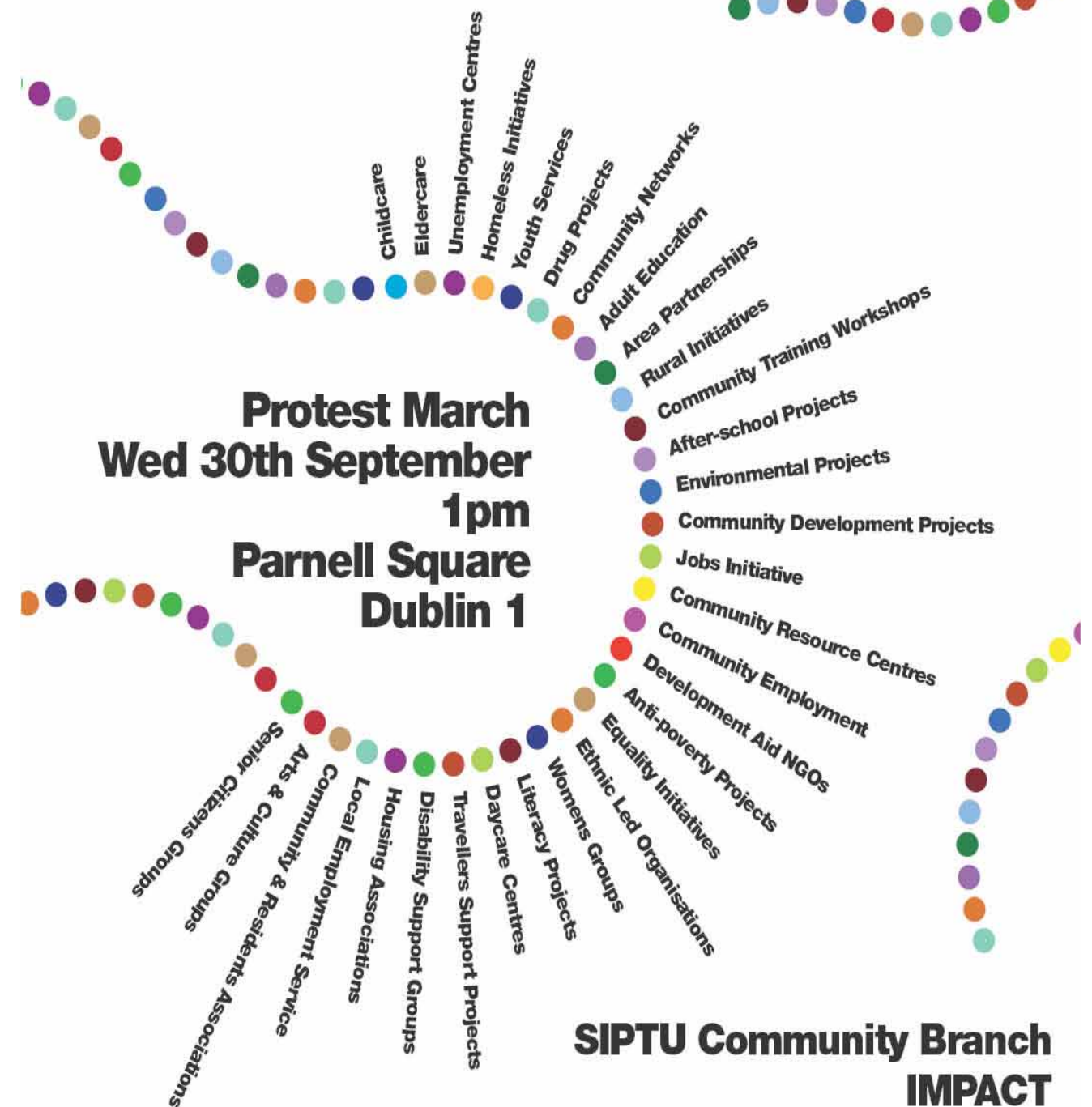


IT'S WORKERS VAN-GUARD!

Union activists in Colorado line up against their "roving billboard" during a publicity drive through the state to enlist support for the Employee Free Choice Act. If passed, the Act would make it easier for workers to set up union structures.

Communities Against Cuts

Uniting the Community Sector & Trade Union Movement



Protest March
Wed 30th September
1pm
Parnell Square
Dublin 1

SIPTU Community Branch
IMPACT

The Community Sector Employers' Forum

Fighting Cut Backs, Protecting Jobs and Communities

For more information 1890 747 881 | organising@siptu.ie | www.siptu.ie/community

LISBON

OCT
2

DIFFERING UNION VIEWS ON TREATY DEBATE

IMPACT's **BERNARD HARBOR** argues that ratification is an important step in laying the groundwork for a social vision of Europe, while **JIMMY KELLY** of UNITE believes voting No again will force our leaders to go back to the EU and this time secure meaningful guarantees on workers' rights

Giving workplace rights equal standing in EU law

YES!
TO TREATY

AT THIS time of deep economic recession and growing unemployment, it has never been more important for Ireland to be a respected and fully-participating member of an EU equipped to deliver sustainable investment, employment and economic recovery.

Equally, workers and their unions are concerned that some employers and politicians want to exploit the recession to drive down wages and erode hard-won workplace rights. Some Lisbon opponents have tried to exploit this fear and have misrepresented the treaty, claiming it would erode existing workplace rights.

Nobody argues that Lisbon is a panacea for working people or their unions. Trade unions will continue to campaign for a "social Europe", which recognises the importance of markets and cross-border trade but insists that protec-

tion of workers, citizens, communities and the environment are just as important.

This social Europe approach has already delivered many benefits and protections for Irish and European workers, including most of our laws governing equal opportunities, gender pay equality, paid maternity leave, parental and adoptive leave, health and safety protection, and working time limits including legal entitlements to paid holidays.

These progressive measures provide strong evidence of the long European tradition of solidarity, which informed the post-war formation and development of the EU.

And, although it's far from perfect, most unions believe Lisbon ratification would immediately give supporters of a social Europe some important new tools to help win improved rights for workers, consumers and citizens.

This is because it would establish the European Charter of Fundamental Rights as primary EU law for the first time, giving the same legal status to a wide range of human and civil rights

as existing EU laws and treaties that govern internal trade and the free market.

Among other things, the charter's 50 specific articles include workers' rights to representation, collective bargaining and collective action, including strike action.

Irish opponents of the treaty point to four recent European Court of Justice rulings – Laval, Viking, Ruffert and Luxembourg – as proof that Lisbon ratification would be bad for workers.

This is a strange argument, not least because these decisions were based on EU law as it exists now, prior to Lisbon ratification.

Furthermore, the four cases were lost primarily for reasons that stem from the inadequate transposition of EU laws or other inadequacies in domestic law, which would not be directly affected by the treaty.

On the basis of these cases, some in the No camp have also argued that the ECJ is fundamentally anti-worker and consistently favours business interests.

This argument completely ignores other



Picture: European Communities

highly positive ECJ rulings – many of them recent – concerning gender equality, equal pay, fixed-term workers' rights and carers' rights.

Lisbon ratification would most likely have strengthened the trade unions' hand in these cases. The first and immediate benefit of achieving full legal status for the charter is that the ECJ would have to place as much weight on the charter as it does on other EU laws and treaties.

Although it would not give workplace rights precedence over market rules, it would for the first time give them equivalence when the ECJ makes its rulings.

Trade unionists, including ETUC general secretary John Monks, have said this could have been significant in recent controversial judgments.

Secondly, Lisbon ratification could be very significant on the controversial issue of Irish collective bargaining rights.

If the treaty is ratified, and the charter is given full legal force, unions would be free to take a suitable Irish case on collective bargaining rights

to the Labour Court, which could then refer it to the ECJ under Article 28 of the charter (which enshrines rights to collective bargaining). If successful, such a case would automatically override Irish case law, including that decided in the Supreme Court.

Thirdly, establishing the charter's 50 provisions as primary EU law would prevent Ireland and other member states from rowing back on existing legal rights where they relate to EU laws, treaties or regulations.

This would effectively strengthen worker protections at a time when employers, politicians and others are calling for deregulation as part of the Government's response to the recession.

Finally, achieving full legal status for the charter would strengthen trade union campaigns for enhanced Irish legal protections for workers.

Although the charter's provisions would not automatically apply to all domestic Irish law, the rights it enshrines would have to apply when the EU is legislating, when its member states were

implementing or transposing EU law, and when the Irish courts and the ECJ were interpreting EU legislation.

Irish unions would continue to campaign to have the charter enshrined in Irish legislation too. This won't be easy, but it will never happen if the charter has not first been adopted as primary EU law.



the Charter Group, which has published 'Lisbon and Your Rights at Work: Why the Lisbon Treaty is good for workers and their unions'. The booklet can be downloaded at www.thechartergroup.ie.

Bernard Harbor is an information officer at IMPACT, the largest public sector trade union in the Republic, and a member of

It's time to make another

NO!
TO TREATY

THE issue of workers rights has been central to the debate on Lisbon. It was a key factor in the rejection of the treaty by the Irish people in 2008.

It is again an area of weakness for the political elite who have ignored the will of the people and seek once more to railroad the people of Europe into a more centralised and less democratic European project.

Yes, the institutions of the European Union need to be reformed to encompass the growing number of member states. Yes, membership of the European Union has been good for the people of Ireland. But let us be clear, this is not a referendum on Ireland's membership and central place within Europe.

That will remain on October 3 when the people have rejected Lisbon for a second time.

We were told ahead of the last referendum that rejection would leave us on the fringes. We were told that nothing in Lisbon could be changed or amended. Neither was true.

We remain an influential and important contributor and benefactor from Europe. Our government went to their colleagues and secured legal guarantees in areas of morality, neutrality, taxation policy and on the number of commissioners. All these things that could not be changed were changed.

The one area, however, where no guarantee was secured was in the area of workers' rights. Instead we got a solemn declaration. Meaningless and an insult to those who have pledged to stand up for rights of working people.

European law has been steered by the European Court of Justice. In the most recent

cases, of Viking, Ruffert, Laval and Luxembourg the drift in employment rulings has been towards the primacy of the rights of business as opposed to workers.

Voting Yes to Lisbon will applaud the decision that allows companies from one country to bring their own national workers to a project in Dublin, Cork or Limerick and pay them the rates prevalent in their home state, ignoring the laws of Ireland.

This is how our minimum wage legislation can be undermined. This is not scaremongering. Our own Labour Court has said on Laval: "It seems reasonably if not absolutely clear to the Court that in the absence of a Registered Employment Agreement, contractors from other Member States could exercise their freedom to provide services in this jurisdiction under the EC Treaty at the same rates and conditions of employment as apply in their country of origin. Much has been

made of the Fundamental Charter and in many ways it is a good thing but it must be given stronger effect across Europe but especially in Ireland.

Working people in Ireland are the only ones in the developed world who do not have a legal right to collective bargaining. Only in Ireland do employers have no obligation to recognise a trade union chosen to represent their interests by the workers themselves.

Labour and Fine Gael have made promises about 'after the next election'. We have been waiting for legislation ever since 1951 when the state signed the ILO Convention guaranteeing collective bargaining rights.

We've been waiting since social partnership began in the late 1980s and successive governments promised to address the issue. In the last referendum we were told by the Taoiseach to wait until the next social partner-

ship negotiations. Those among our own movement who urge us to wait again are failing to see the pattern of denial in which this is the latest chapter.

Voting No to Lisbon again will be our stand for workers' rights.

The rights which have been gained across the continent have not been earned through waiting for others to grant us what is ours by right. Across Europe workers and the trade unions they represent have stood up, taken action and reaped the rewards.

The political and corporate elite within Ireland will not give up voluntarily what they do not feel they have to. If they have held out against such a basic right of workers for nearly 60 years, then why stop there.

Let us now make our stand on October 2. Let us say no more waiting. Let us stand together and send our political leaders back to

secure proper guarantees for workers and the inclusion of a social progress clause in the reform legislation that will then have to be properly and democratically addressed across Europe.

We are in the spotlight once more. Working people across Ireland must stand up for our rights as workers, as equal partners in enterprise and as citizens of Europe.

We have a duty to vote no.



Jimmy Kelly is the Irish Regional Secretary of UNITE the union

BHOPAL GROUPS RUBBISH WORKER SABOTAGE CLAIM



Disaster site: The now rusting Union Carbide works at Bhopal, India

CHEMICALS giant Union Carbide has defended a former chief executive, claiming managers could not have foreseen the gas leak that claimed thousands of lives close to its Bhopal plant 25 years ago.

Last month an Indian court issued a warrant for ex-CEO Warren Anderson's arrest and ordered its own government to press Washington for his extradition.

Anderson had been arrested shortly after the December 1984 disaster but then left the jurisdiction and now lives in New York State.

Several thousand people died following the release of 42 tonnes of toxic compound methyl isocyanate into the air around the plant.

More than half a million others who survived the initial disaster in the Indian state of Madhya Pradesh are thought to have suffered sometimes deadly after-effects in the years since.

However, Union Carbide – owned by Dow

Chemical since 2001 – last month rolled once again what its critics allege is a conspiracy theory that has been repeatedly debunked by investigators.

A spokesperson said: "Overwhelming evidence has established that the Bhopal gas release was caused by an act of employee sabotage that could not have been foreseen or prevented by the plant's management."

But UK-based campaign group Families Against Corporate Killers hit back at the sabotage claim and said survivors refuted the allegation "as an outright lie" that has been "utterly discredited".

A report by an international trade union fact-finding mission to Bhopal found that the disaster was caused by "insufficient attention to safety in the process design, dangerous operating procedures, lack of proper maintenance, faulty equipment, and deep cuts in manning levels, crew sizes, worker training and skilled supervision".

PRIMARIES

Early years education must not be hit by cuts

INTO general secretary Sheila Nunan has called on ministers not to target primary education in forthcoming public expenditure cuts.

She said: "Ireland must do better for children. The Government must not try to make short-term savings on primary education. In purely economic terms early childhood education is one of the best investments our country can make."

Ms Nunan claimed research carried out in the US showed young people who received pre-school education were less likely to repeat classes or need special education and more likely to complete second-level education.

They were also less likely to get into future trouble with the law, were more likely to own their own homes and even have longer marriages.

Ms Nunan added: "Reputable studies such as the High/Scope Perry Preschool Project have found children who got a quality early childhood education ultimately earned up to \$2,000 more per month than those who did not."

"We know attempting to repair reading skills in fourth or fifth class is far more expensive and risky than guaranteeing good pre-reading skills in the early years."

Ms Nunan also claimed a recent OECD report, Doing Better for Children, backed up INTO's call for increased investment in primary education.

The report, which looked at child well-being in 30 countries, said governments should invest more in children in the first six years of their lives in a bid to reduce social inequality.



Nunan: Research

SIXTY five Aer Lingus cabin crew working on temporary contracts are to be made redundant.

IMPACT official Christina Carney said many of the workers – who received the news by telephone – had been left devastated by the development.

Most of those affected had worked for the carrier for more than two years with most being employed on the airline's short-haul routes.

Ms Carney added: "There is a lot of shock and anger at how they have been treated by the company, and the manner in which the news was broken to them has only added to the shock and anger they are feeling. They have worked very hard for the company over the last number of years in order to ensure that passengers return to Aer Lingus."

"Many of them have mortgages and now facing a very uncertain future."



GAS WORKS AT FABRIS

FRENCH workers who threatened to blow up their factory in a bitter dispute over lay-off payments have accepted an improved compensation offer.

During the dispute – which lasted several weeks – angry employees piled up dozens of gas cylinders, above, around the New Fabris car components plant

in Châtelleraut, central France. The new deal brokered at the end of July means that each worker will walk away with a tax-free sum of €12,000.

Force Ouvrière union spokesperson Dominique Duval said: "It was €12,000 or nothing, and at this stage nothing was not an option for us."

New Mandate for President!

PRESIDENT Mary McAleese at the official opening of Mandate's state-of-the-art Organising and Training Centre in Dublin on September 21. The union's national training coordinator Aileen Morrissey said: "This investment in the training centre by Mandate is a huge commitment to our members in terms of helping them to reach their full potential in their personal lives and in their careers." At the ceremony 30 workers received FETAC awards for completing courses provided by Mandate and FAS.

Picture: Moya Nolan



Works programme call as NI dole figure hits 52,700

UNITE regional secretary Jimmy Kelly has called on the Stormont Executive to put in place a public works programme aimed at the long-term unemployed.

His comments follow the release of new figures that show the number of people drawing the dole north of the border rose by 1,600 last month to 52,700.

Mr Kelly said: "New work schemes have proven successful in the past and Stormont needs to do all it can to reduce the awful impact of the recession and ensure that Northern Ireland is poised to make the most of opportunities for recovery."

Figures also revealed youth unemployment increased by 6.5% over the last 12 months with the rate standing at 18.6% for those aged between 18 and 24.

THE TUC has claimed UK taxpayers are paying £2.50 for subsidising the pensions of the richest one per cent of the population. That's more than twice the amount for every pound spent on paying for retired public servants such as nurses and teachers and is because tax relief on pensions is heavily skewed towards the better off. Treasury figures revealed 60% of the total goes to higher rate taxpayers with 25% going to the top one per cent – representing nearly £10 billion a year.

Teachers unions vow to resist any cuts in pay

FOUR teachers unions have insisted they will resist any attempt to cut their members' pay.

In a joint statement issued on September 22, the general secretaries and presidents of ASTI, IFUT, INTO and TUI said: "We want to send a crystal clear message to An Taoiseach and his ministers we will not accept the scapegoating of our members to pay for a financial crisis we did not cause."

"We are dismayed that, all of a sudden, the Government seems to have come to the belief that cutting the pay of teachers and other public servants is an easy and readily available option."

"Our national crisis can only be resolved by a national consensus and a shared sense of purpose. If more pain is necessary, it must be spread fairly and evenly over those who can most afford it. Singling out public servants for special treatment is nothing more than an ill-thought out recipe for social division."

Euro fund bid for Dell workers

A EUROPEAN Union fund that supports workers made redundant as a result of globalisation has helped nearly seven out of 10 applicants back into employment last year, it has been claimed.

Figures revealed that 69% of 10,000 employees who received backing from the European Globalisation Fund found new jobs in 2008.

Set up in 2007 and with an annual budget of €500 million, the EGF provides assistance in job searching, retraining, mobility support and further education.

In June, Tanaiste Mary Coughlan applied to the EGF to help 1,900 workers laid off at Dell's Raheen plant in Co Limerick after production was shifted at the start of the year to Poland.

The application also covered employees in local

support industries such as Banta Global Turnkey.

At the time, she said: "I am making this application to support the training and other active labour market measures for the many of workers affected in the region and to ensure that they benefit in a way that meets their individual needs and gives them well-grounded hope for future employment through training opportunities."

The move to access EGF funding was welcomed by SIPTU's Karan O'Loughlin who had offered advice to some of the workforce at Dell.

She told The Union Post: "I would totally support the bid to get this funding."

"This is especially important as the Mid-West has taken quite a battering this year with at least 5,000 jobs lost across the region."

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The Poor Can't Pay

NGOs JOIN UNIONS IN DRIVE AGAINST CUTS

MANY of Ireland's leading trade unions and NGOs have joined forces to launch a drive to mobilise opposition to proposed cuts to basic social welfare payments and the minimum wage.

The Poor Can't Pay campaign is backed by a range of organisations including Mandate, SIPTU and Unite as well as Age Action, Barnardos, CORI Justice, EAPN, Focus Ireland, SVF, the National Women's Council of Ireland and INOU.

Campaigners claim the Government must live up to its word to protect the most vulnerable in society from the impact of the recession.

John Mark McCafferty, head of social justice and policy at the Society of St Vincent de Paul, said at the campaign launch on August 3: "We hear all the time from many commentators who say it is inevitable that basic social welfare payments and the minimum wage must be cut.

"This campaign aims to highlight that most people in Ireland do not accept this view and they actually believe that we must do all we can to protect the most vulnerable people in our society.

"The reality is that cuts to welfare payments will mean people going without food, essential healthcare, children getting no presents at Christmas and pensioners wondering if they can afford to keep the heat on.

"We all need to ask ourselves as a nation are these the people who should be forced to pay the cost of the economic crisis?"

Campaign organisers point out that those living on the minimum wage just can't afford to take any cut in their income.

Having a job offers no protection from hardship to people on low incomes as it is estimated

nearly a third of all households at risk of poverty are headed by a person who is in employment. Meanwhile, the Poor Can't Pay campaign also called on the Government to reverse its decision to cut the Christmas welfare payment.

The payment – widely dubbed the "Christmas bonus" – went to 1.3 million people last year and Social and Family Affairs Minister Mary Hanafin said at the time this was "a clear sign that helping

those most in need of support remains a key priority for the Government." Mr McCafferty added: "It's important to stress the Christmas welfare payment is not a 'bonus'. It is a key part of the income of the poorest households.

"If it the Government does not make this payment it represents a real cut in income to the families and single people who can least afford it, adding to their hardships."

FOR MORE CAMPAIGN NEWS GO TO www.thepoorcantpay.ie

Give us cuts data, Mary

THE Poor Can't Pay campaign group has called on Social Welfare Minister Mary Hanafin to reveal her department's analysis of proposed welfare cuts.

It follows a comment Ms Hanafin made during a RTE interview last month in which she promised to have officials in the newly established Social Inclusion Division probe the impact the cuts will have.

Campaign spokesperson Dr Mary Murphy said: "Everyone should know what the consequences of cutting the income of the poorest will be.

"We welcome the Minister's statement that this analysis is being carried out and we are calling on her to publish the findings of this work so that it can lead and inform public de-

bate. We also believe she should assess the impact of the announced withdrawal of the Christmas payment and the deflationary impact cutting welfare payments would have.

"The debate on welfare payments has been dominated by people who know very little about the welfare system or about what it is like to live on a low income."

Dr Murphy added: "We in The Poor Can't Pay believe that the Government must protect the most vulnerable during this recession.

"If the Government refuses to publish this analysis we can only conclude that they want to hide the consequences of the decisions they are making."

Hard facts about the minimum wage

THE Establishment clarion cry for a cut in the minimum wage is based on an "analysis" which, if it exists it all, is decidedly faulty.

The minimum wage was equivalent to €5.59 per hour when first introduced in April 2000. In the meantime, average industrial earnings for manual workers increased by 60 per cent up to the final quarter of last year. If there had been a pro rata adjustment in the minimum wage, it would have been set at a level of €8.95 from this January.

But the hard fact is that the minimum wage has actually been frozen at level of €8.65 for the past two years - since July 2007.

Furthermore, in May of this year, it experienced a de facto cut, when the Minister for Finance subjected it to a two per cent income levy, thereby reducing the take-home minimum wage to €8.48 per hour. On top of that, the Harmonised Index of

VIEWPOINT

Manus O'Riordan SIPTU

Consumer Prices in June 2009 remains higher by 1.8 per cent than its level in July 2007. Minimum wage earners have, accordingly, already suffered a four per cent cut in their living standards.

The Minister for Finance admitted on June 25 that "the availability of cheap labour after 2004" had been a key factor in bringing about our current economic crisis. Why, then, suggest curing the disease by overdosing on the same virus?

While the minimum wage has remained frozen at its July 2007 level, there have also been above average increases in some basic foodstuffs in the two years since then.

The price of lamb has soared by 10 per cent, bread by 15 percent and milk by 23 per

cent. Butter prices have also risen by 15 per cent. But there is little point in seeking refuge in margarine, which is dearer by 12 percent.

Admittedly, potato prices have fallen by 11 percent. So perhaps we should view the Establishment message as a package: cut the minimum wage, switch low paid workers to a pre-Famine diet of spuds, and at the same time expect them to show gratitude for the fact that potato blight seems under control!

There is no evidence that a single job has been lost because of the minimum wage, and small wonder.

The latest CSO data shows that the percentage of industrial workers restricted to that minimum rate fell from 2.5 per cent in the first quarter of 2007 to 1.6 per cent in the final quarter of last year.

Any call for still further minimum wage cuts is, accordingly, as economically ignorant as it is ethically indecent.

Turning the table on the Govt



Government by the people for the people: The 'alternative Cabinet' outside the Dail

Picture: Patrick Bolger Photography

THE Poor Can't Pay campaign held an "alternative Cabinet meeting" earlier this month to launch its online drive targeting politicians in the run-up to the Budget at the end of the year.

The campaign organisers are urging people to log on to www.thepoorcantpay.ie and email their local TDs calling on them to do all in their power to protect the most vulnerable from Budget cuts.

The coalition of trade unions, community organisations and voluntary groups have joined forces to defend basic welfare payments, oppose any cut to the minimum wage and to ensure the traditional Christmas payment is continued.

Representatives from Age Action, Barnardos, CORI Justice, EAPN Ireland, Focus Ireland, Irish National Organisation of the Unemployed, Mandate, the National Women's Council of Ireland, SIPTU and Saint Vincent de Paul took a seat around the "Cabinet table" on Molesworth Street in the shadow of Dail Eireann.

Mandate national co-ordinator Brian Forbes, a member of the "alternative Cabinet", told The Union Post: "Having a job does not mean people are immune to poverty as 30 per cent of all households at risk of poverty are headed by a person who has a job.

"Failure to protect the wages of those on low

pay relative to those on the minimum wage may mean that the statutory minimum wage effectively sets a ceiling for wages in lower paid sectors like retail, rather than providing a floor.

"Any subsequent reduction therefore in the minimum wage may see tens of thousands of low paid workers already at risk of poverty sink deeper into the poverty trap.

"Attacking low paid workers is not the way we see a fair and just society acting. We will not stand idly by and allow the vulnerable in society to pay for the mistakes of others."

John Mark McCafferty of the SVF, who was also at the event, said: "We are holding this cabinet meeting to appeal directly to the Taoiseach and every single minister to bring the key issue of protecting the most vulnerable to the real cabinet table when they are making decisions on budget cuts.

"These decisions cannot be taken purely on an economic basis without taking account of the terrible impact some cuts will have on the most

vulnerable. Cuts to welfare payments will mean people going without food, heating and essential healthcare.

"It will be grossly unfair if the most vulnerable are forced to pay the cost of the economic crisis in this way and will have a very negative impact on our society."

Aaron Kirkham from the Irish National Organisation of the Unemployed added: "I think a lot of the people who are calling for cuts in the minimum payments should live on that kind of payment first and see how they get on."

Sharon Kirkpatrick, who also took a seat around the "ministers' table", said people who did not cause the economic crisis should not be forced to pay for it through Government cutbacks.

She said: "I am going to college and bringing up my son and already in debt as we are struggling to get by on lone parents allowance and child benefit. If there are cuts to welfare payments I couldn't pay for childcare and would not be able to continue in college."

Having a job does not mean people are immune from poverty

– Brian Forbes Mandate





VIEWPOINT

PSEU General Secretary **TOM GERAGHTY** claims public servants are being scapegoated and vilified in a concerted campaign of media distortion

Facts to thwart the myth makers

IN RECENT times public servants have become used to being attacked and scapegoated. The latest manifestation is a concerted attempt to misrepresent their pay situation relative to the rest of the community.

The publication of Central Statistics Office figures which appear to suggest that the pay of public servants is significantly ahead of the rest of the economy and subsequent ESRI comments that there is scope for cutting their pay, have generated an impression that public servants are paid more than private sector counterparts.

The McCarthy group even felt emboldened to stray beyond their terms of reference to lend weight to this growing campaign. However, the entire proposition has no basis in fact.

The ESRI comments relate to 2006 data. This is significant because, ironically, the second report of the benchmarking body – a report based on comparison techniques designed to do public servants no favours – dealt with some of the mythology surrounding these figures at around that time.

That body commissioned outside expertise and, among other tasks, asked the experts to examine claims based on a CSO survey, the National Employment Survey, that public servants earned about 40 per cent more than private sector counterparts.

The benchmarking report noted "... the NES does not allow comparisons to be made between public service and private sector jobs on a like-for-like basis ..."

It then went on to conduct such a comparison itself and while finding that there was what it called a "public service premium" in some cases, (and in some instances, this was on a significant scale), it also found that some occupations did not have one "or are below the private sector" and concluded that "there is little or no public service premium if comparison is made with private sector employees in large establishments" which, they noted, "account for a significant majority of public service employment".

Unfortunately, this has not prevented the myth from gaining ground through constant repetition.

The ESRI's Alan Barrett referred to it so it was picked up by Jim O'Leary and then by Dr Garret FitzGerald and so on.

The fact that it does not stand up to objective scrutiny gets lost.

The benchmarking body's report is the only report that actually made like-for-like comparisons that identified types of work performed by public servants, searched for and identified outside comparators doing like work and then compared

rates of pay, having regard to other benefits. No other body, including the CSO, uses that level of detailed job comparison data.

Also, in view of the fact that 100 per cent of public servants now pay a pension levy which rises to 10.5 per cent of pay, while, as the recent report by Mercer reveals, only nine per cent of private sector employees have had cuts applied to their pay, the position of public servants' actual take home pay has disimproved significantly relative to private sector counterparts.

This is not to argue for cuts to be applied to the remaining 91 per cent of private sector employees, but, rather, to inject some factual information into a debate that has been skewed by the misuse of statistical data.

▶ **ESRI gloss on public service pay relates to 2006 data**

▶ **Taken over a decade differences in wage hikes work out at 0.3 per cent per year**

▶ **Pension levy de facto pay cut of 6.8 per cent**

As SIPTU's Manus O'Riordan has pointed out, public service workers' pay increased in the three years to 2008 at virtually the same rate as the increase in pay for manual industrial workers.

In the full decade up to 2008, the difference in the increases for public service workers and manual industrial workers was a mere 0.3 per cent per year, even though this period includes awards from the first benchmarking exercise designed to help public servants' pay to "catch-up" with pay movements in the private sector.

Furthermore, in the six months since December 2008, the Consumer Price Index has fallen by 3.6 per cent, but with the application of the Public Service Pension Levy, there has been a de facto pay cut for public servants of an average of 6.8 per cent in that time. It is also worth pointing out

that at 10 per cent of GDP, our public sector payroll costs are below the EU average of 12 per cent.

While the McCarthy agenda is driven by the country's fiscal position, others argue that we need to cut pay rates generally.

Dr FitzGerald in a recent column in The Irish Times suggested, again incorrectly, that pay rates in the private sector were falling.

In fact, the Mercer report, the Hay Group and Ibec all suggest that this is not the case for most private sector workers.

Those who argue for a general cut in pay rates might also be asked to consider that according to the OECD, Ireland has the 11th highest wage rates in the EU – 22 per cent below the average of the top 10 countries.

None of this is put forward to suggest that there are no difficulties with our public finances. However, two complementary agendas threaten to undermine our efforts to haul ourselves out of recession.

One seeks, as a matter of policy, to deflate our economy further through the advocacy of pay cuts; even though our current pay rates put us in the middle range of EU countries. The other is to suggest that public servants should bear the bulk of the burden for rectifying the public's finances.

Our economic history in the last 20 years or so should have taught us that we can climb out of recession through consensus and a commitment to share any burden that arises.

Scapegoating public servants will make any consensus impossible. Public servants, two-thirds of whom earn less than €60,000 per year, have been softened up as a target by a campaign of misinterpretation of statistics.

However, they have borne their share of targeted "pain" already in the form of the pension levy.

Attempts to victimise them further in the form of yet more pay cuts are, simply, unjustifiable, by any measure.

An alternative within which public service unions will work with Government to restructure our public service organisations and to assist in the deployment of staff to areas of greatest need, in light of changed economic circumstances and reducing staff numbers, is on offer to Government, but not if pay and conditions are to be subjected to further attack.

We can turn our economy around together in a spirit of consensus or conflict will result from attacks on perceived soft targets.



Regent's place: Prince Albert's statue clocks this year's gay pride parade as it winds its way through central Belfast. Thousands took to the streets on August 3 for the culmination of a weekend of festivities in the city

Picture: Amnesty

Equity talent shows bid

A MOTION put forward by actors' union Equity and passed at this month's TUC conference could sound a financial bum note for the producers of lucrative talent shows such as The X Factor.

The union wants contestants who win through to the final rounds of such entertainment programmes to be given the same legal status as workers with accompanying employment rights.

Equity also called for a competitions loophole in the UK's National Minimum Wage Act to be closed off.

The motion continues: "These programmes may be very popular with the public but are based on exploitation and humiliation of vulnerable people, which cannot be acceptable."

"The public's demand for high-quality entertainment should be met by professional drama and light entertainment

which has been replaced by this cheap exploitation."

The union wants independent production companies to follow BBC best practice. Finalists on Beeb shows How Do You Solve A Problem Like Maria?, Any Dream Will Do and I'd Do Anything are paid Equity rates.

In March last year, French broadcaster TF1 was forced to pay a total of €27,000 to three participants in the reality show l'Île de la Tentation (Temptation Island).

The award granted by an Appeal Court in Paris gave Anthony Brocheton, Marie Adamiak and Arno Laizé €8,176 in overtime, a further €817 for the time spent there not being a holiday, €500 for unfair dismissal, €1,500 for wrongful termination of their contracts and €16,000 for being employed illegally.

Workers Memorial Day consultation launched

THE UK Government has launched a consultation into recognising Workers' Memorial Day.

The global trade union event, held on April 28 each year, commemorates those who have lost their lives in workplace accidents.

It is also an opportunity for trade unionists to "remember the dead and fight for the living".

Yvette Cooper, secretary of state for work and pensions, confirmed the consultation would look at how the day could be marked officially in the UK.

She said: "It is a tragedy that some people go out to work and then never return home to their families. I want to look at what the UK can do to remember the thousands of workers who have lost their lives."

Welcoming the move, TUC chief Brendan Barber added: "Official recognition of the day would acknowledge the terrible toll that work has placed on many families whose loved ones have been killed at work or more slowly through a disease caused by their work."

"It will also act as a reminder of the need to ensure that action is taken to ensure that such deaths are prevented in the future."

THE TUC has said new research has rubbished claims workers are taking swine flu sickies.

It follows a study of 450 companies carried out by the British Chambers of Commerce which found that most UK firms have not been affected by swine flu.

TUC general secretary Brendan Barber said: "This shows that, contrary to what some have been claiming, workers are not using swine flu as an excuse to take time off work."

SA union chief calls for end to mines 'carnage'

CONGRESS of South African Trade Unions chief Zwelinzima Vavi has branded the appalling safety record in the country's mining industry "a national disgrace".

He made his comments at a memorial service for nine miners who died at Impala Platinum's Rustenburg works in July.

Calling for an end to the "carnage", Mr Vavi told mourners: "Such fatalities are personal tragedies for bereaved families, but are also a national disgrace."

A total of 244 work-related deaths were reported in South African mines per year between 1997 and 2007.

Mr Vavi added: "We want an efficient industry that continues to create wealth for the nation but uses the profits to pay workers a living wage, pays taxes to improve the lives of the workers and the poor, in conditions that are safe, healthy and environmentally friendly."



'Public servants – two thirds of whom earn less than €60k – have been softened up as a target by a campaign of misinterpretation of statistics'

NEWSBRIEFS

ASTI chief reminds Govt young 'greatest resource'

ASTI president Joe Moran has reminded the Irish Government young people are "our greatest resource".

He made his comments as he expressed pride in the accomplishments of the 55,000 Leaving Cert students who received their exam results last month.

He said: "Many teachers have spent five or six years working with these young people, watching their personalities and potential develop."

"As a teacher, I know how proud teachers feel when they see another group complete their second-level education and leave the school as young adults."

Mr Moran added he was also proud of the commitment shown by teachers but admitted that the "challenging" economic climate was an "inauspicious" backdrop to the results.

He said: "It is also a timely moment to remind our Government and policy makers that our young people are our greatest resource."

"Our school leavers and young people must not be the casualties of the banking excesses and the McCarthy Report proposals."

"Investment in education and first-time employment for our young people must be major priorities."

"Looking after the future of our young people is looking after the future of our country."

ITUC launches petition for UN nukes conference

THE International Trade Union Confederation has launched a global petition calling on the UN to abolish nuclear weapons.

The petition – being jointly run by the Mayors for Peace group – will be handed over to UN Secretary General Ban Ki-Moon next May as world leaders gather in New York to discuss the Nuclear Non-Proliferation Treaty (NPT).

A letter accompanying the petition states: "We believe the world needs to take urgent action to stop the spread of nuclear weapons, and to make the world free of nuclear weapons, as part of the overall drive for worldwide peace and the transfer of military spending to socially-useful ends."

It goes on to list a series of demands:

- A call on those countries that have not joined the NPT to do so, and for all nations to comply with its provisions.
- The enforcing of the Comprehensive Nuclear Test Ban Treaty as soon as possible.
- An immediate start to and rapid progress on the Fissile Material Cut-Off Treaty, and
- International agreements to support nuclear-weapon-free zones.

There are almost 24,000 nuclear weapons and it is estimated these arsenals combined have the same destructive power as 400,000 Hiroshima bombs.

www.ituc-csi.org/peace

EQUALITY

DUTIES AT HOME 'CAUSE PAY GAP'

A NEW study has revealed family responsibilities constitute the single greatest factor in sustaining the wage gap between the sexes in Ireland.

Economic and Social Research Institute research – based on data collated in 2003 – found that males' average hourly rates were the still eight per cent higher than their female counterparts.

The study, commissioned by the Equality Authority, showed the differential was greatest among those employed in construction, sales and professional occupations.

Researchers, who looked at figures taken from the National Employment Survey, believe the primary reason is the loss of experience caused when women leave the shopfloor or office for family reasons.

Women tended to have higher levels of education, but men had more job experience as they had not taken time out for "care duties".

Dr Sean McGuinness, who co-authored the report, claimed taking time out had a dual impact on a woman's earning potential.

He said: "Her skills get degraded while she's out of the labour market, and then when she re-

enters after a number of years she tends not to go back in at the level she left."

This also had knock-on implications for pensions as these were linked to life-time earnings.

The Equality Authority called for the government to introduce new policies that would allow both sexes to take on care work with being penalised.

Dr McGuinness added: "Career breaks, which allow people to maintain their position while away from the formal labour market, would appear to be the most effective way of doing this."

Responding to the findings, UNITE equality officer Taryn Trainor told The Union Post: "If caring duties are having a negative financial impact on women, measures need to be taken to ensure that men take on a greater share of family responsibilities."

"However, such measures need to be accompanied by a change of culture and a change to outdated stereotypes about the roles and abilities of men and women before females can compete effectively with males."

<http://www.equality.ie/index.asp?locID=105&docID=817>



Mums' job prospects hit

MOTHERHOOD has a "profound impact" on women's pay and work prospects, the authors of a new report have claimed.

Drawing on the latest UK research, gender equality body the Fawcett Society revealed that before becoming parents, men and women are equally likely to be employed but following childbirth "a great divide" develops which continues even after children have left home.

A total of 57% of mums with kids under five are in paid work compared with nine in every 10 dads.

When these mothers do return to work, many of them opt for part-time employment to fit in with their childcare responsibilities.

While the authors acknowledge this may be viewed as a positive choice by some, for many others this is a compromise "arising from the lack of shared responsibility for children, the lack of appropriate child-

care, and the lack of decent child-friendly jobs". This in turn creates a cycle "where increased caring roles lead to a decrease in work status due to absence from work or part-time work".

According to data presented in the report, partnered women in full-time work without children earn nine per cent less than men on average.

But that pay gap shoots up to 21.6% for full-time women workers with two children.

The Fawcett Society wants to see better support for mothers returning to jobs at their previous skills levels, an enforcement of the law to protect pregnant women and women on maternity leave from discrimination, more part-time work in higher-paid occupations and action on low pay in those sectors primarily employing women.

www.fawcettsociety.org.uk/documents/NotHavingItAll.pdf

OZ UNIONS ON THE MARCH



UNIONS have staged a series of massive rallies across Australia as part of a major drive for stronger national health and safety laws.

More than 15,000 workers took to the streets of Melbourne on September 1 while thousands more attended large events in Canberra, Sydney, Adelaide, Hobart, Perth and Brisbane.

Protesting workers fearful of the watering down of workplace safety standards under proposed new legislation were joined by relatives of victims of work-related illness and accidents.

Jeff Lawrence, secretary of the national union federation ACTU, said: "Workers and the broader community are saying they want stronger health and safety laws and we are calling on governments to deliver that – not wa-

tered down standards

"Unions stand up for workers and their families, and an overwhelming number of people want us to have a central role in health and safety – as we have done for over 150 years."

A poll of 1,013 people released earlier this month showed over three quarters (78 per cent) of those questioned believe employers should do more to protect health and safety, even if it means more costs or red tape.

More than four in five (81 per cent) want to be able to call in a union to help with occupational health and safety issues at their workplace and nearly three quarters (73 per cent) said safety representatives in workplaces should be elected or chosen by their colleagues, not by management.



Pictures: Courtesy ACTU

FRANCE Telecom workers held protests on September 15 after a spate of suicides at the firm. The CGT union blames the company for its failure in helping staff deal with stress caused by a massive restructuring exercise. France Telecom's HR chief Olivier Barberot told one national daily the company was stepping up suicide awareness training for its 20,000 managers. He said: "I am confident we can improve the situation".

Big hike in workplace bullying

AN Irish-based suicide prevention charity has claimed there has been a huge increase in the number of people contacting them about workplace bullying.

The Awareness Education Office, a collaborative ministry involving the Holy Ghost Fathers and Presentation Sisters, believes the economic downturn has led to increasing pressures on vulnerable workers.

Spiritual priest Dr Tony Byrne said: "It is unbelievable how many people are calling for help."

"We deal with suicide prevention and so look at all forms of bullying, but in recent times problems in the workplace have far surpassed others."

He warned that some bosses were taking advantage of

the recession and piling pressure on workers fearful of losing their jobs. Meanwhile, the slump may be playing a major role in a suicide hike at workplaces in the US, according to new research. Statistics released by the US Bureau of Labor Statistics showed the number of people who killed themselves at work in the States rose 28 per cent to an all-time high last year.

"Self-inflicted" deaths on the shopfloor rose from 196 to 251. A BLS spokesperson claimed anecdotal evidence pointed to the financial crisis and job insecurity as contributing factors.

An American expert on suicide said: "When people do something in a public place, it tends to imply a suicide relative to something going on in that place."

**AWARENESS EDUCATION OFFICE (00 353) 1 838 8888 or (00 353) 87 918 0777
SAMARITANS 08457 90 90 90 (UK) or 1850 60 90 90 (Irish Republic), email: jo@samaritans.org**

Visteon pensions vow

NEW research has revealed that more than one in 11 workers in the European Union has suffered from a work-related health problem in the last year.

According to EU Labour Force Survey data an average of 8.6 per cent of employees were affected with 3.2 per cent suffering a work-related injury.

Industries with particularly high incidences of work-related ill-health included agriculture and forestry.

UNITE joint general secretary Tony Woodley has vowed the union will do all in its power to secure pension justice for former Visteon workers in Belfast.

He said: "Unite stood by Northern Ireland Visteon workers in the fight for fair redundancy payments when the company went into administration and the union will not abandon Visteon workers fighting for pensions justice."

"Ford made copper-bottomed promises to the workers before they were transferred to Visteon and we intend to hold them to those promises."

"Unite is calling for an urgent meeting with the Chairman of Ford and has already asked the Government's pensions regulator to investigate whether there was inap-

propriate behaviour that sees thousands of workers having to go into the Pensions Protection Fund."

Earlier this year, Visteon went into administration with nearly 1,000 workers at Belfast, Basildon and Enfield losing their jobs. Following a sustained campaign and sit-ins a fair redundancy settlement was reached.

Now Unite is fighting for pensions justice for 3,000 former workers affected.

But the UK government's Pension Protection Fund will only cover a proportion of these workers' pensions with the union insisting that the taxpayer should not have to pick up the bill when Ford made firm commitments to protect terms and conditions before the transfer to Visteon.



Woodley: Pensions bid



Protest against the September 2006 murder of miners chief Alejandro Uribe Chacón. Local activists claimed his killers were regulars in the Colombian army

LIVING IN FEAR OF THE KNOCK ON THE DOOR...

AT eight o'clock in the morning on the 8th of August last, while most of the world's attention was on the opening ceremony of the Olympic Games, Luis Prada was walking to work. Luis worked in a clothes shop in the town of Saravena in the east of Colombia where he lived with his wife and five children.

As he neared his shop a man walked up to Luis and shot him 17 times in broad daylight before fleeing on a motorcycle with an accomplice.

Luis was the third member of his family to be assassinated. He had spent most of his life living under death threats, forced to move home on numerous occasions.

In the minds of his killers, Luis' crime was that he was a member of the Colombian Trade Union Federation.

Luz Maria Diaz Lopez was a teacher at a rural school in Putumayo. She was seven months pregnant when she and her colleague Emerson Ruales were shot dead as they made their way to work. Both victims were members of the local teacher's union.

Jose Martinez sold lottery tickets for a living. At ten o'clock on the night of the 23rd of August he was shot dead by unknown gunmen.

Jose was also President of the Colombian National Lottery Worker's Federation and a leading campaigner against proposals to privatise Colombia's national lottery.

He was the 38th trade union member to be assassinated in Colombia this year and the third in the month of August.

Colombia is the most dangerous country in

the world to carry a union card. Oscar Arango started working in a Coca-cola bottling plant in Carepa in 1984. It was a good job. The union had secured bonuses, overtime and health benefits for employees.

But in 1994 paramilitaries began to organise in the area. Backed by the Colombian security forces they have targeted human rights activists and trade union members with impunity.

Research carried out by Amnesty International indicates a co-ordinated strategy between the Colombia military and paramilitary death squads to undermine the work of trade unionists through assassination and intimidation.

The second Coca-Cola worker and union member to be killed at the Carepa plant was Oscar's brother, his body left by the side of the road.

For two years Oscar and his colleagues were attacked and intimidated, their offices fire-bombed, their officials hunted through the streets of Carepa by paramilitaries.

In December 1996 when paramilitaries walked into the factory and murdered a union member at his place of work, it was the final straw.

The next day the workers were all assembled at the plant and forced to sign letters resigning from the union.

Managers at the plant immediately imposed a pay cut with wages being reduced from around \$400 a month to \$130 a month, Colombia's minimum wage.

The International Trade Union Confederation puts the conviction rate for the murders of

trade union members in Colombia at one per cent and as Oscar puts it, "To be a trade unionist in Colombia is to walk with a gravestone on your back."

While Colombia is the most dangerous country in the world to be in a union, the right to be part of a trade union, to join with your co-workers to negotiate better wages and safer working conditions is one that is under threat around the world.

A total of 144 trade union activists were killed in 2006. Nearly 5,000 men and women were arrested for trade union activity with hundreds suffering beatings or torture. Almost ten thousand people lost their jobs for trying to organise.

In the mid-80s 12 Dunnes Stores workers in Dublin's Henry Street went on strike for two-and-a-half years.

They refused to handle goods from Apartheid South Africa. Nelson Mandela later said that their stand helped keep him going during his imprisonment.

Trade union activists are human rights activists. They work to ensure that our right to a decent wage, to a safe and secure working environment, to be treated with respect by our employers are protected and enhanced. They often do so at great personal risk.

There is an old trade union slogan that declares an injury to one is an injury to all. It is as good a summation of the notion of human rights as I have heard.

Colm O’Gorman is Executive Director of Amnesty International Ireland



Commitment: Colombian Trade Union Confederation march

Pictures: Courtesy of Amnesty Ireland

To be a trade unionist in Colombia is to walk with a gravestone on your back Oscar Arango

FUNDAMENTAL HUMAN RIGHT

Congress President and SIPTU General President Jack O’Connor calls on the Irish Government to enact into law Article 23.4 of the Universal Declaration of Human Rights



THE Universal Declaration of Human Rights was adopted and proclaimed by the General Assembly of the United Nations in December 1948.

Like many great historic documents, it reflected fundamental human aspirations but did so within a specific historical context. 1948 was a turbulent time. It witnessed the Berlin blockade which led to the onset of the Cold War in earnest, the assassination of Mahatma Gandhi and the partition of the Indian sub-continent, the first Arab-Israeli war, the Communist victory in the decades-long Chinese civil war and the outbreak of wars of liberation across a swathe of south-east Asia.

In Europe, we saw the first tentative steps towards greater cooperation between states. The Brussels Treaty pledged Britain, France, Belgium, Luxembourg and the Netherlands to a fifty-year alliance aimed at social and economic progress, as well as opposition to war as a means of resolving differences. All of these states called for the rehabilitation of Germany within the family of European nations and the Movement for European Unity was launched in The Hague.

It was a time of great material hardship caused by the devastation of war, but it was also a time of great hope for ordinary working people and their representative organisations. There was widespread recognition of the tremendous role that the labour movement had played in the struggle against fascism and the defeat of Hitler. This is implicit in many articles of the UDHR, but none more so than Article 23, which guarantees everyone 'the right to work' and 'to just and favourable conditions of work', as well as 'protection against unemployment'.

Thirty years before we managed to pass our first employment equality legislation, the UDHR proclaimed 'the right to equal pay for equal work' and the right of all 'to just and favourable remuneration ensuring for himself [sic] and his family an existence worthy of human dignity'. Since 1948, we have made some stuttering progress towards implementing the latter right but, even during our recent and unprecedented boom, 18 per cent of the population remained at risk of living in poverty, two per cent above the EU average, and seven per cent of people actually lived in poverty. The figure was much higher for those who were unemployed and, as we all know, unemployment is currently rising at an accelerating rate (CSO Measuring Ireland's Progress 2007).

Unfortunately, when it comes to the fourth and most fundamental right asserted in Article 23 – that 'Everyone has the right to form and to join trade unions for the protection of his [sic] interests' – we have actually retreated in recent years. Individualised rights have been used quite skilfully by the neo-liberals in both political and business manifestations, to undermine collective rights, such as the right to collective bargaining.

This is not just an Irish phenomenon, we have seen it right across Europe and it is a process, I regret to say, which has been aided and abetted by the courts. Recent judgments of our own Supreme Court and of the European Court of Justice have effectively put the freedom to pro-

vide goods and services under EU law ahead of the freedom to protect the workers who supply those goods and services.

All of this has been done in the name of the consumer, conveniently forgetting that the vast majority of consumers must also work for a living in order to avail of all these goods and services. In Ireland, the impact of this hijacking by the individual rights agenda has been even greater than elsewhere in Europe because we are virtually alone in having no right to collective bargaining enshrined in domestic law.

The consequences can be seen everywhere and are borne most heavily by the most vulnerable producers of goods and services – migrant workers. Many of them are casualised agency workers often physically and socially isolated from the wider community. They include people such as Latvian women picking mushrooms for less than €3 an hour or Serbian electricians on €4 an hour.

This phenomenon can affect whole sectors. Take, for example, provincial hotels where 37 per cent of the workforce is made up of migrants – and the figure is over 60 per cent in some parts of the country – and where only eight per cent of such workers are in a union.

This sector used to be a highly unionised and one legacy of that era is the existence of an Employment Rights Order (ERO) that lays down minimum conditions for many hotel workers. While the wage rates in that sector are not much above the national minimum wage the ERO provides other important entitlements, such as occupational pensions, sick leave and holidays.

A similar threat has been posed to the Registered Employment Agreement (REA) in the highly unionised, and much better paid, electrical contracting industry. REAs provide similar protection concerning pay and conditions to EROs and are negotiated between unions and employers before being registered with the Labour Court. REAs have existed for seventy years and have served both sides of industry well.

Between them these two mechanisms have provided basic protections for hundreds of thousands of workers in this country. Without a legal right of collective bargaining to fall back on, many workers will face even greater levels of exploitation in the future, especially from companies that refuse to recognise unions and seek to use the courts as a weapon to deny people rights enshrined in the spirit and letter of the UDHR.

Ironically, one of the great

truths on which the UDHR is founded is that rights enshrined in law are necessary to protect the weak against the strong. Regrettably, the law is a lot more accessible to the rich than the poor. For almost 200 years, successive governments of all political persuasions in Britain and Ireland have recognised this and accepted that collective bargaining is a far more desirable way of resolving disputes between employers and employees than the prohibitively expensive, and highly combative alternative of contract law.

Contract law is based on the notion that both parties are roughly equal in resources as well as rights. This has always been patently untrue when an individual worker has been in dispute with his employer. Today the unions that represent workers are themselves constantly depicted as vested interest groups on a par with business enterprises. In fact, union leaders are often referred to as union 'bosses', a term rarely used any more in relation to real bosses, who tend to be described with less pejorative terminology, such as 'chief executives', 'directors' or business 'leaders'.

But it is no more realistic to equate even a large trade union and its economic resources

with the business organisations with which it must contend. The legal colonisation of industrial relations under the guise of championing individual rights is one of the great

injustices of our time. Workers do not want the 'right' to hire a lawyer at ruinously expensive rates to fight their corner for them. They want the right to fight their own corner and to do so through their own organisations, led by people they elect and who are answerable to them.

To achieve this basic freedom, which is so central to the lives of over 75 per cent of our workforce, we need Article 23.4 of the UDHR, which recognises the right to collective bargaining, enacted into law by the Irish government – and we need it now!

The world that gave birth to the Universal Declaration had learned through over 30 years of war and revolution that a historic compromise was needed between capital and labour to

make the planet a safe place for human beings to live and pursue their dreams. As that collective memory recedes, corporate greed, marching under the banner of consumer-based and individualised rights, is trying to turn the clock back. The champions of such an approach must not succeed or we will have to learn the lessons of history all over again.

ARTICLE 23.4

Everyone has the right to form and to join trade unions for the protection of his or her interests



60 Years, 30 Perspectives: Ireland and the Universal Declaration of Human Rights is available in most bookshops. You can also order direct online at www.amnesty.ie/60years. Price: €23.50/£17.50 including €3.50/£3 post & packaging.

Blacklister's fine was 'slap on wrist'



Union members outside court for Kerr's sentencing Picture: UCATT

UCATT chief Alan Ritchie has described as "a slap on the wrist" a £5,000 plus costs fine handed out to a business consultant for breaching the UK's Data Protection Act in compiling a blacklist of workers.

Knutsford Crown Court was told Ian Kerr's firm the Consulting Association kept files on more than 3,200 workers that were accessed by dozens of companies in the building industry to vet potential employees.

The 66-year-old had built up this information - stored on a card index system - over at least 15 years.

Kerr, who pleaded guilty to the charge, was fined £5,000 with £1,187 in costs after judge Stephen Clarke heard he had few assets and a small pension.

Outside the court there were

angry scenes as Kerr left in the back of car, his face hidden behind a newspaper, while some of those blacklisted yelled and banged on the vehicle.

Many outside the court said they were disappointed both at the small fine and because building firms that had used the database were not also in the dock.

Mr Ritchie said: "This is not justice. The fine imposed was no more than could have been imposed by the Magistrates Court who recognised their powers were 'inadequate'.

"Ian Kerr wrecked the lives of hundreds of construction workers, many of whom were forced out of the industry. This fine is a slap on the wrist to Mr Kerr and a slap in the face to our members who were denied work because of his actions."

IMPRESSED BY SWEDES

A GROUP of tutors and co-ordinators from the Congress Centres Network had first-hand experience earlier this year of how the Swedes deal with vocational education and training.

The 15-strong party visited the city of Vasteras in central Sweden on a fact-finding mission in April.

Their brief was to gain an insight into the Swedish approach and identify possible innovations in service provision and delivery in the community services relevant to unemployed people in Ireland.

The five-day visit, funded by Leargas under the Vocational Training Professionals category, was partnered by Vasteras group ProAros which has local involvement in schools, pre-schools, home-care for older and disabled people, social support and culture.

Group members visited community-based unemployment centres as well as a childcare facility and attended various workshops including one that outlined the Swedish flexicurity system for helping unemployed people return to



Nordic approach: Congress Centres Network group on visit to Vasteras Picture: CCN

education. The visitors were told unemployed Swedes are given the opportunity to train in whatever field of employment they'd like to enter.

Also any 16 to 20 year olds who drop out of secondary school are offered individual coaching on how to find employment. The group came

away with a positive attitude towards the Swedish approach.

One participant said: "In short, nobody falls through the net, everybody is offered a chance and for every problem it seems there is a "A very good basis to start with back home."

A SYSTEM MIKE LOVES TO HATE



FILMMAKER Michael Moore, banner in hand, marches through the centre of Pittsburgh in support of "single payer health-care" earlier this month.

The Bowling For Columbine director was leading a crowd of 1,500 union delegates and nurses to the premiere of his new documentary Capitalism: A Love Story.

He choose to forgo a Broadway or LA debut to release the movie and instead opted to debut in the heartland of working class Pennsylvania.

Speaking before the screening at the AFL-CIO convention on

September 15, Mr Moore said: "I have put every bit of my heart and soul into this movie.

"It is a culmination of 20 years of making movies and this is the big one."

He also slammed the excesses of US capitalism and told the audience: "The fight in front of us isn't going to be easy. The richest one per cent have more financial wealth than the bottom 95 per cent combined."

The crowd roared back: "Take it away from them!"

Watch trailer of the movie at www.youtube.com/watch?v=IhydyxRJuJ



Picture: michaelmoore.com

NEWSBRIEFS

Industrial relations rules binned by some bosses

A NUMBER of firms have "torn up the rule book" when it comes to industrial relations, it has been claimed.

SIPTU national industrial officer Christy McQuillan said unions would have been "pilloried" if they had taken part in "unilateral industrial action" yet some employers had forged ahead and even "flouted" employment law.

He said: "They have unilaterally imposed redundancies on workers without any consultation, explanation or selection process."

Mr McQuillan added that others were using the slump "to change hours of work, slash pay and slow down pension schemes".

He also pinpointed areas where employment law had been flouted including the transfer of undertakings, where employees are entitled to the same terms and conditions with a new employer when a business is taken over or merged.

FEARS over the break-up of the ESB with the threat of privatisation will be the main theme at next month's linesmen conference. The event, which is being held at the Clarion Hotel Liffey Valley on October 17 and 18, will be attended by UNITE assistant general secretary Len McCluskey - hotly tipped to be the union's next general secretary. Energy Minister Eamon Ryan has also been invited.

UNISON warning over marginalising the young

UNISON general secretary Dave Prentis has warned the UK faces dealing with a generation of marginalised young people unless the Government takes action to improve their employment prospects.

He said: "Unless more is done to find young people work, we risk creating an underclass who are discriminated in the workplace, and by adults who misjudge their involvement in crime and anti-social behaviour."

"The Government has set up a number of projects to help get the under-25s into work."

"Private companies and individuals must examine their own attitudes and look at what they can do to create apprenticeships to help young people into the jobs market."

Produced in association with Congress

WE'RE HERE TO KEEP YOU POSTED

Each month The Union Post features stories about prisoners of conscience taken from Amnesty International files...

Death threats issued to Colombian trade unionists

GUSTAVO Gomez, of the Colombian food workers' trade union SINALTRAINAL, was gunned down in his home on 21 August this year. His death comes against a backdrop of threats and attacks against leaders of the union that coincide with labour disputes against major multinational corporations.

On 12 February last year **José Domingo Flórez**, another local leader of SINALTRAINAL, received a letter containing death threats from a paramilitary group called the Black Eagles Front. That evening, his colleague **Luis Eduardo García** was stopped by two men on a motorcycle who told him: 'Now you are going to die, trade unionist son-of-a-bitch.' The next day, José Domingo Flórez received another death threat, giving him eight days to leave the area. The threat mentioned his daughter, saying that she was very nice and they would "take her for a ride".

The men knew that these were not idle threats. In September 2005 **Luciano Enrique Romero Molina**, leader of another local branch of SINALTRAINAL, was killed. He had been planning a trip to Switzerland to testify about death threats against trade unionists representing workers in Nestlé plants in Colombia. His body, bearing 40 stab wounds, was found in an area reported to be under paramilitary control.

Amnesty International believes that leaders of SINALTRAINAL, and their families, are in real danger. The union has been in dispute with several large national and multinational companies in recent years, and reports of human rights violations against its members tend to coincide with these disputes. Amnesty is

Death squad victim: Luciano Enrique Romero Molina Picture: Private

asking people to write to the Colombian authorities, urging them to protect these trade unionists and to bring to justice those who are threatening to kill them.

Find out more and take action on www.amnesty.org.uk/tradeunions



magsjournalspress/pr



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