

MANDATE TRADE UNION

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APRIL 2021

SHOPFLOOR

100 YEARS ON REMEMBERING

PADDY MORAN

BORN 1888

EXECUTED 1921

FREEDOM FIGHTER & FOUNDING FATHER OF THIS UNION

CENTENARY SPECIAL PAGES 4,5,6 & 7



**EX-DEBENHAMS WORKERS
IN DISPUTE FOR ONE YEAR**

**GOVERNMENT
MUST ENSURE
THIS NEVER
HAPPENS AGAIN**

**▶ IMPLEMENT THE
DUFFY/CAHILL
RECOMMENDATIONS**

INTERNATIONAL WOMEN'S DAY

Struggle for equality continues

THIS YEAR International Women's Day (IWD) was celebrated on Monday, March 8th. This global event is important for two reasons. First, it celebrates the invaluable contribution made through the years by women across all aspects of society, both here in Ireland and around the world.

Second, and equally important, it highlights the ongoing blatant discrimination and inequalities that women face, many of which are deeply embedded, and have existed and tolerated for far too long.

Recognition of these indisputable facts and a willingness to tackle them cannot merely be confined to events and statements linked to holding an International Women's Day, rather the occasion should serve to remind us all that the struggle for gender equality is constant and needs to be highlighted and vigorously fought for on each and every occasion when the appropriate opportunity arises.

It is beyond doubt that the Irish State since its inception has not served the interests of women well.

On far too many occasions powerful male-dominated institutions deliberately contrived to ensure the role of women was undervalued, restricted and never afforded the true recognition it rightfully deserves.

In many cases the consequences of this

UPFRONT
Gerry Light *General Secretary,
Mandate Trade Union*



Picture: Mike Altherton (CC BY-NC-SA 2.0)

deplorable misogynistic behaviour has taken years to surface and the accumulated unnecessary pain and suffering it caused is becoming increasingly obvious.

Issues such as the ridiculous practice of the marriage bar, the inhumane operation of mother and baby homes, and the health and life threatening consequences arising from the delivery of an inadequate cervical check service are to name but a few. Sadly, there are many more. Surely the biggest regret is that we had a choice, it didn't have to be this way.

Aspirations

The treatment of women through the years is the polar opposite to the views of those who not only framed but gave their lives in pursuit of the aspirations relating to equality of treatment contained in 1916 proclamation.

Given the fact that the majority of Mandate members are women,

it is of critical importance that we are to the forefront in fighting for tangible changes that will have a transformative and positive impact on their lives.

The following are a number of areas very much on our radar and we intend to ensure we play a proactive and influential role in the early delivery of meaningful change relevant to them.

Gender Pay Gap: Through the years much research has proven beyond doubt the gap is real and, despite this, it continues to be tolerated. The promise by the current government to introduce legislation in the area of pay transparency needs to be delivered without further delay. This is not to suggest that this type of legislation in itself will be the panacea for all ills; however, it will help to maintain a focus on this important issue with a view to ensuring that the gap will be consigned to history as soon as possible.

Living Wage: The aspiration for pay inequality would be greatly served through the speedy introduction of an adequate statutory living wage. Again the Government has set out its aspiration in this

regard. The Tánaiste has asked the Low Pay Commission to further explore this issue so it's our role to ensure that we influence their deliberations and seek the introduction of this laudable objective without unnecessary delay.

Pension Commission: The Government-established Commission is currently inviting submissions regarding the adequacy of future State pension provision. In this regard your union has offered its views and highlighted once again the clear disadvantages that exist for women in the current system and the urgent need to bring about an end to same.

Childcare: This sector is predominately staffed by women; therefore, it is vitally important that statutory measures – such as a Joint Labour Committee – be established to ensure a basic floor for terms and conditions of employment. The provision of affordable childcare is also critical if we are to remove barriers which currently prevent many women from the full opportunity of access and participation in the workplace and beyond.

Collective Bargaining: There can be little doubt that the prevalence of pay inequality is greatly lessened in employments where the practice of proper and meaningful collective bargaining is commonplace. That is why the current government needs to swiftly introduce legislation which gives workers the right to effectively use their collective power at the negotiating table. The constitutional right to be a member of a trade union is considerably weakened unless workers are afforded the opportunity to fully vindicate this right.

Another current important issue deserving of our attention is the disproportionate negative fallout from Covid-19 for women both in relation to the significant job losses in retail in particular and the worrying evidence emerging regarding the increased incidence of domestic violence. It appears that we are about to see the introduction of extended paid parental leave, which is to be welcomed.

These are, by way of an example, just a few areas your union is presently seeking to bring about positive change. They are a practical demonstration of how we can deliver on key objectives which are clearly rooted in and around events such as International Women's Day.

Across many facets of our society the struggle for gender equality continues. History shows us very little is conceded without a concerted effort driven by a clear unity of purpose, Mandate Trade Union is proud to be part of that collective.

'Landmark' maternity policy change at Boots

MANDATE has described a change to maternity policy at Boots Ireland as “significant” and a “unique landmark” for members working for the retailer.

The welcome development comes after a set of pay and benefits negotiations between union officials and Boots management in 2020.

National Coordinator Jonathan Hogan explained: “This is a significant change to mater-

nity policy for customer assistants, advisors and dispensers. It means that for some of our members they can now avail of partially-paid maternity leave for the first 10 weeks when they are off from work.”

These new provisions came into operation on April 1st 2021. Information on how members can qualify and apply for the new benefit, as well as further details of the scheme can be re-

quested at store level through local management. The policy change also applies to adoptive leave.

Hogan said: “This truly is a unique landmark in retail for our members working within the stores. It’s now hoped that this change – which Mandate is very proud to be part of – will influence other retailers to implement similar benefits for our members.”



Picture: Howard Lake (CC BY-SA 2.0)

DEBENHAMS DISPUTE



STAND UP AND SUPPORT THIS STRIKE

FRIDAY, April 9th marked the 365th day of a dispute involving ex-Debenhams workers in their battle to secure what is rightfully theirs.

Twelve months have passed since 1,000 workers in 11 stores balloted for industrial action in a bid to win agreed redundancy package of four weeks pay per year of service.

Since then KPMG, Debenhams’ liquidator, and the Government have both refused to honour that agreement.

Mandate National Coordinator Brian Forbes said the union was extremely disappointed the ex-Debenhams workers have been forced to strike for so long.

He told *Shopfloor*: “These workers should not have had to go on strike for a single day. They had an agreement, their employer was allowed walk away from that agreement, which was wrong, but the liquidator and the Government had an obligation to step in – and they didn’t.

“I want to applaud the workers for their tenacity and for their commitment to the principle of justice. Since they began this strike they’ve been clear that not only are they doing this for themselves, they are doing it so that no other worker has to go through the same trauma they had to endure.”

Forbes added: “This dispute will leave a historical legacy. It shows that you have to struggle to achieve any meaningful change in this country.”

He said that the trade union movement was calling on the Government to implement immediately recommendations set out in the Duffy/Cahill report, published in March 2016.

Proud

Geraldine O’Regan, shop steward from the Tralee store, said: “When this dispute started, we had no expectation that we would be here one full year later. I am proud of the stance we took and how we have highlighted the unfairness of the current legislation that’s supposed to protect workers.

“We want to thank the public and everyone who has supported us and we are once again calling on the Government to do the right thing and implement Duffy/Cahill immediately.”

Karen Shaughnessy, shop steward from the Galway store, said: “It is time for all workers in retail and trade unions across Ireland to stand up and support the strike and to fight for the implementation of the Duffy/Cahill report so that workers no longer have to go through these disputes.”

- Locations of striking stores include:**
1. Henry Street, Dublin 1
 2. Blanchardstown Shopping Centre, Dublin 15
 3. The Square, Tallaght, Dublin 24
 4. Frascati Shopping Centre, Frascati Rd, Blackrock, Dublin
 5. White Water Shopping Centre, Newbridge, Co Kildare
 6. Mahon Point Shopping Centre, Cork
 7. Patrick Street, Cork
 8. Eyre Square, Galway
 9. O’Connell Street, Limerick
 10. City Square Shopping Centre, Waterford
 11. Tralee, Manor West Retail Park, Kerry



PATRICK MORAN CENTENARY

Remembering Paddy Moran and the price he paid for freedom

INTERVIEW by Joe Mitchell
Production Editor, *Shopfloor*

MARCH 14th 2021 marked the 100th anniversary of the execution of trade unionist and republican activist Patrick Moran, hanged in Mountjoy Jail along with five of his comrades.

Patrick Moran and Thomas Whelan went to the gallows for the roles they played in a wave of assassinations and attempted assassinations of British agents – dubbed ‘Bloody Sunday’ – in Dublin on November 21st, 1920.

The others – Patrick Doyle, Bernard Ryan, Frank Flood and Thomas Bryan – were hanged for high treason after they were captured following an unsuccessful ambush on Crown Forces in Drumcondra in January 1920.

The condemned men were executed in pairs at 6am, 7am and 8am, while some 40,000 people – including Patrick’s brother and his three sisters (two of whom had recently returned from England) – stood in vigil outside the prison.

“March 14th this year was a day of great emotion and significance to this union,” Mandate General Secretary Gerry Light told *Shopfloor*. “Patrick Moran was a founder member in 1917 and subsequent president, of a union – Irish National Union of Vintners, Grocers and Allied Trades Assistants – that in a later manifestation, became Mandate.”

Floral tribute

He made the comments as he laid a floral tribute at Patrick Moran’s grave in Glasnevin cemetery on the weekend of the centenary.

Light added: “Patrick Moran’s obvious steadfast commitment to ordinary working people and to the cause of Irish freedom runs through the DNA of this union. We’re both proud and humbled to carry forth those principles – the exact same principles that Patrick and his comrades fought and died for.”

The *Evening Herald* of the time reported local reaction to Patrick’s execution.

Describing Patrick as “well-known” and “extremely popular” in Dunleary (now Dun Laoghaire) and Blackrock, it was, according to the paper, a “a day of mourning unprecedented in its solemn observance” with “all of the establishments, including the banks, being closely shuttered”.

Municipal flags were flown at half-mast, schools closed, and Masses said each hour on the hour from 6am to noon.

West Belfast MP Joe Devlin had raised the case in Westminster and a petition along with a letter from Dr



In this union’s DNA: Republican fighter and trade unionist Patrick Moran. Patrick was a founder member in 1917 of INUVGATA, a trade union which, in a later manifestation, became Mandate



Mandate General Secretary Gerry Light pays tribute at Patrick Moran’s graveside in Glasnevin



Fought in the 1916 Rising...

Patrick Moran fought under the command of Thomas McDonagh and Major John McBride at Jacob’s biscuit factory during the 1916 Rising. After the surrender he was taken to Richmond barracks, Inchicore, before being deported to Knutsford Prison near Manchester on May 3rd, 1916; later transferring to Frongoch in Wales on July 16th. He was released after trial before Sankey Commission in Wormwood Scrubs, London, on July 27th, 1916 and arrived home to Crossna on August 4th.

Walsh, the Archbishop of Dublin, was sent to Lord French, the Lord Lieutenant for Ireland. Patrick’s union, INUVGATA, also made representations – but all efforts failed to obtain the Royal Prerogative of Mercy.

Meanwhile, in Patrick’s native townland of Crossna, in Boyle, Co Roscommon, the community gathered for an all-night vigil to pray for a reprieve to be granted.

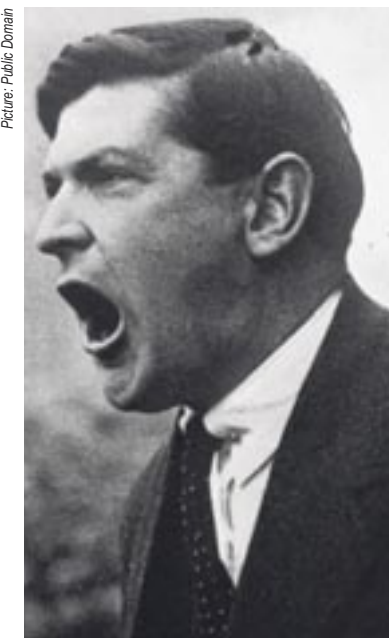
At 6am that morning – the exact time Patrick was hanged – his mother, Brigid, stood up and told the congregation, “You can go, the worst has happened.”

Afterwards, she confided in her son, Tom, that she had heard two loud knocks and knew that the execution had taken place.

Executed for Ireland – The Patrick Moran Story was published by



Picture: Public Domain



Trained the Big Fellow...

Patrick Moran was adjutant of D Company, 2nd Battalion, Dublin 2nd Brigade. He was also involved under Martin Savage in training Volunteers in St Matthew Park Fairview. Michael Collins (above) was actually sent to them for training when he came back from London. Michael Collins said he wasn't happy about this as he was already trained! But they made it very clear to the Big Fellow that this [training] had to happen."

Those hopes, however, were to be cruelly dashed. "My father wrote to his parents just after Paddy's execution and he told them he had only learned [of his passing] in the newspaper two days after that the worst had happened."

May's quest to uncover more information about her uncle came about when her 103-year-old aunt, Bea, asked her look after "Paddy's things".

She explained: "My aunt had a little brown case on top of the wardrobe. She would ask me to dust the top of the wardrobe – I would have never looked inside that case or asked about it. She said to me about a week or two before she died, 'This holds Paddy's things and I want you to have it, but don't let it fall into the wrong hands'."

Contents

May added: "This was in 1997 in the run up to the Anglo-Irish Agreement and she meant she didn't want the contents of the case to be used for propaganda purposes."

Patrick, the third child in a family of 11, was educated locally and served an apprenticeship in Paddy O'Rourke's bar and grocery shop in Boyle.

May thinks that his early working years in the town had a profound impact in the shaping of what she calls his "social consciousness" and politics.

She said: "On his regular trips

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May Moran, holds a treasured picture of her uncle Patrick and a copy of *Executed for Ireland*, her retelling of his life story, published by Mercier Press in 2010. On the wall, next to the Moran family crest, is an image of Patrick's nephews lifting his coffin at the state funeral in Mountjoy in 2001

Picture: The Moran family

Mercier Press in 2010.

Its author, Patrick's niece, May Moran, spoke to *Shopfloor* in the run-up to the centenary. A retired teacher, she described the writing of the book as "a labour of love".

May was born in the same two-bedroom thatched cottage as Patrick, and it was where she remembers spending a happy childhood. She now lives next door to where the original

homestead was sited.

"I lived my early life in that house until I was 15 or so," she said. "That was the house that Uncle Paddy was born in. It is no longer there – it was taken down in 1960."

Unsurprisingly, Patrick was "revered" in the Moran family. She recalls: "Every year we would have had an anniversary Mass in his memory at the local church. And I remember

when we were younger we would ask our father about Paddy but he would start to cry.

"We just didn't pursue that subject with him. These days you would let him cry, but at that time we didn't want to broach the subject because it was too upsetting for my father."

May says her father, Thomas (Tom) – who was also involved in the War of Independence – found it too

painful to talk about the circumstances of Patrick's death: "That was one of the things my dad would say he was most bitter about that they had hanged him – that his brother didn't get a soldier's death."

Tom was interned in the Curragh during the time his brother spent in Kilmainham and Mountjoy, but still fostered a hope that Patrick and the others would be reprieved.



Pictures: The Moran family

Paddy Moran and the price he paid for freedom

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home he walked past Rockingham Estate, owned by the Stafford-King-Harmon family, and no doubt saw the contrast of life within the demesne walls with that of the people outside.

"The gentry had plenty to eat, liked hunting, held grand balls for the upper classes, while those outside were trying to eek out a living for themselves and their families on their small holdings.

"I believe this injustice, as he perceived it, led to his involvement in the trade union movement later."

After his time in Boyle, Patrick left to work in Maguire's of Mohill, Co Leitrim, for a year. While on holiday from work, he unexpectedly received a letter from his boss telling him he no longer had a job.

But May thinks there was probably more going on behind the scenes: "They sent him a letter telling him not to return, that they had no place for him any more.

Organising

"I often wonder about it – if his politics were different to Maguire's. Seán Mac Diarmada, who was from Leitrim, was going around at the time organising for Sinn Féin. Could Uncle Paddy have come across him?

"It just seems odd as Paddy was so well-liked. He subsequently went to Glynn's in Athy, before moving to a job in Dublin in 1912.

"The proprietor at Glynn's actually wrote to Paddy after he left for the capital – and we have the letter – asking him if he would think of returning as he was such a steadying influence on the proprietor's wayward son. They both also had similar politics."

Patrick joined the Grocers' Assistants' Association in Dublin in 1913 – the year of the Lockout. May said she had tried her best to find "specific documentation" on her uncle's trade union activities in 1913, but concedes that records are scarce on the ground.

In 1917, Patrick became a founder member of INUVGATA – often also called the barman's union – as May points out: "At that time, of course, most grocery shops were also pubs."

He was chair of the Dunleary



Patrick Moran (above, front row, far left) with Grocers' Assistants football team. Grocers Football Competition medal won by Paddy (top left). Below: Paddy (in flat cap, far right) with Dunleary Commercials



and serious".

"That's not the impression I get [of him] at all," laughed May. "When Paddy comes home [to Crossna] he was very much into fishing with the neighbours. He even wrote a poem about fishing – and it was such a funny poem!"

An all-rounder, Paddy was committed to republican politics and trade union activism but also found time for Conradh na Gaelige, the dramatic society and, of course, Gaelic sports.

"He was very into Gaelic football – he played for the Grocers' Assistants and for Marlboro' Rangers and won medals with both clubs. He also founded a club called Dunleary Commercials."

May points out that Dunleary Commercials actually took to the field at Croke Park on Bloody Sunday, and Patrick was there cheering on his team as chairman of the club from the sidelines.

Shootings

May explains: "They had drawn a match the week before with Erin's Hope, the team of Saint Patrick's, Drumcondra, and it was replayed at about 12.30pm on Bloody Sunday before the main match and the subsequent shootings."

November 20th, 1920 turned out to have been a busy day for Patrick, bearing in mind his own role in the unfolding of events earlier that morning – the assassination of 15 British agents and the targeting of many others across the city.

In the days following, IRA members were lifted in a series of raids by the British military. Patrick – himself a veteran of the 1916 Rising and, by then, captain of D Company, 2nd Battalion, of the IRA's Dublin Brigade – was among those arrested.

He would later be falsely accused and subsequently sentenced for the killings of two of the agents, Ames and Bennett, in Mount Street.

May knows Patrick wasn't in Mount Street at the time and wasn't involved in that part of the operation.

She explained: "He passed a number of identification parades but was

Jailbreak: role in Kilmainham escape

WHILE held in Kilmainham Jail, following Bloody Sunday, Patrick helped organise the escape of Frank Teeling, Ernie O'Malley and Simon Donnelly. The trio walked out through a disused gate after severing open a rusty lock with a bolt-cutter smuggled in by two friendly soldier warders on the eve of Patrick's court-martial.

May told Shopfloor: "Paddy could have gone too but he felt he had a watertight alibi and that no court could convict him given the way he had been set up, at

the identification parade, when he was picked out.

"He said afterwards that he was sure that the evidence of the soldier cyclist, Snelling, who had identified him, and who had already given evidence that was not accepted in the cases of Boyce, Tobin and McNamara, would hardly be accepted in his case.

"He also said he would be letting down his witnesses if he wasn't there for his court-martial. If he went and the escape was unsuccessful it would make him look guilty and he wouldn't be spared."

branch and its representative on the Bray & District Trade Union Council and on the union's National Executive.

What May has gleaned from her research is that her uncle "worked tirelessly to better conditions for workers in general and for grocers' assistants in particular."

He played a leading role in a strike in 1920. In January of that year, more than 600 members of the union walked off the job in a bid to improve wages, working hours and living conditions.

"It was a bitter dispute and many strikers were arrested," May said.

"Paddy was arrested for preventing the unloading of a drey of Guinness. He refused on principle to pay the fine imposed and was sentenced to two periods of seven days each in Mountjoy – the place where he was later to die."

She added: "It was obviously a taste of what was in store for him and it probably marked him out as a troublemaker in the eyes of the police."

Patrick became INUVGATA's national president in September 1920.

While writing the book, May contacted INUVGATA's successor union, Mandate, for help in fleshing out Patrick's trade union activities.

She said: "Mandate has been very good to me. I had a lot of contact with former General Secretary John Douglas. He let me look at the old minutes. Mandate also presented us with a copy of the picture of Uncle Paddy that currently hangs in the Mandate office."

"John and a number of officials came down to Crossna and presented us with the picture. They also brought down the chain of office."

According to May, Paddy had a "winning personality" and "took part in all sorts of things". And, in particular, she takes issue with Ernie O'Malley's description of her uncle as "solid



British agents, said to be The Cairo Gang, marked down by an unknown IRA hand for assassination. Several would later be shot dead on Bloody Sunday

Capital offence: trial by court martial

Patrick Moran was tried by military court martial on February 15th, 16th and 17th. Cuman na mBan member Margaret Flanagan, who lived in the technical School in Blackrock, organised 18 witnesses from Blackrock and Dunleary (now Dun Laoghaire) to give him an alibi. All the witnesses testified that Patrick attended 8am Mass in Blackrock, returned to his lodgings for breakfast, got the first tram to town at 9.30am before going to an executive meeting of his union at 11am.

However, the police had obtained statements from two men who lived and worked with Patrick and who had been interviewed in Ballykinlar internment camp

in January, which supported a different alibi to that organised by Ms O'Flanagan. Patrick's solicitor, Mr Noyk, decided not to call these two and the prosecution, in another surprise move, then produced a photograph of Paddy in uniform holding a gun. Although it wasn't admitted in evidence the fact that it was produced at all sealed Patrick's fate. On reflection, May is quite stoical about all this: "Uncle Paddy was definitely in the IRB from early on and took part in the 1916 Rising and later he had been held at Frongoch. He was obviously an active soldier in the IRA. He knew well what British justice might be."

My dear Parents: the last letter home

Mountjoy Prison, March 10th 1921.

My dear Parents,

I suppose ere this letter reaches you will have heard all the news there is to hear about me and I pray God to give you the grace to view my fight with death and my triumph over it with equanimity.

I was told today by way of a birthday gift that myself and another prisoner named Thos. Whelan are to go the same road as Kevin Barry went not long ago on next Monday morning.

I know it will be very hard for you all to bear and I hope you will see it in the light that I do and bear it just as bravely as I do and as I will. Perhaps it is the will of God. I'm sure it is, that I should get such notice of 'when where and how', my earthly course finishes and that I never again might get the same chance for a thorough preparation.

I expect to die in the grace of God as I am now, I hope. I crave His mercy and expect to meet you all in a brighter and better world and I want you all to look forward and to strive for that Eternal reward.

I had a visit from Annie and Sister today. She will tell you how I feel about it, the question of whether anyone else should travel to see me was a sore one with me. No child ever had better parents, I did my best as a dutiful son and brother. I hope my efforts pleased God almighty and you.

I feel strong in myself now for what I don't look on as an awful ordeal, and a meeting with those I love so well might not do either of us any good so unless you wish otherwise, I shouldn't advise anyone to travel to see me.

I pray God almighty to bless you all. Don't worry for me, pray for me instead and shed no tears and always hold your heads high because I die a martyr not a criminal as they would paint me.

Am rushed now, will write again to Mag. and the lads and yourselves,

With best love,

Your fond son, Patk.

eventually picked out by a soldier cyclist who said that Paddy held him up in Mount Street on Bloody Sunday. He was set up, at the last two identification parades, by another soldier who had questioned him in the vicinity of Mount Street on the eve of Bloody Sunday when Paddy and another man were trying to help a lady in distress.

"That soldier recognised him when he saw him in prison and a case was built around him for the Mount Street shootings."

May already knew that these were false allegations, but during her background research for Executed for Ireland, she found out that her uncle actually had been involved in Bloody



The remains of the Forgotten Ten are brought to Glasnevin cemetery for reinterment in 2001



A soldier for Ireland: Patrick Moran in the uniform of the Irish Volunteers

Sunday – just not in that particular action on Mount Street.

She said: "Although not a member of Collins' Squad, Paddy was in charge of a group of 15 men who provided cover for members of the unit responsible for shooting Capt. McCormack and Lt. Wilde in the Gresham Hotel."

It is still disputed whether Capt McCormack – an Irishman from Castlebar – was a spy but his name had been added to the hit list by the Dublin Brigade. (Michael Collins later informed McCormack's mother that he had been shot because he was an enemy soldier.)

May added: "I think that [the targeting of McCormack] would not have been Uncle Paddy's call – his name must have been on the list."

Once Patrick was informed of the date of his execution, he wrote one last time to his parents. His mother had been ill and his father was already an old man and they weren't expected to visit their son in Dublin.

May said: "His brother, Jim, was the one who spent time with him before his execution and his sisters had come from England to stand outside the jail."

In the letter Patrick – who was to turn 33 on March 13th the day before the scheduled date of his execution – writes: "I was told today by way of a birthday gift that myself and another prisoner named Thos. Whelan are to go the same road as Kevin Barry went not long ago on next Monday morning."

He tells his mum and dad: "No child ever had better parents, I did my best as a dutiful son and brother. I hope my efforts pleased God almighty and you."

Patrick ends his letter: "Don't worry for me, pray for me instead and shed no tears and always hold your heads high because I die a martyr not

a criminal as they would paint me."

At 6am on March 14th, Patrick went to his death. Following his execution, a note was posted outside the prison gates.

May said: "The relatives later asked for the bodies to be released to the families but, of course, that didn't happen. They had then to deal with the distressing fact no funerals were going to be held."

To add insult to injury, the relatives always believed that the men had been buried in quick lime – but that turned out not to be the case.

“ Uncle Paddy was definitely in the IRB from early on and took part in the 1916 Rising and later he had been held at Frongoch. He was obviously an active soldier in the IRA. He knew well what British justice might be ”

"They were actually buried fairly respectfully – each in their own coffin," added May, "but Paddy's sister and his father and my dad wouldn't have known that because this fact was only discovered prior to the reinterment."

In 2001, Patrick's remains and those of nine others who were executed by hanging during the War of Independence were disinterred from Mountjoy Jail and reburied with full state honours, nine in Glasnevin cemetery and one in Ballylanders, Co Limerick.

ICTU: Beef up protections in 'always on' work culture

CONGRESS has called for provisions to be updated to protect workers' rights in this new era of 'always on' work practices.

The call came in response to the new Workplace Relations Commission's Code of Practice on the 'Right to Disconnect'.

General Secretary Patricia King said: "Trade unions have been to the fore in highlighting that existing checks on excessive working hours have become increasingly strained by advances in communication technology, an always-on work culture and boom in remote

working. Protections must keep pace with modern ways of working if workers' hard-won rights are to be preserved.

"The new code gives guidance and best practice to organisations and workers on the right to not engage in any work-related tasks, activities or communications outside of agreed working time and not to be penalised for exercising this right.

"The code is vital for safeguarding work-life balance and better enforcement of existing laws regulating hours of

employment and protecting workers' well-being, given the seismic changes in work practices."

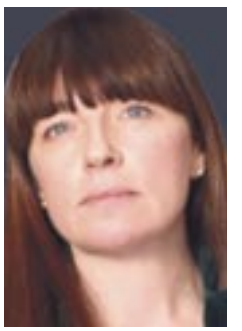
ICTU's Social Policy Officer Dr Laura Bambrick told *Shopfloor*: "The scope of the Code is much more than digital rights for workers to switch-off from work-related calls and emails at the end of their working day.

"It applies to all types of work and all types of employment, not only remote working. In this respect, the Code will be an important tool to help tackle the

longstanding issue of workers regularly doing unpaid overtime."

She added: "When the occasional intrusion on a worker's personal time to get a project finished or an order filled becomes the norm this becomes a health and safety issue.

"An overtired worker is a danger to themselves and others. Excessive working time also squeezes out family, friends, hobbies, sports, and involvement in the wider community. Dissolving work-life boundaries is not victimless."



Dr Bambrick: 'Important tool'



Fury over KPMG's 'covert op' to remove stock from store site

MANDATE has condemned the "covert operation" carried out by Debenhams liquidators, KPMG, involving the removal of stock under cover of darkness from the retailer's Blanchardstown site in the early hours of April 1st.

General Secretary Gerry Light said: "As late as yesterday (March 31st) I wrote requesting that KPMG or any of its agents should desist from attempting to remove stock from any Debenhams location on the basis that it was clearly in contravention of existing Covid-19 regulations in that it could not reasonably be considered to be essential work.

"Frankly, this pre-emptive decision to forcibly remove stock in a covert operation with gardai defies belief, especially on the very same day the ex-Debenhams National Shop Steward Group

was planning to meet with representatives from Solas and the Department of Education to further discuss the €3m fund that has been made available by the Taoiseach and his government."

Mandate only received formal notice of KPMG's intentions to clear stock just before midnight on March 31st in an email sent to the union's solicitors – the obvious intention being to keep union uninformed of the liquidator's plans at Blanchardstown.

Light told *Shopfloor*: "Our members are understandably upset and very angry, especially considering the provocative timing of this early morning operation and the clandestine nature of it.

"Therefore, we totally condemn KPMG's actions in Blanchardstown in the strongest possible terms and will be consulting our members about what actions to take in response."

COVID-19 RESPONSE

Change to vaccine rollout 'slap in face' for retail workers

MANDATE has hit out at the Government's March 30th announcement that it intends to scrap the previous vaccine roll-out plan and follow an aged-based model similar to that operating in the UK.

Slamming the move, General Secretary Gerry Light said: "The sudden shift from prioritising job categories, including essential workers who have kept society functioning, over now to an age-based roll-out is a serious slap in the face for the many thousands of our members who have continued to serve the public.

"Those essential retail workers who have bravely attended work and who have been on the frontline continuing to work in public-facing jobs since the very start of this pandemic for over a year now will be angry and disappointed at this decision by the Government."

He continued: "Any past recognition by the Government of the vital work carried out by our members, who have effectively kept the nation fed and safe, must now regrettably be measured in the context of this decision on vaccine roll-out. Yet again, essential front-line workers have been served up more empty promises and

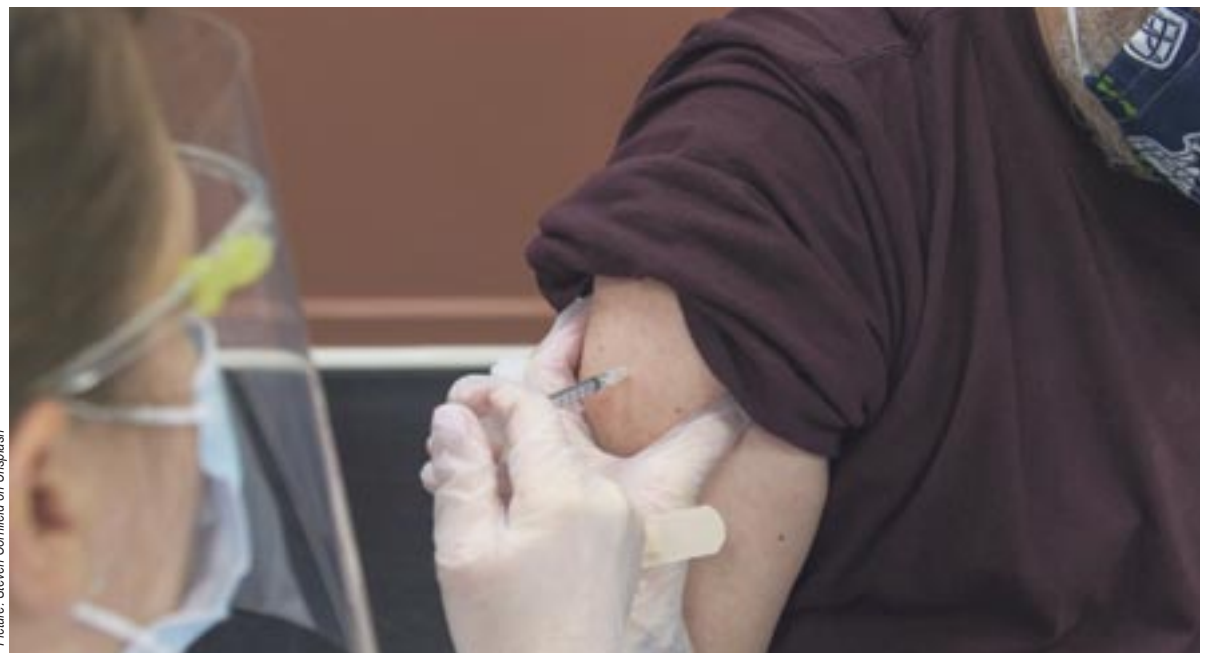
empty platitudes from a Government that has mishandled this pandemic from Day 1."

Light said Mandate members left home every day with the "uncertainty" of now knowing whether they will return home having picked up the potentially deadly virus.

"Unfortunately, in the vast majority of cases our members face this extremely high risk to their health and safety for limited financial reward and to what they see clearly as little or no recognition from this Government."

He added: "Mandate strongly calls on the Government to urgently rethink their strategy for the delivery of the vaccination programme. We also call on those retail employers whose retail businesses remain open to let their voice be publicly heard on this important issue.

"The priority vaccination of retail workers is not only the right thing to do, it is absolutely necessary to ensure the long term safety of retail workers, retail customers and society in general as well as the long term viability and future sustainability of the Irish retail sector."



Picture: Steven Cornfield on Unsplash

Minister clarifies rollout plan change

MINISTER for Health Stephen Donnelly has responded to a March 31st letter sent by Mandate General Secretary Gerry Light following the Government's decision to reconfigure the vaccine rollout plan.

In the letter, Minister Donnelly pointed out that since the Covid-19 Vaccine Allocation Strategy was announced on February 23rd, listing several medical conditions "associated with increased risk of severe disease and death", further "national and international evidence" evidence had become available to give a "more detailed analysis" of these conditions. He continued:

"The National Immunisation Advisory Committee (NIAC) has now been able to more comprehensively identify those medical conditions and to distinguish between those which place a person at very high or high risk of severe disease if they contract the virus.

"Medical conditions and the magnitude of the risk they pose will continue to be monitored and periodically reviewed," he added.

Minister Donnelly said the further update on March 30th was based on "clinical, scientific and ethical frameworks" produced by the NIAC and the Department of Health,

adding that following the vaccination of those most at risk, in future groups would be vaccinated by age "in cohorts of 10 years" (i.e., 64-55; 54-45, etc.).

Defending the move to an age-based model, the Minister said it:

- Protected those at highest risk of severe disease first, which benefits everyone most;

- Facilitated planning and execution of the programme across the entire country; and

- Improved transparency and fairness.

Members call on McCauley's to do the right thing over 'Covid' tax bills

Sharon Furlong

Mandate member, McCauley's Pharmacy

THOSE of us working in McCauley's Pharmacy who continued to work full rosters throughout the Covid-19 pandemic are asking our company to reimburse us for the tax bills that have come about from the company using the Temporary Wage Subsidy Scheme (TWSS) last year.

McCauley's benefitted hugely from the Government's TWSS from March to August last year. The TWSS was a subsidy that paid up to 70%-85% of staff's net wages. McCauley's remained open during the pandemic as an essential retailer.

The benefits to the company not only came from the significant subsidy paid for each employee, it also came in the form of savings in employer PRSI which was reduced from 11.5% to 0.5%.

In addition the McCauley's Pharmacy benefited from savings made because our wages were only topped up to our weekly net amount – *not our gross*.

Since our take home pay was the same as normal, everything looked in order to us. Then in January this year a large number of McCauley's staff were landed with tax bills averaging around €1,000!

We are now asking the company to reimburse us to pay these taxes which is actually just paying us the balance of our normal weekly gross wages which we earned but that were never paid to us.

No matter how you look at it this situation what has happened is effectively a pay cut. The company didn't have to pay anything to receive



Staff at McCauley's Pharmacy were at the front line throughout the pandemic and continued to do their work under difficult and trying circumstances



the TWSS from the Government but the staff are now stuck paying the bill.

Certainly the Government didn't set up this scheme for us to be out of pocket. Ironically the higher earning staff who did not qualify for the wage subsidy were paid as normal with no consequences. How is this fair?

There wasn't any communication sent directly to us by McCauley's about TWSS or the significant tax liabilities we would face despite several attempts by members for

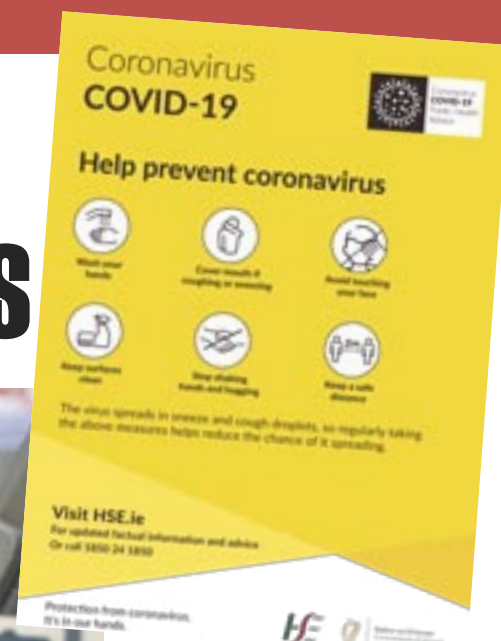


clarity. We also had no choice on the matter. We were not consulted and it was not fully outlined or agreed.

We have worked extremely hard and put ourselves at risk working with fewer and fewer staff during

very difficult circumstances but now it has cost us money for doing so. It should be up to McCauley's to reimburse this tax for each employee.

There is strong consensus among the members that we're not prepared



“ We have worked extremely hard and put ourselves at risk working with fewer and fewer staff during very difficult circumstances but now it has cost us money for doing so. It should be up to McCauley's to reimburse this tax for each employee ”

to accept the company's current position which is to take no responsibility for our tax liability now arising.

Revenue has established a facility for companies such as McCauley's to pay the tax liability for their staff from the TWSS. So far 24 shops have submitted petition letters to the company management as of the first week in March calling on McCauley's to pay the tax liabilities arising.

MALAHIDE GOLF CLUB DISPUTE

Another round of talks on the cards?

MANDATE members in Malahide Golf Club have voted against accepting a set of proposals, negotiated under the auspices of the Workplace Relations Commission (WRC).

Both the union and management of the deal which it was hoped would have resolved a long-running dispute at the links course north of Dublin.

The dispute arose over the non-payment of a pay increase as well as proposed changes to terms and conditions of employment. The previous pay deal at the club expired in October 2019.

Mandate started negotiations with club management on September 3rd, 2019. A number of further meetings were held throughout 2020.

However, as no satisfactory pay deal could be reached, the issue was referred to the WRC in December 2020. The case was heard at the Commission on March 4th, the main issues being pay and working hours,

sick pay, as well as summer bonus and overtime payments. Club management, for their part, were seeking to implement a number of changes – all of which had been previously rejected by the union throughout the course of negotiations.

Staffing levels

Management wanted to put in place a continuous review of staffing levels, further improvements in productivity and no wage increase in 2021.

After a long WRC Conciliation hearing – held virtually because of Covid-19 restrictions – and at which Industrial Officer John Callan was accompanied by shop steward Damien Clarke, the following was agreed between both sides:

- 1% pay increase backdated to October 2020.
- A further 1.5% pay increase effective from 1st October 2021 until 30th September 2022.

- A reduction in the sick pay scheme from the current 13 weeks to eight weeks with a once-off payment of £500 to each union member as compensation.

- No changes to existing overtime payments.

- Performance-related summer bonus – 3% based on attendance, 1% quality, and 1% Health & Safety/flexibility.

John Callan, speaking in March before the result of the ballot was known, told *Shopfloor*: “While our members are acutely aware of the economic situation which Covid has created for the club, they did not see how they should have being made to bear the brunt of a pay freeze and changes to their terms and conditions.

“The club enjoyed many good years and our members played a vital role throughout both the good and bad times.”

He continued: “Our members have



Enjoying a round on Malahide's links course

seen recent improvements to the course, the purchase of new machinery, and the installation of a new drainage system. Added to that there has been new CCTV installed and the painting of various areas in the club.

Expenditure

“All this expenditure – though welcome – was being carried out while our members' pay had been frozen since October 2019. Added to that the club had sought to seek drastic changes to terms and conditions of employment.

“Our members – like most workers in the hospitality/recreation sector – have been severely impacted by the Covid lockdowns and have been laid off at various times – and their income has remained unchanged.”

And Callan also pointed out that despite the impact of Covid-19, the club's revenue and “general financial situation” had remained “healthy”.

Picture: William Murphy (CC BY-SA 2.0)

INTERNATIONAL WOMEN'S DAY

'Long history of women standing up and fighting for what is right'

EX-Debenhams and Arcadia workers have invited all women in Ireland and abroad to join with them as they demand greater protections for staff in female dominated industries.

Both sets of workers (numbering 1,500 in total) were made redundant last year – but without legislative protections they were not compensated with their agreed redundancy packages of four weeks pay per year of service.

The ex-Debenhams workers

marked 333 days on strike on March 8th as they celebrated International Women's Day (IWD).

The ex-Debenhams and Arcadia workers have said they don't believe they would have been placed in this situation if they had been working in a male-dominated industry.

Jane Crowe, ex-Debenhams shop steward, Henry Street, Dublin, speaking ahead of IWD, told *Shopfloor*: "This year on International Women's Day we, the ex-Debenhams workers,



Ex-Debenhams shop steward Jane Crowe: 'If what happened to us happened in a predominant-male industry, would it have gone on this long?'

are calling on the women of Ireland and around the world to celebrate this momentous day with us.

"We will be 333 days fighting for our rights and our hard-fought-for, collectively-agreed redundancy package on this day. Our industry is predominantly made up of female workers and we have been treated

very poorly. If what happened to us happened in a predominantly-male industry would it have gone on this long? No, most definitely not. It would have been dealt with favourably and swiftly."

Ms Crowe explained how women workers in trade unions have made massive changes to the employment rights of all workers.

"The *Mna laide na hEireann* have a long history of standing up and fighting for what's right. It was the Irish Women's Workers' Union who went on strike for three months in 1945 and won the right to annual leave for all workers in Ireland.

"Dunnes Stores workers took action which ended zero-hour contracts in 2019. And now we are fighting to ensure no other workers are treated as we have been.

"This is the one thing that we have prided ourselves on during our long campaign. Being Strong Women of Ireland who were raised by strong women, with many of us are raising the next generation of strong women.

"If you are a woman and still lucky enough to have a job during the pandemic, or are working unpaid in the home raising families, we are inviting you to stand with us on International Women's Day, whether in person, or on social media. Let our voices be heard and say, 'No, we will not be treated as second class citizens anymore.'"

She added: "If you or your workplace are not unionised, why not use this day to join a union and get organised in order to protect your rights and the rights of your fellow colleagues in the workplace?"

Carol Quinn, ex-Debenhams shop steward, Tallaght, outlined how determined the Debenhams workers were in their effort to secure a just settlement. She said: "On International Women's Day we need to acknowledge and celebrate the brilliant campaign the Debenhams workers have fought.

"We have led the fight for all workers who will be laid off as a result of the pandemic, which has hit women

workers in retail, hospitality and healthcare hardest.

"We have shown the need to change the law to protect workers like us. The whole trade union movement, including the leadership of the ICTU, must publicly acknowledge what we have achieved in pushing for legislative change.

"We need their support for a final push to convert the €3m training fund proposed by the Government into cash for the workers in compensation for not being paid their agreed redundancy package.

"We also need to ensure the fight for new legislation continues so that the Government does not fail to act again as it did after the Clerys dispute."

Support

Christine Hourihan, former Dorothy Perkins (Arcadia) worker from Cork, expressed her admiration for the Debenhams workers and the battle they have fought: "The majority of workers in retail are female and it's sad to see we still have to fight for what is due to us. My colleagues and myself were so grateful for the support and advice of the Debenhams workers when we were starting our stand to highlight the fact that the government have done nothing to protect retail workers.

"They have refused to implement changes in the liquidation process – to put these women before landlords and other creditors. These women are out there every day and still found the time to help their fellow female retail workers who found themselves in the same situation. If this was a male-dominated workforce, this would not happen."

Mandate has acknowledged the "determination and solidarity" shown by the Debenhams workers in their "long struggle for justice".

A spokesperson said: "They have ensured that the issue of tactical insolvencies is placed high on the Government's agenda – and the entire trade union movement and beyond owes them a huge debt of gratitude."



Dear Member,

We are excited to announce that MC2 – your very own online training and job-matching platform – is live now! We believe that this platform gives our members the best possible chance to succeed in these troubled times and prepare for what we hope will be a new post-pandemic era.

What does the platform offer?

- Access to 1000s of jobs, with new vacancies added daily.
- Access to 100s of courses – worth more than €2000 – to help your CV to stand out from the rest and give you the best chance of securing a job.
- Unlimited access to the platform, its €2000+ worth of courses and jobs for any 6 additional users **FREE of CHARGE**.

For further information please contact **Jonathan Hogan** at jhogan@mandate.ie or **Amanda Blake** at ablake@mandate.ie



Solidarity messages from across the world on IWD

EX-DEBENHAMS workers, who clocked up a total of 333 days on strike on March 8th (International Women’s Day 2021), received messages of support and solidarity from a range of international and domestic trade unions and civil society groups.

On April 9th last year Debenhams workers – the vast majority of whom are women – received an email from their employer informing them they had lost their jobs and they would not be receiving their agreed redundancy package.

Since then, the workers have been on strike demanding justice and that the Government implement legislation to protect all workers in liquidation scenarios.

Orla O’Connor, Director of the National Women’s Council said: “It is totally unacceptable that nearly a year on the Debenhams workers are still left in this dire situation. And it is very concerning that the same pattern is now emerging for the Arcadia workers.

“In both cases, the vast majority of the workers affected by the redundancy are women who were often employed on low pay, precarious contracts. The National Women’s Council supports Mandate’s call for



Orla O'Connor: 'totally unacceptable'



Alke Boessiger: 'legislative changes'



Patricia King: 'passionate campaign'

the long-overdue change to the legislation so that workers are protected in redundancy scenarios.”

Alke Boessiger – Deputy General Secretary, UNI Global Union said: “On International Women’s Day, UNI is demanding essential rights for essential women workers. Debenhams had been making huge profits for decades on the back of their employees who were left without a

job or financial security after the company was liquidated.

“UNI and its more than 20 million members stand firmly with the courageous retail workers in their already 300 day long campaign for a fair redundancy package and changes to legislation to ensure workers are getting their fair share in the future.”

ICTU General Secretary Patricia King said:

“We salute former Debenhams retail workers, mainly women, who have passionately campaigned for their rights for a prolonged period. They have maintained a strong presence at picket lines across the country, though they have been exploited by a company that walked away from its obligations to loyal employees.

“Congress will continue to support these women and their demands for an acceptable solution to this protracted dispute and will work to ensure that legislation is enacted, so as this kind of situation will not arise for Irish workers in the future.”

Janet Wainwright, Kroger 555 butcher and UFCW shop steward from the US said: “UFCW Local 400 members at Kroger 555 in Yorktown, Virginia, stand in unwavering solidarity with ex-Debenhams workers throughout Ireland as you mark your 333rd day on the picket line.

“No matter where we live or who we work for, we know that heartless corporate greed must be met by organised worker power. We stand with you now and will take your courage to heart as we begin to negotiate our next collective agreement this summer.”

TALLAGHT



LIMERICK



HENRY ST, DUBLIN



WATERFORD



GALWAY



GALWAY



Jobs of those on minimum wage most affected by Covid-19

WORKERS on the minimum wage in Ireland have borne the brunt of job losses during the Covid-19 emergency, new research has found. The Economic and Social Research Institute (ESRI) study revealed that almost half of employees in this category work in sectors most impacted by the pandemic.

The paper, titled *A Comparative Assessment of Minimum Wage Employment in Europe*, also found that other factors – being younger, having fewer educational qualifications and not being a citizen

– tended to determine who worked in minimum wage jobs across the continent.

ESRI stats show that 9.6% of workers are on the minimum wage – currently €10.20 an hour – in Ireland. Significantly, some 43% of these workers are employed in accommodation, food, wholesale or retail sectors.

Research Officer Paul Redmond, the report's author, concluded: "Public health measures across Europe, and the world, have led to business closures, with

accommodation, food and retail being hit particularly hard. Therefore minimum wage employees are likely to suffer disproportionately from job losses arising from the pandemic."

Ranking

Some 21 out of 27 EU member states – including the UK – have a statutory minimum wage. Interestingly, Ireland rates second highest in nominal terms, but when cost-of-living differences are taken into account, the minimum wage here drops to seventh place behind

Luxembourg, Germany, the Netherlands, Belgium, the UK and France.

The ESRI research, which was funded by the Low Pay Commission (LPC), estimated that in 2017 and 2018, Ireland's 9.6% minimum wage incidence was slightly below the 10.5% average across the 14 countries examined in the research.

Age was a significant factor in determining who worked in this category, with employees under 29 between five and eight percentage points more likely to be on the

minimum wage when contrasted with those aged over 29.

The research found that educational attainment also played a key role.

In Ireland, people with lower secondary education were eight percentage points more likely to be on the minimum wage than those with third level education.

Though in some countries women were "heavily over-represented" among minimum wage workers, in Ireland, the gender composition was roughly equal.



I FELT FREE TO TALK, KNOWING THEY WOULDN'T TELL ANYONE

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**UNIONS
ARGUE
FOR
UNITY**

PAGES 20/21



Donna serves up 20 glorious years

MANDATE member Donna Dowdall's smile lights up the Tesco Extra canteen in Dundalk after she topped up 20 years of working for the retailer. A valued member of staff, delighted Donna was presented with a box of chocolates to mark nearly two decades of service at the store on Ramparts Road in the town. Congratulations to Donna from all her friends and colleagues in the union.

MARKS & SPENCER

Talks start on vol redundancy programme

THIS EASTER has seen another well-known high street name, Marks & Spencer, announce a possible voluntary redundancy programme across its retail operation in Ireland.

The union and the company have begun national negotiations on the issue.

National Coordinator Jonathan Hogan told *Shopfloor*: "Topping Mandate's set of priorities is the sustainability of good jobs, which is a key objective of any national engagement of this nature."

He added: "There is no doubting the precarious nature of the Irish retail sector at present and the huge impact Covid and long-term closures have had – particularly on non-essential retailing."

PENNEYS

Banded hours review sought

MANDATE and Penneys are set to enter into a pay and benefits review in September 2021.

The union is also seeking a review of the banded hours agreement with the retailer.

National Coordinator Jonathan Hogan, who has responsibility for training and collective bargaining, told *Shopfloor*: "We want to ensure this agreement reflects the current realities of what our members require as part of their banded hour contracts."

It is hoped that the timing of the national talks with Penneys will also signal the emerging of a general post-Covid reopening of the Irish retail sector.

Hogan added: "The union will be working with its representatives over the coming months to ensure that the relevant communications with members takes place before the opening of these discussions."

ICTU calls for 30 cent rise in National Minimum Wage from 2022

CONGRESS has said the National Minimum Wage (NMW) should rise by almost 3% or 30 cent to €10.50 per hour from January 2022, and has flagged up hopes of a post-Covid boost to the economy, once the mass-vaccination programme has done its work.

The call for a rise in the NMW came in a recent ICTU submission to the Low Pay Commission (LPC) – the body that recommends a minimum wage that is legally binding across the state.

In September 2020, Congress General Secretary Patricia King and Mandate General Secretary Gerry Light withdrew “with regret” as trade



union representatives on the LPC, claiming they did not want to be party to leaving the lowest paid behind. Flagging up the “somewhat unique” nature of this year’s review, Congress claimed the rollout of mass vaccination had brought back some hope of a return to a “near normal” as it was before the pandemic struck.

Pointing out that the current programme for government

contained a commitment to boost the Living Wage – currently calculated at €12.30 an hour by the Living Wage Technical group – over the course of this administration.

The submission states: “Assuming a modest 1.1% increase in the Living Wage to €12.45 would leave a €10.20 Minimum Wage at just 81.9% of the Living Wage rate, while a €10.50 Minimum Wage would be at 84.3% of the Living Wage.”

According to ICTU, the government must – given its claim to value the contributions made by low-paid workers – use this year’s review to begin the process of implementing a Living Wage, which necessarily

means boosting the hourly minimum “... which is in line or ahead of the general movement in earnings in the economy”.

Congress also predicts a “prolonged economic expansion”, caused by both a pent-up demand for products and services, as the iron grip Covid-19 had on economic activity eases.

It points out: “Crucially, low paid workers have higher propensities to consume. This means that wage increases for low paid workers and income supports for low-income households are particularly suited to the goal of stimulating aggregate demand.”

The Congress submission notes

that in 2020, total compensation of employees fell marginally (0.1%) in 2020 compared to 2019, though some sectors saw significant falls.

ICT saw an increase of 8.9%, but wages in arts and entertainment were down by over 15%, distribution, transport, hotels and restaurants saw a decline of 11.3% while pay in real estate activities fell by over 7%.

“In particular, job losses and reduced hours were concentrated amongst lower paid workers. This makes year-on-year comparisons extremely difficult,” it adds.

● Mandate has formally written to the LPC underlining the union’s support for the Congress position as set out in its submission.

Mandate supports Congress pensions submission

MANDATE has issued a submission to the Pension Commission supporting recommendations made by the Irish Congress of Trade Unions.

In his submission to the Commission, the union’s general secretary Gerry Light explained how Mandate membership is predominantly female and would be considered to be medium to low paid.

He said: “Statistically, women are more likely to be in low paid, part-time and precarious jobs as is the case for many thousands of our members. Consequently many can’t afford to pay an occupational pension subscription and this is more likely in sectors such as hospitality and retail.

“Remarkably research shows only 28% of women have an occupational or private pension compared to 55% of men.”

Light continued: “Subsequently, as women age, they are more likely to experience poverty with 25% over the age of 65 at risk of poverty compared to 15% of men in this category. Furthermore, an extended working life is difficult for those in physically demanding jobs, such as care work and workers in low paid or precarious jobs.”

He added: “Typically women are also more likely to be the providers of unpaid care which inhibits their ability to establish sufficient PRSI contributions to become eligible for the full State Contributory Pension.

“In addition, women account for

only 33% of those in receipt of a full State Contributory Pension even though they outnumber men among the over 65s category. Therefore, any measure that impedes access to a State Pension will disproportionately impact negatively on women who rely on the State Pension to a greater degree than men.

“Having regard to some of these basic facts we believe that the recommendations outlined in the submission presented to the Pension Commission by the Irish Congress of Trade Unions adequately deals with the matters particularly pertinent to our female members and many more beyond, therefore we fully support ICTU’s recommendations,” Light concluded.



Gerry Light: ‘fully support ICTU recommendations’

CONGRESS’ submission contained the following recommendations:

I. Congress recommends maintaining the State Pension as the bedrock of the pension system.

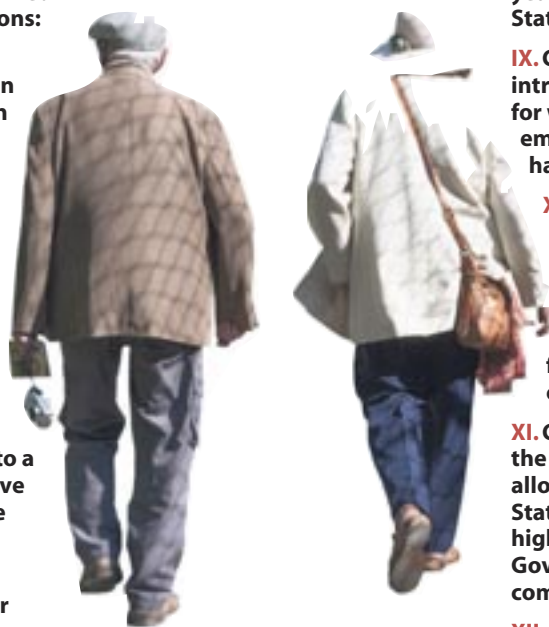
II. Congress recommends auto-enrolment contributions be publicly managed and paid out as a top-up on the State Pension (Contributory).

III. Congress further recommends that the significant profits from managing auto-enrolment investments be deposited into a new National Pensions Reserve Fund to pre-fund future State Pensions expenditure.

IV. Congress recommends adequate public transport for rural areas be a Government priority and it recognised as essential for allowing all pensioners realise the value of free travel in order to enable income adequacy when dependent on the State Pension.

V. Congress acknowledges the planned HomeCaring Credit as reasonable provision for preserving pension entitlement of workers taking time out of employment to provide full-time care.

VI. Congress recommends



abolishing the paid contribution condition for the State Pension (Contributory) for applicants providing long-term care.

VII. Congress recommends an amendment to the Employment Equality Act making it illegal to force a worker to retire at an age earlier than the age at which the State Pension is generally available.

VIII. Congress calls on Government to align the Benefit payment for 65

year olds payment rate with the State Pension (Contributory).

IX. Congress recommends introducing a lower pension age for workers who entered full-time employment at a young age and have a long contribution history.

X. Congress calls on Government to commit to undertaking a review to assess the merits of introducing a fast accrual provision in the State Pension (Contributory) for physically arduous occupations.

XI. Congress supports in principle the Government commitment to allow workers defer receipt of their State Pension (Contributory) for a higher payment rate and calls on Government to deliver on its commitment without further delay.

XII. Congress supports the Government commitment to provide pensioners with greater income certainty on the value of their pension via benchmarking and the indexation, and calls on Government to deliver on its commitment without further delay.

XIII. Congress views the proposed target of 34% average annual earnings to be a floor below which the value of the pension will not fall and not as a ceiling above which it cannot exceed, as finances allow.

TEACHERS UNION OF IRELAND

€12k donation to ex-Debenhams workers

THE Teachers Union of Ireland (TUI) has made a €12,000 donation to ex-Debenhams workers in their continuing fight for justice.

Describing the donation – recently proposed and accepted by the TUI Executive Committee – as a “small, practical expression of solidarity” with the workers, the union also echoed Mandate’s call for “immediate and definitive action” from the

Taoiseach and the government to resolve the issue.

The statement, carried in the union journal *TUI News*, continued: “We also fully support the demand of Mandate and the ICTU that legislation be implemented to give effect to the Duffy-Cahill report which could prevent other workers suffering a similar scenario in future.

“In addition, TUI commends the

workers on the inspirational courage and resilience they have displayed for over six months.”

Thanking TUI for “this amazing act of solidarity and generosity,” Mandate National Co-ordinator Brian Forbes told *Shopfloor*: “Superb support such as this is both a great encouragement to our members on the picket lines and a practical demonstration of what trade unionism is all about.”



BEHIND THE INEQUALITY CURTAIN...

You don't have to be a Wiz to figure out what's going on...



Dave Gibney

"Pay no attention to that man behind the curtain!"

So said the Wizard of Oz in the iconic movie of the same name. He was trying to convince Dorothy and her friends that he was an all-powerful wizard, until her pet cat pulled back the curtain to expose that it was all bluster and that, in fact, he was just a "humbug" lever puller attempting to preserve the status quo and maintain his position of privilege.

Unite's new document, *Hungry Bel-lies are not Equal to Full Bellies*, is the cat in our scenario.

It strips back a curtain of lies and inaccuracies to expose the truth about not only inequality, but also how economic power maintains itself in Ireland. Before we get into the detail of the document itself, let me explain why this piece of work is important.

On 19th November 2020, economist Seamus Coffey, of University College Cork, published an article on RTE's *Brainstorm* website headlined "Why has income inequality fallen in Ireland?"

Opinion piece

Firstly, it might interest you to know that it's not necessarily true.

Despite this, it led to *Irish Times* political editor Pat Leahy writing an opinion piece on 5th December titled: "Ireland is becoming more unequal? Wrong."

That article, too, was wrong. But it also did the job. And prompted Fine Gael Senator Jerry Buttimer to put on the record that inequality was falling... which it's not.

He told the Seanad: "I remind the House of Mr. Seamus Coffey, the eminent University College Cork academic who has written on the issue of income and inequality. The reality is that income growth and inequality is falling in our country at this time and as Mr. Pat Leahy wrote recently in *The Irish Times*, people are getting richer and we are becoming more equal."

"If, however, one was to listen to the chorus and crescendo of naysayers, one would think we were living in a Trumpian world where government did nothing and our people were getting poorer."

Can you see the process now? Economist makes use of dodgy data; newspaper publishes opinion article using this flawed research; and then politician in government party cites both to justify regressive policies.



Increased use of foodbanks is one indicator that Ireland is still a highly unequal society

Picture: Joel Muniz on Unsplash

Flawed economic data

Newspaper publishes claims based on flawed data

Politician uses economist & newspaper to justify policy

This stuff is important. Inequality is important. A report from the Institute for Public Health just over 10 years ago showed that in Ireland we have over 5,400 preventable deaths every single year from economic in-

equality. That's more lives lost in one year than were lost during the 30 years of the Troubles. So to mess around with inequality data and present it as something it is not is messing with lives. And it's political.

The Unite report, drafted by Dr Conor McCabe, dives into the inequality data in detail. It explains how Seamus Coffey and Pat Leahy both use limited data to present an argument that suits their own agenda.

For instance, they use income inequality as a representation of inequality itself. But income inequality isn't economic inequality. It's one aspect of inequality. Conveniently it ignores wealth; public services; tax; capacities; family composition; and costs of goods and services.

Think about it like this: a worker in Ireland might have the same net pay as a worker in Denmark, but the worker in Denmark spends €50 a month on childcare due to public

subvention and the worker in Ireland spends 20 times that at €1,000 a month. Who is better off?

Yet even when they looked at income inequality, they used incomplete data. They focus on the Gini coefficient, which, in Ireland's case, as the report points out, "is not based on information on the 1.7 million households in the state but on a small sample of them - 4,183 to be exact (around 0.2 per cent of the total)."

The CSO asked 9,000 households to participate in the survey with only 40% agreeing. Evidence shows that high income households are the most likely not to participate, so you'd

think everyone should be made aware of that serious flaw. Not the "eminent" UCC academic though.

That's not factoring in that 50% of those who answered the survey were proxies, that is, 'another resident of the household due to unavail-

ability of the person in question'. Nor is it factoring in that there are two methods of calculating income inequality, one (Gini coefficient with all its flaws) showing it falling and the other (tax returns of top 1% based on over two million tax units) showing it increasing.

The fact that Coffey and Leahy argue that inequality is declining in Ireland while wages are increasing will jar with many of our readers who know instinctively, and from lived experience, that this is not true. You start to question, "am I the anomaly?" when you hear that everyone is doing so well. The truth is, again, as pointed out in the report, deprivation is on the increase in Ireland.

Let's quote directly from the Unite report: "On September 2nd, 2020 the CSO published a report which found that the enforced deprivation rate in Ireland had increased in 2019 to 17.8%."

Enforced deprivation is defined as not being able to afford two or more deprivation indicators such as keeping the home adequately warm or buying presents for family/friends at least once a year, said Eva O'Regan, Statistician with the CSO. "The percentage of people considered to be experiencing enforced deprivation in 2019," she added, was 'up from 15.1% in 2018'."

The same CSO report found that 34.4% of those in rented accommodation were in deprivation, up from 27.4% in 2018. Women were more likely to experience it, while over one in five children were living in deprivation.

Deprivation

It also found that the proportion of the population experiencing three or more types of deprivation items increased from 9.9% in 2018 to 12% in 2019.

The Unite report goes into detail in relation to why Irish data is skewed significantly when you only factor in "income" as your inequality qualifier. Whereas other countries in the EU invest heavily in a public housing and public healthcare system, Ireland's social welfare system, for ideological reasons, is a largely monetary one, i.e. they give you money and tell you to source your own accommodation and healthcare from the private market.

If we want an accurate understanding of inequality, we need a holistic perspective.

As Conor McCabe said: "Put bluntly - whatever your wages, if you have no money left after rent/mortgage, food, bills, taxation, healthcare, transport and supporting your family then you are poor."

The importance of the Unite report cannot be understated. Everyone should read it. And we should all question the authority of "eminent" economists, or political experts who tell us what life is like in Ireland when our lived experience is completely different.

Always ask yourself, 'Do they have skin in the game?' To not do so would be to allow the Wizard of Oz to maintain his privilege at our expense.

Jerry Buttimer said in his statement to the Seanad floor: "Can we ever get a bit of honesty from the political commentariat in our country and from some - who are not in this Chamber now - on the extreme left who have no idea what they are taking about?" Indeed.



'CORRUPT' ELECTION CLAIM

RWDSU calls for comprehensive probe after Amazon vote

RWDSU, the US union behind the organising drive at the Amazon warehouse facility in Bessemer, Alabama, has vowed it won't let "lies, deception and illegal activities" go unchallenged – and plans to lodge an objection to the conduct of the ballot at the National Labor Relations Board (NLRB).

The union wants a comprehensive investigation into Amazon's behaviour which it claimed had "corrupted the election".

The ballot seeking the right to organise was lost on Friday, April 9th, – with 738 votes for and 1,798 votes against. Another 505 ballots were challenged by Amazon and not counted in the final tally.

Legal right

The RWDSU's campaign in Bessemer has attracted worldwide attention, with even President Joe Biden contributing to the debate by releasing a video telling the workers they had a legal right to organise.

Union president Stuart Appelbaum claimed Amazon had left "no stone unturned" in its efforts "to gaslight its own employees" to achieve this outcome.

He said: "Amazon knew full well that unless they did everything they possibly could. That's why they required all their employees to attend lecture after lecture, filled with mistruths and lies, where workers had to listen to the company demand they oppose the union."

"That's why they flooded the internet, the airwaves and social media with ads spreading misinfor-



Fighting the good fight: getting the message across outside the Amazon fulfillment centre in Bessemer, Alabama

Pictures: RWDSU

mation. That's why they brought in dozens of outsiders and union-busters to walk the floor of the warehouse.

"That's why they bombarded people with signs throughout the facility and with text messages and calls at home. And that's why they have been lying about union dues in a right to work state. Amazon's conduct has been despicable," Appelbaum contin-

ued: "Amazon's behavior during the election cannot be ignored and our union will seek remedy to each and every improper action Amazon took."

"We won't rest until workers' voices are heard fairly under the law. When they are, we believe they will be victorious in this historic and critical fight to unionise the first Amazon warehouse in the United States."

Mandate National Coordinator

Brian Forbes told *Shopfloor*: "The outcome of the vote is an obvious setback for the RWDSU and their valiant efforts to organise workers at Amazon facilities in the United States."

"A victory at Bessemer, Alabama – especially in a so-called 'right to work' state – would have provided a rallying point and valuable boost not just for workers in retail but right across industrial sectors in the States."

Amazon bosses threw everything – and I mean everything – into their efforts to persuade workers to vote against their own interests.

"How sad. But the struggle is never ending and we fully back the RWDSU's bid to leave 'no stone unturned' in exposing Amazon's underhanded tactics in what looks like – as RWDSU has claimed – a 'corrupted' vote."

● How Amazon deployed its legal big guns to thwart union vote p18/19 ● Stateside viewpoint: Unions must seize the day p30

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Collective Bargaining or Collective Begging?

By John Carty
Mandate Divisional Organiser

THE International Labour Organisation (ILO) was established in 1919 under the Treaty of Versailles "as a gesture to the left" at the height of post-World War One [industrial and political] radicalism (O'Connor, 2011, p. 141). In 1923, the Irish Free State joined the ILO. It was the first international organisation, the new state joined to assert its independence from Britain (Ó Cearbhaill, 1980; O'Connor, 2011).

Former Mandate General Secretary John Douglas, in his then role as ICTU President, attended ILO conferences. The ILO considers the right to strike as an essential principle (OECD, 1996). John Hendy, a leading international expert on labour law concurs and states: "... the right to strike as an essential element of the right to bargain collectively. This is not an expression of academic opinion; it is a statement of international law expressed in international treaties widely ratified." (Hendy, 2015, p. 66)

Restrictions

Since 2012, a concern for Congress has been the "... attack by the employers' group on the right to strike" in the ILO (ICTU, 2015, p. 52). Judy Fudge (a Canadian professor of labour law) has stated that in the ILO: "Both governments and employers' organizations have argued that democracy should trump human rights in the context of attempting to roll back labour rights [including] ... the right to strike." (Fudge, 2015, p. 302-303)

The employers' groups are not anxious about democracy in some abstract debate, but are attempting to undermine the right to strike. The German Federal Labour Court in 1980 decided that, "collective bargaining without the possibility of a resort to the instrument of the strike would be no more than collective begging" (Blank, 2002, p. 166; Original German: kollektives Betteln).

In 2012, Hendy and Professor Keith Ewing expanded on the term 'collective begging' and stated that: "Without rights, trade unions are no more than pressure groups or providers of cheap legal insurance or discount travel services. Without an effective right to strike collective bargaining is not possible. In the absence of a right to strike collective bargaining is no more than collective begging. No employer will make concessions if the union cannot realistically threaten to withdraw labour if its demand is not



Take your pick: 'United We Bargain, Divided We Beg'...

met." (Ewing and Hendy, 2012, p.3)

The South African Constitutional Court has held that, "Collective bargaining is based on the recognition of the fact that employers enjoy greater social and economic power than individual workers", and stated: "Workers therefore need to act in concert to provide them collectively with sufficient power to bargain effectively with employers. Workers exercise collective power primarily through the mechanism of strike action." (Certification of the Constitution of South Africa, 1996, p. 9)

A Canadian Chief Justice stated that without the right to strike "... the right to organize and bargain collectively [are] virtually meaningless", and the court went on to state that without the right to strike, a union is a "... barren and useless thing" (Canadian Supreme Court, 1983).

However, some workers in essential services (such as police forces) in some countries do not have the right to strike. The ILO has defined essential services as including those that "the interruption [a strike] of which would endanger the life, personal

safety or health of the whole or part of the population" (ILO, 1983, p. 66).

Nevertheless, this is open to interpretation and depends on a case-by-case basis (ILO, 2019). The point is, that the ILO recognises in principle that some workers in essential services can be prevented by national laws from engaging in a strike.

The ILO in such circumstances, maintains that such workers should have access to binding arbitration as a substitute to the right to strike (Gernigon, et al, 1998).

Structures

However, arbitration structures can differ, but one common aspect, is existing union members are denied a vote as the union 'negotiators' don't have to sell any unfavourable arbitration outcomes. But potential new union members, can register a 'vote' against arbitration by deciding not to join that union.

Some arbitration structures don't require the employer to disclose financial information (McAlevey, 2016; see also Cullinane and Dundon, 2018). The structures can be pendulum or conventional. In pendulum, ar-

bitrators must choose in favour of either the union's final claim/s and management's final offer/s. This can be on all the issues in one decision or allow for each individual issue to be decided in favour of either party.

In conventional arbitration, the arbitrators have more freedom. However, Lewis (1990) notes that this is very seldom in practice about splitting the difference. What is covered by the structures can differ, in that it may include all disputes concerning all workers, a group of workers and/or a single worker.

The terms may include both or either disputes of interests (such as wage increases) and/or disputes of rights (e.g., the interpretation and/or implementation of existing agreements). The terms may cover or exclude conditions of employment and/or changes in work practices.

The triggering of the process may require just one or both parties. The interpretation of what is and is not subject to arbitration may itself be subject to arbitration. Each of these structures has advantages and disadvantages to the parties.

Superficially, arbitration enables workers to engage with their employer on terms of alleged equality. In arbitration, management forgo lock-outs in exchange for workers relinquishing the right to strike. In reality, lock-outs in recent decades are used less frequently than strikes, so the 'exchange' is very much to the employer's advantage.

The union also gives up the right "to" represent its members in exchange for a lesser right to "make" representations on their behalf (see Ewing, 2003).

The employer's rights regarding decisions on investment, dividends, budgets, transferring work, etc remain. Bob Hepple (Emeritus Professor of Law) in his address to the 2010 Countess Markievicz lecture in UCD cited a co-authored work regarding these rights.

Noteworthy

It is noteworthy, in 2015 the Canadian Supreme Court found in favour of workers regarding the right to strike and relied on numerous academic articles, including Hepple and Kahn-Freund's 1972 analysis: "The power to withdraw their labour is for the workers what for management is its power to shut down production, to switch it to different purposes, to transfer it to different places." (quoted in Saskatchewan v Attorney-General of Canada, 2015)

Jimmy Hoffa (president of the Teamster union) was against compulsory arbitration, as constraints are placed on increasing wages, but not on inflation (1960). Arbitrators may consider fair comparisons with other employments. However, the first Chair of ACAS (UK equivalent of the WRC), Jim Mortimer observes that "arbitration is not a means of determining social justice." (quoted in Corby, 2003, p.82)

Arbitrators at best will follow precedents (McAlevey, 2012), they tend not set them. Major gains in employment conditions are more likely to be obtained through collective bargaining than by arbitration (Jenkins and Mortimer, 1965).

MSF General Secretary Ken Gill once stated regarding binding arbitration: "The difference between a slave and a worker is the right to withdraw his [or her] labour." ([1987] quoted in Wilkinson et al, 1993, p.281).

Slaves may never bargain, but they can always beg.

NOTE: A list of references cited in this article are available on request from Shopfloor, email: news@mandate.ie



Teamsters' Jimmy Hoffa: not a fan of Arbitration



POISONING OF FLINT

US officials face charges linked to contamination of city water supply



THE AFSCME trade union has welcomed the move by the Michigan Attorney General's Office to bring charges against a number of former and serving officials – including ex-State governor Rick Snyder – allegedly linked to a massive public health scandal that hit the city of Flint in 2014.

Together the group face 42 charges, ranging from perjury to misconduct in office to involuntary manslaughter. All nine defendants, including Snyder, pleaded not guilty during a series of brief court appearances earlier this year. Snyder has also dubbed the charges “a politically motivated smear campaign”.

Cost-cutting

The crisis began when the city switched its drinking water supply from Detroit's system to the River Flint – seen by many on the left as a cost-cutting move on the part of the State's Republican administration.

This caused parts of the local water supply to become contaminated and led to an outbreak of Legionnaires' disease. Untreated water from the river had caused lead to leach from old pipes resulting in the deaths of at least a dozen residents. Lead can damage the brain and nervous system as well as cause long-term learning and behavioural problems.

The AFSCME has described the development as a welcome step forward on the road to justice. Reacting to the announcement, union official Larry Roehrig said: “I don't know that anything can possibly bring enough



Nine officials – including former Michigan State Governor Rick Snyder (far left) – face a total of 42 charges linked to the 2014-2019 public health scandal. AFSCME's Larry Roehrig (inset left) has welcomed the move as ‘a start’ in ‘holding officials accountable’. Volunteers staff a water pick-up station in Flint (above & top)

Pictures: National Guard Bureau (CC BY 2.0); AFSCME; Doug Kerr (CC BY -SA 2.0); USDA (Public Domain)

justice for the generation of children and families poisoned in Flint.

“However, holding these officials accountable is a start. Elected officials cannot willfully endanger their constituents' livelihoods to support austerity measures and their own partisan ideologies.”

In a 2016 opinion piece, AFSCME President Lee Saunders claimed that the Flint poisoning was not “some out-of-the-blue occurrence” but rather the result of a “governing phi-

losophy” that “puts austerity first and people last”. He added: “It's a consequence of an economic ideology that regards public services as costly and unnecessary, as though a clean, healthy and safe community isn't the essential right of every citizen.”

In 2016, delegates to the AFSCME International Convention passed a resolution calling on Snyder to “take full responsibility for the immoral actions of his administration and the Flint Emergency Manager and resign.”

Commenting on the move by the Michigan Attorney General's Office to bring charges, Right2Water Ireland spokesperson David Gibney told *Shopfloor*: “When we start to put a ‘cost’ to water, as if it's a commodity and not an essential human right, it gives legitimacy to those who would cut costs and endanger the lives of all of us who need it.

“This economic ideology is dangerous and sadly the people of Flint have paid the price, and will continue to

pay the price for the foreseeable future. We cannot allow the financialisation of water and with it the endangerment of public health anywhere in the world.”

He added: “Right2Water in Ireland stands firmly with the victims in Flint. We send our solidarity and hope that those responsible for the loss of lives and endangering the health of the people of Flint are held accountable.”

How Amazon deployed legal big guns to thwart bid for union recognition



Picture: tingey-injury-law-firm at Unsplash

By John Logan

US-based Labour Studies academic

AS SOON as US retail workers union RWDSU filed for a National Labor Relations Board (NLRB) election in Bessemer, Alabama, in late November 2020, Amazon engaged the services of corporate law firm, Morgan Lewis, to do what it could to thwart the initiative.

Morgan Lewis – which brings in nearly \$2.3 billion a year in revenue and employs 2,200 lawyers across the world – is one of the States’ most influential firms specialising in so-called union avoidance activities.

According to one legal expert, Amazon’s move showed it was “digging in for a fight”, adding, “That is not a hire you make if you’re playing nice”.

Powerful

The fourth largest law firm in the United States in 2020, Morgan Lewis has a dedicated labour practice section which dates back to the 1950s.

By the 1970s, the firm had the most powerful management-side labour practice in the country, one that appeared regularly in the AFL-CIO’s *Report on Union Busting*. Today it is consistently among the top Big Law firms that “dominate the representation of employers before the NLRB.”

Morgan Lewis’ extensive battles with organised labour include the infamous 1981 PATCO strike, the 1993-1994 baseball strike, the 2009-2010 efforts to oppose bank workers organising in the wake of the financial crisis, the 2019 General Motors strike, and it played a key role in advising McDonald’s on how to defeat both unionisation and the ‘Fight for 15’ campaign for higher wages.

Attorneys at Morgan Lewis have extensive expertise fighting unions in NLRB elections. The firm boasts a “NLRB Special Appeals Practice” to “assist clients with high-stakes issues” which includes three former senior Republican-nominated members of the NLRB.

Its attorneys advocate the use of NLRB election delaying tactics, opposing mail-in ballots, as well as bargaining unit manipulation. These tactic were clearly seen in the Alabama campaign. In presentations to corporate clients, Morgan Lewis attorneys have openly stated that any delay in NLRB elections benefits employers and hurts unions, and has advocated changes to the bargaining unit that will make organising more difficult.

The firm’s website states: “In addition to assisting employers during union organizing campaigns and related litigation, we help clients pro-



Philadelphia workers held a rally outside the offices of law firm Morgan Lewis, as part of a February 20th national day of action in solidarity with Amazon workers in Bessemer, Alabama

Picture: Joe Piette (CC BY-NC-SA 2.0)

mote positive employee relations and strategically shape bargaining units to minimize potential union organizing victories.” Following the NLRB’s decision to restart elections in March 2020, following a brief pause, union elections have overwhelmingly been conducted by mail-in ballot. In fact, every NLRB election has been held by mail-in ballot since the board set up its six-factor Covid-19 test for union elections in the Aspirus Keweenaw case (November 2020).

According to Bloomberg Law, these

results “signal that union elections likely will be held by mail for the foreseeable future, with the virus surging as cold weather pushes more activities indoors.” However, Morgan Lewis has encouraged employers to appeal against NLRB decisions for mail-in union ballots.

Taking that advice to heart during the Bessemer campaign, in early February, Amazon appealed the NLRB’s decision requiring a mail-in election because of the high incidence of Covid-19 cases in Jefferson

County, Alabama (site of the BHM1 distribution centre).

Anti-union

During its anti-union webinars, Morgan Lewis attorneys have accused unions of trying to “capitalise on Covid-19 virus fears”, such as a lack of proper PPE, and strikingly similar anti-union rhetoric was later adopted by Amazon management.

Morgan Lewis helped Amazon defeat its previous NLRB election, during an organising campaign by the

International Association of Machinists (IAM) union in Middleton, Delaware, in 2014.

After its crushing election defeat, an IAM spokesperson said that workers had “faced intense pressure from [Amazon] managers and [Morgan Lewis] anti-union consultants hired to suppress this organizing drive”.

And this time round, Amazon distributed anti-union materials to employees at BHM1. The online retailer also created an anti-union website for employees, displayed anti-union



Picture: CT Senate Republicans (CC BY-NC-ND 2.0)

RAISE THE ROOF CAMPAIGN

Housing legislation comes under fire

FLAGSHIP Government initiatives on housing have sparked controversy and criticism amid claims they could see a massive transfer of public land to private developers and cause a spike in house prices.

Legislation on the Land Development Agency (LDA) and Affordable Housing is currently under scrutiny in the Oireachtas, with the Government stating both measures will help deliver on its pledge to “put affordability at the heart of the housing system.”

But the Land Development Agency proposals have been slammed by all major opposition parties, including Sinn Féin, Labour, Social Democrats and People before Profit.

They say the proposed LDA contains weak provisions on delivery of affordable homes and is a ‘Trojan horse’ that could see a massive transfer of public land to private developers.

The draft legislation provides for the acquisition of public land by the LDA and stipulates that just 50% of any such land would be used for affordable housing/cost rental.

The legislation does not define ‘affordable’ and provides for the disposal/transfer of public lands to private developers, for housing construction.

This could see private interests gain control of major tracts of lucrative public land.

Housing expert Mel Reynolds estimates that the State controls enough public land to build some 114,000 homes, or almost 7,500 acres.

And Mandate has added its voice to the chorus of disapproval over the proposals. National Co-ordinator Brian Forbes told *Shopfloor*: “The whole housing market is just not operating as it should. It has become separated from what surely is its key social purpose – to offer ordinary people decent accommodation at an affordable price.”

“Putting a roof over people’s heads should not be a means for land speculators and developers to make a quick killing – most especially when public land is used for this purpose.”

“And not forgetting, of course, that any unseemly transfer of public land to private developers will be played out against the backdrop of the most severe housing crisis in our country’s history.”

The Raise the Roof campaign has consistently demanded that public land be retained in public ownership and used exclusively for public housing and affordable homes to purchase.

The proposed LDA does not provide for this and will see public lands used for private gain.

Opposition parties are united in their criticism of the proposals, with the Social Democrats demanding major changes to the proposed legislation, including:

- That the LDA cannot sell or dispose of public land to private developers;
- That 100% of homes on public land should be affordable and public;
- No homes on public land can be sold to major institutional investors.

House prices surge despite pandemic

THE latest CSO figures show there has been a surge in the price of housing with the Covid emergency failing to dampen the market. Overall, house prices rose by 2.2% in 2020.

The highest median house price was in Dublin at €380,000 – well above the affordability threshold for the majority of the workforce.

The price of new homes has surged by an astonishing 72.6% since 2013, while prices for existing homes are now 84.8% higher than in 2012.

Expert assessment of the Affordable Homes Bill from the Economic & Social Research Institute (ESRI) says it “would very likely lead to higher house prices.”

The ESRI voiced their fears at a February 15th hearing of the Oireachtas Housing Committee.

But rather than examine the key issues this raised, a succession of government representatives sought to

persuade the ESRI to change its evidence. The ESRI declined to do so.

Central to the Government’s Affordable Housing initiative is a ‘shared equity’ model, similar to a scheme that operated in the UK from 2013.

This was criticised by the UK’s National Accounting Office (NAO) for pushing up house prices and separately by the London School of Economics (LSE) for failing to deliver homes where they were needed.

The shared equity scheme was closed down by authorities in Northern Ireland in 2016.

Also causing disquiet is the fact that the Government ‘shared equity’ plan bears a remarkable resemblance to recent proposals submitted by Irish Institutional Property (IIP) – comprising many of the country’s largest developers – and IBEC’s Property Industry Ireland.



AMAZON UNION NOW!

When workers come together to form a union, they win dignity and respect at work. We, the worker-driven organizing committee at Amazon in Bessemer, Alabama are fighting for just that. Together we can win a real seat at the table with Amazon, make our working conditions safer, fight for needed benefits and ensure good jobs in our community.

BAmazonUnion

Are you interested in joining our BAmazon Union?
Text WATCH to (646) 600-5355 today to learn more.

Signing a Union Authorization Card is the first step towards forming a union that will bring us dignity and respect at work. Text SIGN to (646) 600-9921 to sign one now.

Want to learn more?
Visit our website to learn more about how you can join us and support changes to our workplace. Or watch a video now...

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signs within the distribution centre and sent anti-union texts to employees’ phones.

All of these materials contained tried-and-tested anti-union tropes that have been used by firms such as Morgan Lewis for decades.

Except for a few direct references to Amazon or BHM1, the same talking points can be found in almost any anti-union campaign. For example, these materials told employees that the RWDSU is a “business” that is only really interested in dues money (despite the fact that, since Alabama is a so-called ‘right to work’ state, no Amazon worker was required to pay dues even if the union had won certification).

They also stated that the union had made promises but could not guarantee better wages or benefits or greater job security, warning workers that they could end up with “less”.

They went on to claim the union required workers to go out on strike and that they wouldn’t be eligible for pay or unemployment benefits during any stoppage. Getting rid of unions, they also claimed, was extremely difficult and described the

voting in of a union as “like a one-way door”.

The materials also claimed that the union would prevent employees from communicating directly with Amazon supervisors and managers within the BHM1 plant.

Morgan Lewis has repeatedly represented Amazon in lawsuits against its own workers who claim they have been discriminated against or have been cheated out of wages and benefits.

For example, the firm has helped Amazon defeat law suits by delivery drivers, warehouse workers and others over the company’s alleged failure to provide overtime payments, its alleged misclassification of Amazon flex drivers as independent contractors rather than employees, and its failure to pay warehouse workers for time spent in mandatory security checks.

In May 2020, Amazon, represented by Morgan Lewis, paid \$11 million to settle an overtime suit by warehouse workers in California over unpaid se-

curity searches.

Since the onset of the pandemic, Morgan Lewis has also defended Amazon against allegations of putting in place inadequate Covid-19 safety precautions. According to the company’s own figures, between March and October 2020, almost 20,000 workers tested positive for Covid-19. Public health officials immediately criticised Amazon’s analysis of infection rates among its warehouse workers for omitting key data and providing a misleading picture.

In November 2020, warehouse workers filed a lawsuit against Amazon in New York City alleging that these health and safety failures disproportionately exposed workers of colour to Covid-19 infection.

In addition to representing Amazon multiple times, Morgan Lewis has also represented several other Big Tech firms – including Microsoft, Dell and Google – in proceedings before the NLRB.

One of the Trump NLRB Senate confirmation hearings revealed, according to Bloomberg Law, a “conflict list littered with Big Tech companies” and showed that Morgan Lewis also “represents management in union petitions to organize workers at the General Electric Company, Aramark, DaVita, Google, and Dell, among other large corporations.”

Amazon also has connections with several other leading anti-union law firms, and has appointed experts who formerly worked for Jackson Lewis and Ogletree Deakins, and engaged the services of Littler Mendelson.

Interestingly, for over a decade, Morgan Lewis was the Trump Organisation’s favourite law firm. Since 2005, Morgan Lewis played a key role in providing legal representation concerning the former president’s personal finances and those of the Trump Organisation and did so until he left office in January.

Morgan Lewis’s extensive background in so-called union avoidance activities, and its powerful connections at the Trump NLRB, made it the ideal choice to lead Amazon’s aggressive counter-organising campaign in Alabama.

These externally orchestrated anti-union campaigns often have a profound impact on the outcome of union organising drives – as was seen at Bessemer. Hiring Morgan Lewis showed the online retailer was utterly determined to do whatever it deemed necessary to prevent its workers from unionising.

John Logan is Professor and Director of Labour and Employment Studies, San Francisco State University

We need words *and* deeds from incoming CEO

UNI Global Union General Secretary Christy Hoffman has called on Andy Jassy, Amazon’s CEO-in-waiting, to promote real change within the company.

Jeff Bezos, who heads up the online retail giant, is stepping down from his current position later this year to take up the role of executive chairman.

Hoffman said Jassy could “show to the world – in words and deeds – that he will change the company for the better by actually caring about racial and economic justice.” Speaking before the

result of the vote in Bessemer was known, she added: “He should use his influence to stop Amazon’s anti-union campaign. He should support black workers’ right to form a union without interference.”

The majority of the Bessemer workers are black.

Jassy, who is chief of the AWS wing of the company, has been quoted as being supportive of the movement for racial justice in the United States, but so far, has remained silent on the situation in Bessemer.



Andy Jassy Picture: Steve Jurvetson (CC BY 2.0)

Trade union pressure group **TUNUI** set out a robust case for constitutional change

Arguing for unity...



Trade Unionists for a New and United Ireland (TUNUI) was set up in February 2019 with the aim of putting the interests of workers front and centre in the debate on constitutional change.

Our initiative was launched with a statement that called on trade unionists across the country to “put economic and social equality into the heart of the discussion on a New Ireland”. That statement was signed by over 150 trade union leaders, officials and activists from across the country.

The inclusion of the word ‘New’ in TUNUI’s name was a very deliberate one. We are intensely aware that both states on the island of Ireland have failed workers. So, constitutional change cannot mean simply bolting those two states together.

As our declaration states: “If there is to be a United Ireland, it must be a New Ireland that puts workers’ rights, economic rights, gender rights, as well as universal human rights front and centre in a new all-Ireland constitution.”

In the South, the rights of workers have been undermined since the foundation of the state. From its inception until the Good Friday Agreement, the Northern state was a “cold house”, not just for nationalists, but also for workers, trade unionists and even those on the moderate left. Both states were run ultimately in the interests of business and of conservative and reactionary forces.

Thus, a new departure in the form of a United Ireland on this island cannot simply be about more of the same. The same has meant austerity, housing crises, emigration, inadequate health care, low wages and the restriction of workers’ rights such as the right to collectively bargain or to strike.

We are proud to say that supporters of our initiative include the sitting president of ICTU, Gerry Murphy, a number of general secretaries, leading officials and activists, as well as the former Dunnes Stores Anti-Apartheid strikers.

As active trade unionists, the people involved in TUNUI are engaged on a daily basis in fighting for the rights of workers. We aim to advance the cause of workers and organised

labour in the long term and recognise the enormous damage inflicted on those who live and work on the island by partition and divided communities.

While a United Ireland, achieved by peaceful and democratic means, is a legitimate object in itself, workers are nevertheless entitled to ask what it would mean for them. We, therefore, believe in a New and United Ireland of equality. This means that economic and social justice, human rights, workers’ rights, women’s rights, children’s rights and diversity should be at the heart of a new constitution.

We have to ensure that never again will workers, their families and communities be left behind or be divided by sectarianism and racism.

Overshadowing everything else currently are three enormous existential challenges: Covid-19, Brexit and Climate Change. All three pose massive risks for working people who inevitably pay the biggest price for failure on any front.

Covid-19 and Climate Change respect no borders while Brexit disregards the will and interests of the majority of citizens on both sides of the border. All point to the absolute necessity of an all-Ireland strategy and solution.

There are those who say that now is not the right time to debate the future for all those who live and work on this island. However, there was never a more compelling time when workers on both sides of the border are in the front line facing an emerging and immediate “perfect storm” posed by the Covid pandemic, the breakdown of our climate and the disruption of Brexit. Indeed, to not do so would be reckless and irresponsible. As the largest civic society movement in the country, trade unions have a particular responsibility to involve themselves in this ongoing debate.

Even leading Unionists agree we should talk about the future, albeit from a different political perspective. Former Northern First Minister and DUP leader Peter Robinson has more than once called for unionists to prepare for a Border Poll and put forward their case for the retention of the Union with the United Kingdom.

There is no escaping the fact that the debate about the future of our country is under way in the media, in civil society, in workplaces and in communities.

That is all the more reason why trade unionists have to come together to promote discussion within our movement and among workers generally on how their interests could be advanced in a New Ireland.

That discussion must be constructive and involve trade unionists and workers on both sides of the border. It should include both unionist and nationalist/republican identities as well as those who declare as neither.

It especially must involve the many workers who have come from other countries to live and work in Ireland, marginalized communities and young people.

What we cannot do is simply wait around to allow corporate interests to monopolise and dictate the terms of this debate, leaving workers scrambling to “play catch up”. Workers and communities on this island deserve better than that.

Why workers and trade unionists should support Irish Unity

In 1914, James Connolly warned that partition would be a disaster for the working people of Ireland. In the Irish Worker, he wrote: “The betrayal of the national democracy of industrial Ulster would mean a carnival of reaction both North and South, would set back the wheels of progress, would destroy the ongoing unity of the Irish Labour movement and paralyse all advanced movements whilst it endured.”

The Irish Labour movement opposed the partition of the country from the moment it was first proposed. In 1914, the Irish Trade Union Congress declared that “partition will intensify the divisions at present existing and destroy all our hopes of uniting the workers of Ulster with those of Munster, Leinster and Connaught on the basis of their economic interest”.

When partition became a reality in 1921, the warnings put forward by



Connolly and the Irish trade union movement unfortunately came true. The workers’ movement was not only divided in two because of the creation of two political jurisdictions, but workers in the North were further divided along sectarian lines.

Despite these divisions, the trade union movement tried against very difficult odds to maintain some degree of unity across the working class in the North.

Over the past century, partition has undermined the natural development of not only the trade union movement, but every movement for progressive social change in this country. Most recently, vibrant campaigns achieved marriage equality and reproductive rights in the South but were denied to people in the North.

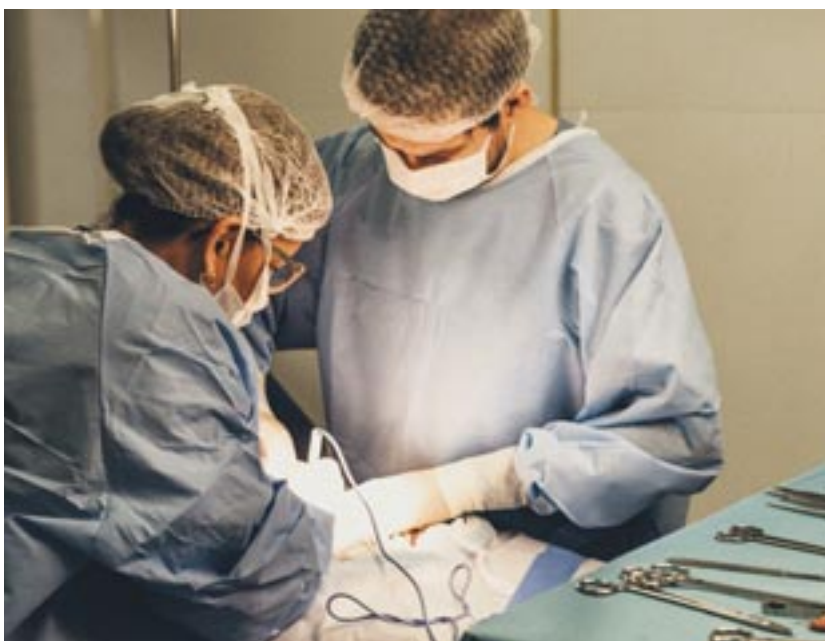
In the North since the 1940s, people have had access to universal free healthcare, something that right-wing governments in the South denied to its citizens.

Partition distorted the natural economic development of Ireland on both sides of the border. Most of Ireland was cut off from what was then the country’s industrial heartland based around Belfast and Lagan Valley.

Over time, the North’s once power-



e leading to a **NEW** and **UNITED** Ireland based on economic and social equality...



Pictures: Olga Kononenko (Unsplash); Markus Spiske (Unsplash); Kevin Grieve (Unsplash); Jonathan Borba (Unsplash); Mauro Gigli (Unsplash); Gillette's Crossing (CC BY 2.0)



ful shipbuilding and linen industries went into decline, while the southern state became dependant on foreign investment attracted by low corporate taxes at the expense of its own indigenous industries and public services.

Partition is not simply a matter of national identity. It is a pressing social and economic issue that has had real negative material and economic consequences for the people of this island. Trade unionists knew this at the time when partition was happening, and it remains true today. Below are a number of reasons why we believe trade unionists should advocate for a New and United Ireland.

Irish Unity is a chance for a new start for everyone on this island

Most trade unionists would agree that both states on the island of Ireland have failed working people and few would argue that either state is a model to emulate.

TUNUI believes that Irish Unity cannot mean merely stitching the two states together. We want a totally new state where the rights of workers are advanced, taxation is progressive, housing is a right and health care is free at the point of delivery.

The debate on Irish Unity will necessarily involve a broader discussion

about what the country will look like after reunification. This is an exciting opportunity for everyone living on this island to have a say in what their country should look like, and what rights and services they expect from a new state.

In this civic discussion, trade unionists should be demanding the right to collective bargaining, a living wage, a Bill of Rights, universal health care and affordable housing in a New and United Ireland.

Irish Unity will enhance democracy on our island

The aspiration for Irish Unity is a democratic one based on the principle that decisions affecting people on the island of Ireland should be made by the people living here. A fundamental principle of trade unionism is democracy.

By no stretch of the imagination could the northern state even today be described as democratic. Key political decisions – such as taxation, major state investment strategies and foreign affairs – are all dictated by London, with minimum input from people living in the North.

Democracy requires that decisions affecting communities on this island should be taken as close to them as possible, not in London. The debate on Irish Unity has already started and trade unionists need to play a leading role in the discussion.

The debate on Irish Unity is already under way in the media, in politics and right across society. As the largest civic society movement in Ireland, trade unions have a responsibility to take an active part in this debate and ensure the rights of workers are front and centre in this discussion.

Irish Unity will be an occasion of enormous constitutional change and as such will determine the course of politics and economics for decades to come. If trade unionists stay out of this debate, our voice will not be listened to when those new constitutional arrangements are being constructed.

Furthermore, without the voice of workers and their unions, corporate interests will determine the course of this discussion and mould it in their interests in order to further promote privatisation, anti-union legislation and low corporate taxes.

Irish Unity can help heal the divisions that exist on our island

Partition not only divided our island, but exacerbated sectarian division within the North. Anti-racism and anti-sectarianism is a central principle of our movement. We need to face up to the fact that sectarianism cannot be overcome while partition exists.

The northern state was a colonial sectarian creation. It was founded on sectarianism and continues to exist because of it. As long as partition continues, sectarianism is something that can only be managed, but never eliminated.

Irish Unity is an opportunity for us to overcome the divisions inflicted on our island by colonialism. A New and United Ireland would respect and protect the rights of all traditions on this island to ensure the injustices of

the past are never repeated.

A unity referendum is a key provision of the Good Friday Agreement

Holding a referendum on Irish Unity is promised in the Good Friday Agreement. The agreement states that the British Secretary of State can call a referendum “if at any time it appears likely to him that a majority of those voting would express a wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland”.

TUNUI believes the conditions have been met for an Irish Unity referendum to be held. Political parties that are explicitly in favour of partition are now a minority in both the Stormont Assembly and among the North's Westminster MPs. Only eight MPs out of 18 are unionist, while only 39 MLAs out of 90 are unionist. Unionism is now a minority position in the North and there is a clear desire for constitutional change.

Regardless of one's position on whether or not the North should remain in the union with Britain, if you support the Good Friday Agreement, you should support all the key provisions of that agreement – including the provision that allows for a referendum on Irish Unity.

Irish Unity will allow us to tackle climate change as an island

The response to the Coronavirus pandemic across the two political jurisdictions has been disjointed, with conflicting public health advice and different restrictions on a number of occasions.

This gives us a small glimpse into how difficult it is going to be for us to tackle climate change on a divided island. In order for any Green New Deal or Just Transition initiative to be successful, it needs to be implemented on a 32-county basis.

TUNUI advocates for strong climate action, which would include divestment from fossil fuels, massive state investment in green energy, expansion of public transport and a Just Transition for workers in affected industries. Climate change does not recognise borders, and our response to it cannot be hindered by a line drawn in a map by imperialists a century ago.

Irish Unity can allow for all-island economic planning

An All-Ireland industrial strategy could help address the imbalances of the island's economy caused by colonialism and partition. The North is overly dependent on a subvention from London, while the southern economy is overly dependent on foreign investment.

A New and United Ireland could be an ambitious country that breaks this dependency and sets out an all-island strategy to develop sustainable industries across the island. Most importantly it should be one based on sustainable employment and fair pay and conditions for workers.

Reunification could further rebalance regional inequalities, particularly in border counties. This would see an expansion of public transport, particularly rail, of which those counties have historically been deprived.

Fighting back against Big Brother

By Eugene McCartan

General Secretary, Communist Party of Ireland

BIG BROTHER is watching us all! Some *Shopfloor* readers may remember or even have used such now outmoded machines as public telephones, fax machines, and even received telegrams.

And some may have grown up when very few homes had telephones and in the small country towns there may have been only one public telephone for everyone's use.

Today much of that technology is obsolete and most people carry a phone around with them in their handbag or pocket. The advance in technology has been staggering and is changing our lives almost on a yearly basis. Since the outbreak of the Covid-19 pandemic more and more people are shopping online which has had – and will continue to have – a huge impact on the lives of millions of workers who earn their living in the retail sector.

The internet was invented in 1989 – just 32 years ago – and in that very brief period of time our world has changed. What will our lives look like and the impact of all this technology on everyday existence in a hundred years is very hard to fathom.

Technological change is impacting on every aspect of our lives – from finance, transport, tourism, culture, education and knowledge, as well as how to we socially interact with each other.

Surveillance

At the same time we have seen the growth of mis-information by government agencies, more intense surveillance and an increasing loss of privacy. This growth in surveillance is no longer just the state watching us but giant globalised private corporations – such as Google, Apple, Facebook, Amazon etc. They know almost everything about us from what we eat, read, watch and with whom we interact.

Over the next number of years with artificial intelligence and 5G technology, algorithms will have an ever-increasing impact on our lives. These fundamental changes in communication will have a profound influence on how society is organised, the political structures that control our lives.

We are living in a period – and increasingly so – in which our privacy is under grave threat. We are under surveillance more than ever before through biometrics or video cameras. And robotics, drones and artificial intelligence (AI) allows for even greater control and the management of what is the truth.

But with the mass equipping of lightweight digital communication devices (smartphones,



laptops, tablets and others), individual citizens have more communicational firepower than, for example, the first global television channel, Cable News Network (CNN), had in 1986.

Workers always knew that they rarely, if ever, get sympathetic coverage in the national media. Our every action - strike or otherwise - would come under sustained criticism from a media platform that served as a mouthpiece for employers. Today it is increasingly hard to get beyond the new version of fake news, post-truth, news manipulations or alternative truths.

Manipulations have multiplied, intoxications proliferate (like another pandemic), disinformation dominates and the war over how we should understand our world intensifies.

If you can control and shape how people understand events and forces around them, then there is every likelihood you will manage how they will react to those events and forces.

Never before have fake news, delusional narratives, and plots been “constructed” with such sophistication and spread quickly across the globe. We just have to see and listen what is being promoted about this current pandemic and the giant green lizards that are controlling us! What is more disturbing is that many surveys show that citizens prefer and believe fake news more than real news because the former corresponds better to what we think.

Fool ourselves

Neurobiological studies confirm that “we adhere more to what we believe than to what goes against our beliefs. It has never been easier to fool ourselves.”

That is why it's more important than ever that working people choose carefully from whom they get their information. The state and big business are well-versed in the manipulation of news. The task is simple to get

us all to believe there is no alternative to the current system we labour under. They defend the status quo and ensure tomorrow belongs to them and not to working people. They construct multiple narratives around the same one issue to sow confusion and misunderstanding and to demoralise people.

That there really is “no alternative” beyond their reality and those that are peddled in cyberspace are crazily promoted by crazy people and daft groups.

“(...) although the digital revolution has allowed an indisputable democratisation of communication – a goal that seemed absolutely unthinkable – this democratisation now leads to an uncontrolled and disorderly proliferation of messages, as well as to the deafening noise created above all by social networks.”

Every one of us is now what used to be called a mass media. Most people are unaware of the power that they have to counter the bosses' media and the conspiracy think-tanks.

We need to know the real power in our hands within our smart phone, laptop, if we use it properly. Today, while corporate media appears all-powerful, we are no longer unarmed.

The decision we have to make is – are we making best and most effective use of the communications superpower at our disposal?

Have you sent this copy of *Shopfloor* on to workmates, family members and friends to give them an alternative view of retail workers in Ireland? Have you picked out one article and tweeted a link to those that follow us on social media?

Have you thought about using Twitter, Facebook, Instagram, Telegram, Signal, Snapchat, WhatsApp, Zoom, Tik-Tok and others to promote your union, to spread the word about *Shopfloor*? If not get on to it today.



Picture: Esther Vargas (CC-BY-SA 2.0)

Racism has no place in Irish society and workplaces

CONGRESS has reiterated its commitment to fighting racism, xenophobia and far-right ideologies, and to stand in solidarity with those impacted by them.

In a statement issued on the eve of International Day for the Elimination of Racial Discrimination, Congress stated: "Even before the pandemic, racialised people were less likely to have adequate access to social protection and quality public health and care services and were disproportionately represented in low-paying and precarious jobs, including in those sectors that were deemed 'essential', such as health and care, cleaning, transport, meat processing and food-retail.

"Over the past year, the Covid-19 pandemic has thrown into sharp relief the need to urgently uproot and dismantle systemic inequalities that have persisted for far too long within our society and workplaces.

"While some have cynically exploited the pandemic to oppose public health restrictions, their real agenda is to further racist and discriminatory views.

"They have not had it their own way, however, with the revival of the Black Lives Matter movement in the wake of the deaths of Breonna Taylor, George Floyd and others at the



hands of authorities ensuring that racial justice has not fallen off the agenda during the current crisis and beyond."

Underlining that ICTU had a long history of opposing racism, the statement continued: "Although the fight against racism and xenophobia in all its forms is not new, we acknowledge that trade union action is now more urgent than ever.

"Trade unions will continue to organise and bargain to fight racism at work and to tackle ongoing disparities in health and safety, pay, and working conditions for racialised workers



Pictures: Ted Eytan (CC BY-SA 2.0); Elvert Barnes (CC BY-SA 2.0)

that the pandemic has shone a light upon."

The statement concluded: "This World Anti-Racism Day Congress stands alongside trade unions everywhere, and all other anti-racist activists and movements to fight all forms of discrimination against racialised people."

● The International Day for the Elimination of Racial Discrimination is observed each year on March 21st. On that day, in 1960, police opened fire and killed 69 people at a peaceful demonstration in Sharpeville, South Africa, against the Apartheid pass laws.

COMPENSATION PAYOUT

WRC's 'lesson' for Tesco after worker denied chance to go for a better job

MANDATE has praised the bravery and commitment of Tesco Swinford member Helen McLaughlin after she was awarded a compensation payout against her employer, Tesco Ireland Limited, following an adjudication at the Workplace Relations Commission (WRC) in January.

The third party claim (ADJ-00025582), taken under Section 13 of the Industrial Relations Act 1969, involved Tesco's obvious breach of its own well-stated and publicised equal opportunities policy in that it failed to advertise and seek expressions of interest for a team leader position within the Swinford store. By doing so, Tesco denied potential applicants the chance of seeking to secure a better paid job.

Awarding Ms McLaughlin €1,500 compensation, the Adjudication Officer pointed out that her recommendation was "intended as much as anything to encourage the employer to learn from this case and to apply their promotional policy more fairly in the future".

Mandate proved that despite Tesco arguing that it had followed all of its grievance procedures throughout the case, it had failed to acknowledge the core element of the union's case which was that its member had been denied an opportunity in line with company policy.

While Mandate accepted that Ms McLaughlin might not necessarily have been successful in attaining the post, she was not even afforded the simple opportunity to compete for it.

The Adjudication Officer's recommendation stated: "The failure to advertise the team leader



Picture: Mark Hillary (CC BY 2.0)

promotion was wrong. The grounds put forward, that the appointee had longer service (and not that much longer) or that the employee in this dispute had not applied for a team leader position which occurred four years previously; when she was only a year in the employment and before she was given additional training are incredibly subjective.

"If applied as a standard across the employment, this standard for selection for promotion would predictably lead to actual breaches of the equal opportunities policy."

It continued that staff "should have been notified of the appointment of a team leader, temporary or permanent."

Commenting on the recommendation, Mandate Divisional Organiser Ciaran Campbell told *Shopfloor*: "While the monetary award is to be welcomed, the actual decision regarding the company's obvious and clear

Ciaran Campbell: welcome outcome from adjudication



breach of their own equal opportunities policy is the real focus of this claim and its resulting outcome.

"Mandate welcomes the Adjudication Officer's findings as it serves notice to companies like Tesco and others – all of which have incredible resources at their disposal – to commit to their words with real action.

"Despite repeatedly being told about its failings, the company during all stages of the process muddled the waters by intentionally diverting their investigations away from the union's simple argument that our member was denied an opportunity to try and get a post that provided more money."

Campbell added: "Our member was very brave to do what she did and to stay committed to and with her case, as I am sure she must have found it very difficult to do so when constantly having our arguments and position ignored.

"Helen deserved this decision and I have no doubt that she isn't the only Mandate member that has or is being treated this way.

"It is important that while we acknowledge a company's intent on equal opportunities, we need to police their adherence and practising of the same. This can only happen by having a well-organised and active union presence on the shop floor. That way we stay relevant!"

UK NEWS

Unite hits out at creeping culture of 'fire & rehire'

A LINE in the sand needs to be drawn over what Unite has called a "creeping culture" of 'fire and rehire' across the retail, distribution and logistics industries in the UK.

The union claimed its shop stewards had reported attempts by employers, citing "current market conditions" across sectors to "salami slice" pay as well as terms and conditions for its members. This warning follows a Scottish court ruling earlier this year preventing Tesco from forcing some of its staff on to a new contract at its Livingston distribution centre.

Unite shop stewards from a wide range of employments have expressed concern at the proliferation of similar 'fire and rehire' proposals. National officer Adrian Jones told *Shopfloor*: "Fire and rehire is an abomination and the ability of employers to sack workers so they can remove established terms and conditions should be erased from the statute book. Unite will not hesitate to take industrial action to oppose employers who are engaging in this creeping culture of 'fire and rehire'.

"It shouldn't be forgotten that members have worked tirelessly throughout the pandemic.

"At the same time, these firms have made millions in profits, and therefore should not be using the excuse of 'current market conditions' to salami slice our members' pay, and terms and conditions."

He added: "A line in the sand needs to be drawn when it comes to unscrupulous employers."

The Royle prerogative!

FOURTEEN of the so-called 'Shrewsbury 24', including *The Royle Family* actor Ricky Tomlinson, have won their appeals against convictions linked to picketing during the UK's national builders' strike of 1972.

On March 23rd, the Court of Appeal in London quashed the trade unionists' convictions, with Lord Justice Fulford stating in a written ruling that "what occurred was unfair".

In June 1972, the first-ever national strike in the construction sector across Britain was called in protest against poor pay, unjust casualised employment practices and the high number of deaths and injuries on construction sites.

At the time, trade unionists, dubbed 'flying pickets', would travel to demonstrate from one site to another. And in September 1972 six coach-loads of strikers travelled to actions in Shrewsbury and Telford.

Offences

None of the group was detained on the day – but five months after the strike ended, arrests were made and 24 men charged with more than 200 offences. These included unlawful assembly, affray, intimidation and conspiracy to intimidate.

Following a number of trials beginning in October 1973, six of the pickets were sent to prison. The others received non-custodial sentences.

Nearly half a century later and after a long campaign for justice, lawyers for the men – who were members of ATGWU and Ucat – argued at the Court of Appeal that the destruction of witness statements made the convictions unsafe.

In the March 23rd ruling, Lord Justice Fulford wrote: "If the destruction of the handwritten statements had been revealed to the appellants at the time of the trial, this issue could have been comprehensively investigated with the witnesses when they gave evidence, and the judge would have been able to give appropriate directions."

"We have no doubt that if that had happened, the trial process would have ensured fairness to the accused. Self-evidently, that is not what occurred."

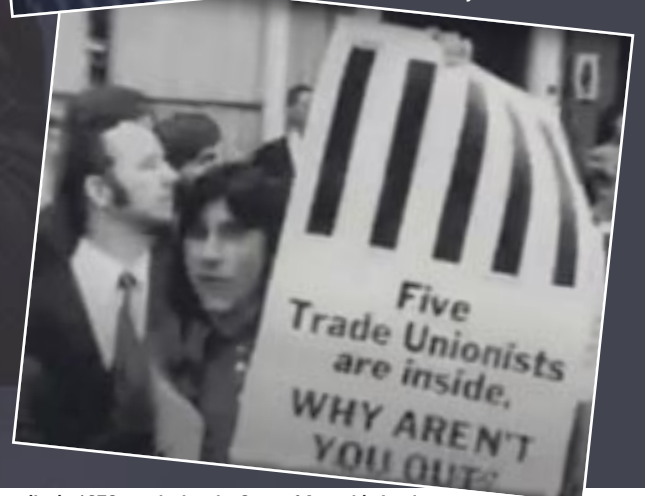
"By the standards of today, what occurred was unfair to the extent that the verdicts cannot



Ricky Tomlinson – aka Jim Royle – was one of 14 men who had their convictions linked to picketing during a strike in 1972 quashed at the Court of Appeal in London



Ricky Tomlinson in 1973



Picture: Andrew Hurley (CC BY-SA 2.0)



Protest in support of the jailed trade unionists

be upheld." Unfortunately six of the 14 involved in the original appeal – including Dennis Warren jailed for three years – have since died.

Ricky Tomlinson, who was then a plasterer, was sentenced to two years, later leaving the construction industry after being blacklisted to become a well-known TV star.

Speaking after the ruling, he said: "We were brought to trial at the apparent behest of the building industry bosses, the Conservative government and ably supported by the secret state."

"This was a political trial not just of me, and the Shrewsbury pickets - but was a trial of the trade union movement."

Trade unions have expressed delight at the

quashing of the convictions, with Unite General Secretary Len McCluskey describing it as a "joyous and just day".

He added: "It is also a landmark day in trade union history. For nearly 50 years this group of workers have been defending themselves against deep, criminal injustices perpetrated by the state. Finally, the truth has been heard and justice has been done."

TSSA General Secretary Manuel Cortes said: "The Court has confirmed what we knew all along – the Shrewsbury pickets had a legitimate fight, not just for better pay but improved safety in an industry which regularly saw workers maimed and killed."

Tenacity

"They deserve immense credit for their tenacity in this fight and overcoming many obstacles. All trade unionists know that an injury to one – no matter when it occurred – remains an injury to all."

Describing the ruling as "fantastic news", GMB Acting General Secretary Warren Kenny, said: "We pay tribute to those who were wrongly convicted and to the campaigners who have worked tirelessly to throw light on the collusion between the building industry and police."

"These pickets were prosecuted just because they had the audacity to ask for better working conditions and fair pay."

Welcoming the news, Mandate National Coordinator Brian Forbes told *Shopfloor*: "We salute the courage, grit and steadfast determination of these workers over so many years."

"Their conviction as well as being an obvious miscarriage of justice was also an attack on the whole trade union movement. And like so many miscarriages of justice, it took the courts far too long to rectify. Our thoughts are with those who did not live to see this day."

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Trade unions: The Missing Years



**RED
BULL**

The column that gives you wings
Brian Forbes
National Coordinator
Mandate Trade Union

PHILOSOPHISING recently about trade unions and the current state of the movement while listening to John Prine's *Missing Years* album I was struck with the strange similarity between Jesus Christ as portrayed in Prine's song *Jesus The Missing Years* and our union movement's past dalliances with the dreaded social partnership model.

In Prine's song the narrator speculates on what happened to the fresh-faced Jesus from the age of 12 in Bethlehem until he reappeared back on the biblical radar at 30 years of age.

It could be argued that similar to Prine's Jesus, trade unions squandered years of potential union activism by curtailing militancy and settling for a comfortable seat at the big boys' table with government ministers and captains of industry.

*It was raining, it was cold
West Bethlehem was no place for a twelve year old*

So he packed his bags and he headed out

*To find out what the world's about
He went to France, he went to Spain
He found love, he found pain*

*He found stores so he started to shop
He had no money so he got in trouble with a cop*

Kids in trouble with the cops from Israel didn't have no home

So he cut his hair and moved to Rome

*It was there he met his Irish bride
And they rented a flat on the lower east side of Rome,*

Italy that is

*Music publishers, book-binders,
Bible-belters, money changers*

Spoon-benders and lots of pretty Italian chicks

Sometimes when I'm alone at night strumming my guitar and staring up into the night sky at the International Space Station, I reflect about the past and the many missed opportunities for the union movement and those workers who form that body of workplace power.

In humans, when muscle atrophy occurs it is most often from a lack of activity for an extended period of time. Muscles shrink and power depletes causing reduced strength, less endurance in movement, lack of



American icon: John Prine

Picture: Eric Frommer (CC BY-SA 2.0)



stabilisation and weaker protections.

Flexing our collective workplace muscles is no different and the often over-used term "use it or lose it" fits perfectly into the lived experience of unions during and after our social partnership missing years.

The collective union movement must now step forward to fully reclaim its rightful place as the revolutionary vanguard of the working class.

This global pandemic has impacted on us all in a variety of different ways albeit with one constant which was both predictable but also devastating for workers – the loss of their employment.

Despite the challenging circumstances many unions have fought and won struggles recently against unscrupulous employers seeking to exploit the pandemic to force through pay cuts as well as bad bosses not putting the correct health and safety measures in place to protect their staff.

However, the only real answer to organised greed is organised labour and Mandate must lead the way in preparedness for building strike-ready workplaces in every town and city on this island.

Having a strike-ready workplace does not necessarily mean a strike is inevitable but it provides an unequivocal warning shot across the bows of employers who might be tempted to make unnecessary cuts to hard-won terms and conditions of service.

If and when a strike is absolutely necessary, unions must support and

“ We can never return to our Missing Years if we desire a fighting and effective collective movement of trade unions ”

companies to people desperate for work in order to clothe and feed themselves and their families.

So the next time you hear someone decry unions and complain they are ineffective and not working in the interests of workers, you might consider what their agenda really is.

Publicly attacking unions can be

considered counter revolutionary and purely in the best interest of global capitalism. Justified criticism should be handled within respective unions while the increasing use of "megaphone diplomacy" by certain political entities is both anti-union and anti-worker.

If someone is unhappy with their union they should get involved from within and help change it from any future trajectory in favour of social partnership towards strike-ready workplace militancy.

We can never return to our *Missing Years* if we desire a fighting and effective collective movement of trade unions. To return to social partnership would be counter-productive and not in the best interest of workers.

When workers get to negotiate face to face with an employer who decides to push back against advances, those workers get to see the true face of capitalism and they become emboldened and empowered.

It is gratifying to watch as the previously unassailable workplace power wielded by a greedy employer becomes exposed and weakened.

The balance between capital and labour begins to tip in favour of the workers and it gives a salutary reminder to employers on how much they need workers and how little the workers need them.

Do not delay, get busy now organising your strike-ready workplace because we all need to kick some capitalist ass on behalf of the working class.

empower workers to take control of their own workplace and destiny in employment. We are many, they are few.

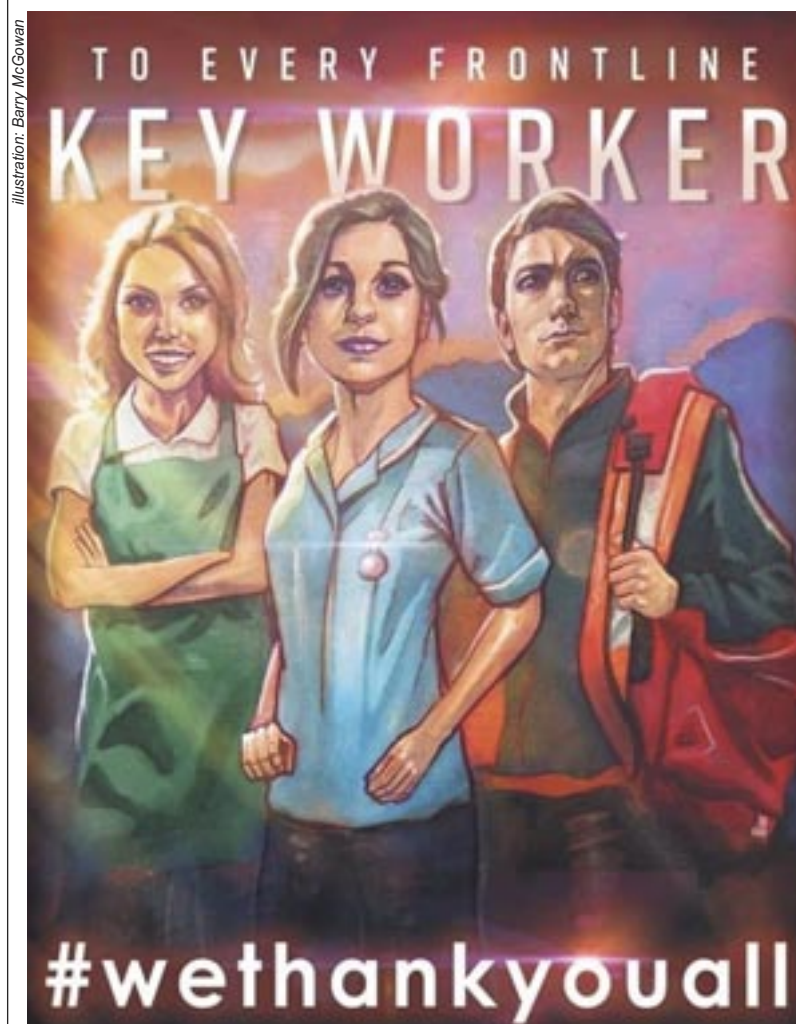
When employers avoid dealing with unions they must be categorised as anti-union and the movement must use all its collective power to ensure those anti-union employers have sleepless nights worrying about their class treachery.

Union avoidance has created increased inequalities across the globe and created multi-billionaires such as Amazon's Jeff Bezos who sticks two fingers up to workers while growing his massive fortune off of the backs of those same underpaid and undervalued employees.

Forbes' Billionaires List (no relation thankfully) has expanded this year with another 660 joining the world's wealthiest list which has reached an unprecedented 2,755 people.

The 2,755 greedy bastards on the list are worth a combined \$13.1 trillion, up from \$8 trillion in 2020.

Our very own Denis O'Brien's net worth also jumped significantly with his stash rising from \$2.9 billion in 2020 to \$4.6 billion today. Staggering amounts of wealth considering the poverty wages and the poor terms and conditions being offered by



Illustrator: Barry McGowan



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Biffo

The Eye That Never Sleeps

No brainer for sleepy head TD

BIFFO may have the answer for the Green Party leader Eamon Ryan's tendency to fall asleep during Dail proceedings.

An Eamon Ryan full-face mask can be purchased online for less than €6. It's made from sturdy cardboard, covers the face and has two pre-cut eye holes all held in place by an elastic band. When

the mask gets too soggy from saliva dribbling whilst asleep it can be recycled and a replacement mask purchased for a measly few euro.

It satisfies the green agenda, it would help stop public ridicule and it may be tax deductible or allowable under TD's expenses.

It's a no brainer for a no brainer.



My growing suspicion, it's all

... a hairy fishy tale

ONE of the most enduring images of the global pandemic has to be that of the former teacher and Taoiseach Enda Kenny sporting a lockdown hippie haircut on the *Late Late Show*.

Twitter had previously gone into meltdown when hippie Kenny was pictured playing golf with his "retirement beard."

The beard didn't last long though as his wife didn't approve and apparently commented that she thought there was a bit of meat stuck in his beard. Gerry Adams has also taken to the wild hippie hairdo lifestyle, much like a six county version of Mattress Mick.

However, instead of selling mattresses hippie Adams hawks his cookery books and republican Easter eggs like an over-eager hirsute contestant on a republican version of *Dragons' Den*.

Both of these ageing hippies may want to portray an image different to their previous public



John William Waterhouse's painting *A Mermaid* (left) and long-haired politicians Enda Kenny and Gerry Adams

Picture: Public Domain

persona. Choosing unconventional in a conventional world is seemingly the new 70 and perhaps having long hair subliminally signals health, vigour and vitality in the elderly gentleman.

Whatever the reason for their luscious locks and hairy chins, maybe they feel people are obliged to take them more seriously on the dance floor and deep down, it forces people to recognise it's not a person's outward appearance, but the quality of their character and depth of

purpose that really matters.

I have a sneaking suspicion that none of the above reflects the real reason for their flowing manes of shiny follicles.

Truth is, when they swim with their hair loose it makes them both feel like a lovely mermaid.

In fact, rumours abound that Kenny and Adams are considering starting up a neurodivergent, mermaid-themed parody band of AC/DC. Apparently they're thinking of calling it OCD Seal!

Getting the auld band back together again...

THE recent rioting in the North is a real genuine cause for concern. News reports from Nelson Drive in Derry said that loyalists were hijacking cars and attacking people with violins, cellos and clarinets. The PSNI said the violence seemed very well orchestrated.



Biffo's fitness tips for lockdown

FEELING lethargic over lockdown, auld Biffo decided to take a bit of exercise. Feel free to copy my daily ritual by standing on a comfortable surface, where you have plenty of room at each side.

With a 5lb potato bag in each hand, extend your arms straight out from your sides and hold them there as long as you can. Try to reach a full minute and then

relax. Each day you'll find that you can hold this position for just a bit longer. After a couple of weeks, move up to 10lb potato bags, then on to 50lb potato bags and eventually try to get where you can lift a 100lb potato bag in each hand and hold your arms straight for more than a full minute (I'm at this level).

After you feel confident at that level, put a potato in each bag.

And not forgetting Biffo's last word...

...remember to stay classy and stay safe, buckaroos!

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Leo, seize this opportunity on workers' rights

MANDATE General Secretary Gerry Light has called on the Tánaiste, Leo Varadkar, to "move beyond words" and show "genuine tangible support" rather than "lip service" for low paid workers.

He made the comments in a February 18th letter to the Minister for Enterprise, Trade and Employment after it was revealed Varadkar had joined eight other EU employment rights ministers in a bid to soften Commission proposals that would force individual governments to provide for "adequate" minimum wages and to put in place a framework for collective bargaining.

The nine ministers had argued that a recommendation rather than a directive would be a "better legal instrument" and a more flexible means of achieving the proposal's objectives.

In his letter, Light pointed out that Mandate's view on the issue was informed by the "real-life experiences" of workers forced to live on wages "either on or marginally above" the statutory minimum wage.

"There can be little doubt," he continued, "that the persistence of low pay and the associated workplace poverty are rooted in two main realities. First, the reluctance of the State to ensure the provision of an adequate statutory living wage and, second, the denial of meaningful statutory rights which would allow the impacted workers bring the power of their collective voice to bear on matters which directly



Tánaiste Leo Varadkar: must 'move beyond words' on rights

impact them and their dependents."

Light said the these core issues had been set out in the EU Commission's proposal document and underlined how important it was that the Irish government backed these "laudable objec-

tives" in the "strongest manner possible".

But he added that the response thus far from the government – and Varadkar in particular (as the relevant minister) – had been "totally unacceptable" and could only be seen as an "abdication of moral and political responsibility" towards the most vulnerable workers in society.

And he reminded the Minister that many of those workers had placed their lives on the line during the Covid crisis: "On many occasions they have been lauded by yourself and many of your Government colleagues yet when you are offered an opportunity to move beyond these words and show genuine tangible support you fundamentally fail to grasp it."

Light continued: "By joining your voice to other EU countries who are requesting that the proposal be advanced as a recommendation rather than a legally enforceable directive, you know fully well that such an approach will provide no more than lip service to low paid vulnerable workers."

Urging Varadkar to reflect on his current stance and move to have the current proposals implemented as a directive, he added: "Truly in the history of our State there has never been a more appropriate time to do the right thing by the workers who not only need but deserve your support the most, I urge that you avail of the opportunity."

ICTU backs directive

CONGRESS has called on the Government to support the EU Commission's proposed directive, describing it as potentially one of the most important for pieces of EU legislation for workers in decades.

ICTU General Secretary Patricia King told *Shopfloor*: "The pandemic has shone a light into areas of our economy where some essential workers are amongst the lowest paid. This EU directive seeks to address this."

"The directive proposes that all governments in consultation with social partners would develop action plans to increase collective bargaining coverage to 70% over time. In Ireland, this stands currently around 40% even though the EU average is about 60%-65%."

"This would be a crucial initiative to ensuring that workers achieve their fair share."

She added: "It is important that the Irish government align itself with progressive EU member states that wish to may work pay and support this crucial initiative from the EU Commission."



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www.skillsforwork.ie



New Unite report debunks myth of falling economic inequality in Ireland

UNITE has hit out at the current narrative being pushed that rates of inequality in Ireland are falling.

Senior Officer Brendan Ogle (pictured inset below) described such “myth-making” as “a bad Irish habit” that became apparent in the lead up to the 2008 financial crash.

“Commentators [then] talked up the Irish economy even as the underlying problems became ever more clearer,” he told *Shopfloor*.

“Over a decade on, commentators are again feeding us myths, this time claiming that inequality in Ireland is falling.”

He made the comments as Unite published a new report, titled *Hungry Bellies are not Equal to Full Bellies*, on the issue.

The key indicators of high levels of economic inequality include:

- The latest figures (from 2019)

show an increase in the proportion of the population experiencing three or more types of deprivation.

- Median rents are at between 48% and 68% of the media wage.

- Over a third of those living in rental accommodation experience deprivation.

- In 2019, well before Covid struck, nearly a million people – or one in five of the population – were on waiting lists to see a consultant.

- Ireland has the highest level of inequality in earned income before tax in the EU28.

- Ireland lacks the robust collective bargaining provision needed to effectively address earnings inequality.

The *Hungry Bellies* report – focusing on the experiences of



those facing inequality, deprivation and discrimination – details how, according to Ogle, these commentators are “using the wrong tools to ask the wrong questions to come up with the wrong answers”.

He claimed these answers

contradicted not only the facts but the “lived experiences” of people struggling to cope with inequality and deprivation, as well as that of those frontline charities and volunteers trying to mitigate its impact.

And Ogle flagged up the “powerful testimonies” of “frontline heroes” contained in the report.

He added: “We can only address economic equality once we honestly recognise the extent of the problem in Irish society.”

“We can then start focusing on the remedies – from public housing to a universally accessible public health care system and measures to improve the lives of workers, their families and communities.”

A webinar, hosted by Vincent Browne, on the *Hungry Bellies* report, was broadcast live on Unite’s Facebook page on March 1st. Check out the YouTube recording of the event at <https://bit.ly/203RN0o>



WRC role for Begg

FORMER Congress general secretary David Begg, pictured above, has been appointed chairperson of the Workplace Relations Commission (WRC).

Serving for a five-year term, he will be only the second holder of the office since it was set up under the Workplace Relations Act 2015, and replaces Paul Duffy in the role.

Begg, who is also an adjunct professor at Maynooth University Institute of Social Sciences took the helm at ICTU between 2001 and 2015.

Prior to that, he had a long association with the trade union movement, heading up both the ESB Officers Association and the Communications Workers’ Union.

PUBLICATIONS

New ICTU guide on bullying for reps

THE Irish Congress of Trade Unions’ Health and Safety Committee has produced a new booklet to help union reps understand what bullying and harassment is and to assist them in providing practical support to victims. The booklet defines bullying and harassment and helps reps recognise the different workplace behaviours that contribute to them.

The HSA and WRC have recently completed a review of their respective codes of practice on bullying in the workplace and have developed a unified code of practice, titled ‘Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work’, which came into effect in December.

The HSA and WRC consulted with several representative organisations and stakeholders – including the Irish Congress of Trade Unions. In addition, the Irish Human Rights and Equality Commission (IHREC) has also published a Code of Practice on sexual harassment and bullying at work.

- *Bullying & Harassment - Prevention Guidelines for Trade Union Activists* go to <https://bit.ly/3t3BeRv>



Violence at anti-lockdown demo ‘unacceptable’

CONGRESS has expressed grave concern following an outbreak of violence and a disregard of public health guidelines at an anti-lockdown protest in Dublin on February 27th.

Slamming the violent scenes as “unacceptable”, ICTU General Secretary Patricia King said: “Gardai should be able to go about their work in policing society and keeping people safe without threats of violence, particularly during this Covid-19 pandemic. They are frontline public servants and like all workers, they have a right to have their health and safety protected.”

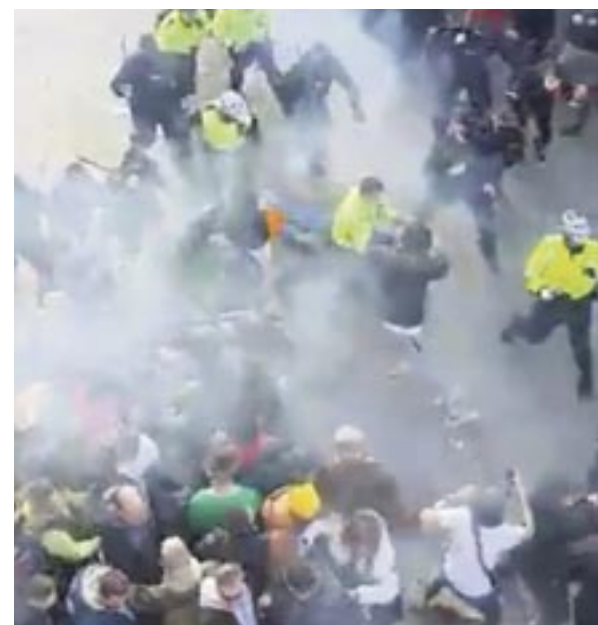
“We ask everyone to support the necessary public health guidelines at this time in order that as a state we can overcome the Covid-19 crisis. This does not mean that people cannot question the government and its strategies in addressing the pandemic. The trade union

movement upholds the right to protest and to hold the authorities to account. This right must be exercised responsibly, peacefully, and in accordance with the law.

“Clearly, this protest was not. It was contrary to the public health guidelines and was reckless and dangerous. Indeed it is clear that

some engaged in such actions are far-right sympathisers with views that are unacceptable in any progressive and inclusive society.”

She added: “Such far-right views must be challenged by all in order that we always uphold democratic values and principles in the interests of all of our citizens.”



Gardai react after a firework is thrown at police lines

Spend your money where workers count

When you're shopping look for the "Fair Shop" mark.
Support workers in Ireland by choosing shops that treat their employees fairly.

It's time to seize the day as US unions get the 'seal' of approval

By John Logan
US-based Labour Studies academic

AMAZON warehouse workers in Bessemer, Alabama, are currently voting by mail on whether or not to form a union. Their campaign against one of the world's most powerful – and most anti-union – corporations has captured public imagination, and inspired young activists, in a way that hasn't happened in almost a century.

On March 1st, President Biden expressed direct and unequivocal support for the Retail, Wholesale, and Department Store Union campaign at Amazon in Bessemer, Alabama.

Biden tweeted a video that included the following statement: "Workers in Alabama – and all across America – are voting on whether to organize a union in their workplace. It's a vitally important choice – one that should be made without intimidation or threats by employers. Every worker should have a free and fair choice to join a union."

Later, VP Kamala Harris followed his lead by tweeting, in another clear reference to the Amazon campaign: "I support union workers and those working to unionize, in Alabama and across America."

The situation has been compared to the 1930s, when John L. Lewis, president of the newly-created Congress of Industrial Organizations adopted the slogan "the President wants you to join a union" to help organise auto and steel industries.

The difference is that Franklin D. Roosevelt had made no such statement – it was apocryphal – and in private, FDR was furious about it. But it did not matter – people believed he had said it and the rest, as they say, is history.

Previous sitting Democratic presidents have made supportive statements about on-going labour



VP Kamala Harris



Alexandria Ocasio-Cortez



Tina Fey



Stacey Abrams

UPDATE
This article was written before the result of the vote at the Amazon facility in Bessemer, Alabama was known. Unfortunately, the vote was lost: 1,798 voting against; 738 vote for with another 505 ballots challenged by Amazon and not counted in the final tally. As *Shopfloor* goes to print, the RWDSU has vowed to lodge an objection to the conduct of the ballot.

campaigns. For example, President Clinton issued statements that were considered generally supportive of the union in the 1997 UPS/Teamsters dispute, and President Obama openly supported the workers' factory occupation at Republic Windows in Chicago in 2015. But neither of these examples come remotely close to approaching the tone or the importance of Biden's supportive comments about the RWDSU campaign.

The campaign at Amazon has attracted much media coverage. Short of Facebook and Google workers striking and crashing the internet, it's difficult to imagine a union organising campaign that would have generated greater media coverage – and overwhelmingly positive coverage – than the RWDSU campaign at Amazon.

The only comparable recent labour events in terms of positive coverage is the *Los Angeles Times'* positive coverage of the 'Justice for Janitors' campaign in the mid-1990s, when the Service Employee International Union organised janitors in major downtown office buildings.

There was also the New York Times' positive coverage of the United Parcel Service (UPS) strike in 1997 when the Teamsters

successfully struck to oppose part-time work and outsourcing, and the *Chicago Tribune* coverage of the teachers' strike in 2012, when the union struck for better conditions and increased funding for public education with widespread public support.

But those labour campaigns were largely regional stories. The Amazon union campaign, on the other hand, has attracted a remarkable amount of national and international media coverage. It even made the front-page story in the *New York Times* magazine.

But it's not just the usual suspects that have been involved. The story has also received positive coverage in fashion publications *Elle* and *Teen Vogue*, and gamer publications, such as *Kotaku* and *343 Industries*.

It has been covered extensively in the Black media, and in the pro-BLM media, including in *The Giro* and *Jacobin*, as well as in the tech media by publications such as *Gizmodo* and *Pando*. It has even made it to the pages of *The Onion*.

International media has also covered the union campaign at length, with an overwhelmingly positive tone. In the past few days alone, I have spoken about the campaign to, among others, journalists at *Les Echos* and *Pagina/12* (Argentina). The campaign has also been covered extensively in Asian media. In the UK, *The Guardian* editorial board perhaps best summed

up the supportive tone, and has captured the David v Goliath character of the struggle: "Workers fighting to form the first union at an Amazon workplace in the US are pioneers in the battle to civilise big-tech capitalism."

Moreover, in mid-February, a major poll showed that a clear majority of Americans support Amazon workers trying to form a union and disapprove of Amazon's anti-union tactics; support for the workers crossed party lines. The survey found, for example, that "strong majority of voters — 69% — support Amazon employees' efforts to unionise, with just 19% opposed."

The union drive has attracted such a stunning amount of attention because Amazon is not simply a 'just another Big Tech company'. This campaign is not just about work in one industry, but about the future of work itself.

The Amazon union drive even made it to the subscription homework site *Chegg.com*, which used the following example: "Write the introduction to an informative speech. Topic: Amazon's poor work conditions, which led to employees attempting to form a union."

In short, the US labour movement has probably never had this amount of positive media coverage any time before in its history. Social media has greatly amplified this positive media coverage of the union campaign at Amazon. To cite but a few examples: Senator Bernie Sanders, who has 15



Straight from the top: President Biden voiced avowed support for unions in video that went viral

million Twitter followers, has retweeted positive stories about the Amazon campaign.

New York Democrat Alexandria Ocasio-Cortez, who has also tweeted repeatedly about the Amazon campaign, has more than 12.5 million Twitter followers. Michigan Democrat Ilhan Omar has tweeted about it to her 2.6 million followers, who likely include Amazon workers trying to organise in Minneapolis.

In the South, Stacey Abrams has tweeted extensively about the campaign to her 2.5 million followers. Even actors and celebrities have tweeted about the campaign. Given the key role of the media, and social media, in transmitting information about labor unions to the public, the coverage of the campaign at Amazon could have concrete immediate and longer-term benefits for labour.

The labour movement is a secondary institution in American society. It lacks the power to shape its environment, but it has the ability to take advantage of changes in the larger economic and political environment. That's what John L. Lewis did in the 1930s by adopting the "President Wants You To Join a Union" slogan for the CIO – but unlike Biden, FDR never actually said that.

The RWDSU's Amazon campaign, and the President's support for it, has also provided such a moment, which unions must take advantage of. Every union in the country should have Biden's video comments at the top of its website.

Every labour leader in the country should be tweeting, emailing, and texting Biden's video to every union member and non-member they can contact. Moments like this don't come along very often; we don't know when the next one will come along – or even if there will be a next one. Unions cannot allow it to go to waste.

Amazon workers trying to form a union should know that much of the country is rooting for them, and, of course, the President Wants Amazon Workers to Join a Union!

This article first appeared in online publication *pando.com*

SHOPFLOOR | April 2021

Fundamental questions must be answered on the future of banking

CONGRESS has backed the call by the Financial Services Union (FSU) for the setting of a forum by both administrations North and South to discuss the future of banking and financial sectors on the island of Ireland.

In a March 11th statement, ICTU General Secretary Patricia King said thousands of workers faced turmoil following the scandal at Davy Stockbrokers and recent announcements by Ulster Bank, which is seeking to leave the Republic, as well as plans by AIB and Bank of Ireland to slash its branch network.

King said: "Billions of euro were spent rescuing the banks after the property crash but is it fit for purpose to serve the needs of society and the economy? A structured debate on the banking sector would be good for customers, business, staff, banks, and the Government."

And she claimed "fundamental questions" have been outlined in the recent FSU discussion paper, titled *The Future of Banking in Ireland and Northern Ireland*.

The paper examines a range of issues including the lack of public trust within finance, the closure or downgrading of branches and ATMs, SME lending, financial exclusion, illiteracy, and digital exclusion along with banking culture and ethics and reviewing whistle-blower protection.

King added: "It is time to engage with all stakeholder at a cross-border forum where customers, staff, management, trade unions, business and employers' groups, and other community interests should all have their voices heard."

● Growing case for a democratic finance sector - pages 32/33

DEATH SQUADS

UNI social media drive to highlight the killings of Colombian social leaders

UNI Global trade union has launched a social media campaign to highlight the 1,000 plus trade unionists and social leaders murdered in Colombia since the signing of the peace agreements in 2016.

The #MilMinutos campaign, launched on March 15th, has three objectives: to raise awareness about the killings, put an end to the violence, and push bodies such as the Organization of American States (OAS), and the Inter-American Commission on Human Rights (IACHR) to take action.

Despite political violence having dropped significantly before 2016, figures have skyrocketed since the signing of the peace deal under Iván Duque's administration.

According to Indepaz, 1,091 social leaders have been murdered between November 2016 and December 2020 - 695 of them during the Duque administration.

Some 246 former FARC-EP combatants, who were in the process of reincorporation into civilian life, have been assassinated during the same period.

UNI Americas Regional Secretary Marcio Monzane said: "Colombia is the second most dangerous country in the world, right behind the Philippines, for trade unionists and social leaders. With this campaign we want to remember all the victims, and put an end to this scourge on humanity, by understanding that every time a



Marcio Monzane: 'this scourge on humanity' social or union leader is murdered, a dream also dies."

He continued: "This is a call for peace, but also a global call for the OAS to take action - for the Inter-American Commission on Human Rights to go to Colombia and investigate the ongoing violence and shine a spotlight on what has been happening in this country for decades."

Help UNI Global to raise international awareness about political violence in Colombia -

- Twitter: @TuMuevesCol
- Facebook: @TuMuevesColombia
- Instagram: @TuMuevesColombia

#MILMINUTOS

NEW ONLINE COURSE FOR MANDATE WORKPLACE REPS

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- STEP 3** Create a new password (password will need include 8 characters including upper, lower case, number and special character such as @, !, #, *, /,) complete the registration
- STEP 4** You will be directed to your dashboard, please click on the course and then the start button

To log back into the platform please go to the following link and enter the log-in details created: <https://mandatetradeunion.hiuphub.com/login> If you have any issue or problem during this process, please use the **support** button in your right upper corner or **"I NEED HELP"** button when logged into the platform

For existing members to Mandate's online learning platform...

- STEP 1** Existing trainees can use the following link: <https://mandate.hiuphub.com/login>
- STEP 2** If you cannot log in, please use **forgotten password** option on your log-in page or simply follow support@olivemedia.co to reset your details

Please keep your log-in details/password safe as you will require same for future online training

Should you have any issue accessing the links please contact Jonathan Hogan jhogan@mandate.ie or Amanda Blake ablake@mandate.ie at the Mandate Training Centre



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Health & Safety Training for Safety Reps

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- Provide induction training on Health and Safety in their workplace

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- Air Quality
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IN FOCUS...

The growing case for a democratic finance sector

By Seán Byers
Trademark-ICTU

BANK of Ireland's recent announcement that it will close more than a third of its branches across Ireland – 88 in the south and 15 in the north – will come as a huge blow to struggling workers as well as the remote communities and vulnerable groups that depend on access to branch services.

This is the latest in a string of decisions by Ireland's major banks – including the two state-owned banks, AIB and RBS/Ulster Bank – that have shed thousands of jobs and closed dozens of branches in the past decade.

The FSU, which represents workers in the sector, has called for a moratorium on branch closures until 2022 and for the establishment of a forum to discuss the future of banking and financial services, a proposal that enjoys cross-party backing north and south.

A public forum on banking and financial services is not only necessary to address the mounting challenges of digital banking, branch closures, job cuts and loss of access to services, but would also represent an opportunity to fundamentally transform the sector for the benefit of people, planet and place.

Irish banking and finance has been long characterised by systemic weakness and failure. In recent times along the Irish domestic banking sector has done much to earn its negative reputation, not only by fuelling massive commercial property speculation in the lead up to the financial crash, but also by engaging in extensive foreclosures and price-gouging in the years since.

Personal mortgage rates and borrowing costs for SMEs have consistently been the highest in Europe, despite the trend of falling and record low interest rates across the board.



For sale sign at Bank of Ireland branch in Dublin

As Conor McCabe has noted in a research paper published by Unite, this situation has persisted throughout the pandemic. Despite the introduction of government-backed lending schemes – and indeed precisely because of how these are structured – the four main banks have continued to lend at their market rates and on the basis of profit motives, at a time when struggling SMEs are in need of zero-interest loans and debt write-downs.

These problems are built in to the Strategic Banking Corporation Ireland (SBCI), the south's pale imitation of a state investment bank. An external review conducted by the consultancy firm EY in 2019 concluded that the SBCI has failed to realise its potential in a number of

significant ways, including:

- The unsuitability of its products to the needs of SMEs;
- The failure to bring about a reduction in borrowing costs;
- Its on-lending model, which uses a small pool of banks (AIB, Bank of Ireland, Ulster Bank) and non-banking entities rather than lending directly as a competitor or working through pro-public lending infrastructure; and

- A confused mandate and strategic purpose. Advocates of a proper state investment bank will rightly argue that the SBCI was never fit for purpose. But that it has even failed to fulfil its limited, watered down remit means that it must be on the table as part of any discussion on the future of banking and financial services in Ireland.

The future of the SBCI is closely linked to the need to redirect overall lending and investment towards productive, green economic activity and societal needs. As things stand, property-related lending accounts for more than two-thirds of Irish banks' loan books, which is higher than the EU average and not far off its pre-2008 peak.

Encouraged and facilitated by government policy, the banks appear to have returned to business as usual, helping to inflate another speculative property bubble.

Meanwhile, there remains a lot to be done to bring the climate commitments of Irish banks in line with international best practice. Research undertaken by Trademark has found that Bank of Ireland is trailing behind in meeting any reasonable definition of climate action, while even AIB, the state-owned bank, is playing catch-up with international trends rather than driving the green transition.

Part of the reason for this is that the policy and regulatory environment is devoid of ambition on

Picture: William Murphy (CC BY-SA 2.0)



Picture: Johnny Viro - Unsplash

“ The FSU, which represents workers in the sector, has called for a moratorium on branch closures until 2022 and for the establishment of a forum to discuss the future of banking and financial services, a proposal that enjoys cross-party backing north and south ”

destruction, be that directly or through their lending and investment activities.

The FSU will no doubt have some ideas about how to reform the banking and financial services in the interests of workers, customers and communities. There are a number of broader structural changes that might be considered as part of the conversation:

1 The establishment of a new public banking ecosystem to enable democratic decision-making over the entire functioning of banking institutions.

Sinn Féin and the Irish Rural Link have both sketched out proposals for the establishment of a local public banking network based on the German Sparkassen model.

This would see a number of local public banks established in well-defined areas to provide a more directly accessible and democratic form of banking and credit tailored to the needs of regions and local communities.

2 This public banking ecosystem would need to be anchored to a public/state investment bank, with a clearly defined social-ecological mandate.

In the south, the role of the SCBI would need to be revisited, alongside the transformation of the AIB into a fully-fledged public bank under democratic control, with customers, workers and community members involved in making the decisions that affect them.

The added advantage of transforming the AIB along these lines is that it is furthest down the road to becoming a leader on climate action. In the north, this would require the creation of a new state investment bank, which could benefit from the Tories' recent announcement that it will re-establish a Green Investment Bank to support the climate transition.

3 As part of a new public banking model, the role of credit unions and/or post offices could be expanded to provide a wider range of personal banking services and to act as an intermediary for a public/state investment bank.

In their role as lenders, they would be in a stronger position to support SMEs with low-cost loans and to finance initiatives such as community-led renewable energy, green worker-owned cooperatives or sustainable, localised food production and distribution networks. The concept and practice of community banking is also gaining

traction in Britain and the north of Ireland, and could potentially form part of the equation.

4 The threat posed by the shadow banking sector, both in terms of financial instability and social-ecological destruction, cannot be effectively tackled without coordinated international action.

However, there are steps that the government can take in support of this agenda. Trademark, in its publication Financing a Just Transition in Ireland, has outlined the scope for government action through taxation, penalties and regulation, for example.

The Government will, of course, dismiss any case for meaningful banking and financial reform, just as it has resisted calls for tax reform, ambitious climate action, a new public housing policy and structural investment in public services.

But our thinking and demands need to be as radical as our time requires.

Chicken 'teamed up to kill fox' at Brittany farming school

- AFP report, March 2019



Picture: Monika Kubal on Unsplash

Be a chicken...

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<https://mandate.ie/join-mandate/>

this front, reflecting the broader failures of the Irish government to develop and implement a radical climate action plan.

Even more worrying signs are to be found in Ireland's rapidly expanding shadow banking/market-based finance sector, a complex ecosystem of unregulated entities that act as corporate loan sharks and wield considerable power as investors in their own right.

According to conservative estimates, Ireland is now the sixth largest shadow banking jurisdiction in the world and third largest in the

eurozone. At €4.5 trillion, Ireland's shadow banking/market-based finance sector is 22 times the value of the domestic economy, compared with 2.8 times in the euro area and 6 times in the US.

The entities located in this sector include real estate investment trusts (REITS), which are playing an increasingly significant and increasingly destructive role in Ireland's inflated property market.

They include Section 110 Special Purpose Vehicles, which enable some of the world's most profitable companies to reduce or avoid their

tax liabilities. They also include some of the world's biggest investment funds and asset managers such as Blackrock and Vanguard, which are heavily invested in fossil fuels and other carbon-intensive activities driving climate destruction.

Ireland's shadow banking sector is not only disproportionately large relative to the domestic economy. It represents a vital cog in a globally interconnected system of unregulated credit and investment.

The systemic role it plays is as a low-tax conduit for the institutions that are driving social and ecological

CENTENARY OF MALLOW ATROCITY

Told to run for their lives before being shot down

CONGRESS has marked the centenary on January 31st this year of the notorious Mallow shootings that claimed the lives of four railway workers by making available online a 1921 report into the atrocity.

Describing the report, titled *An Account of the Mallow Shootings*, as a unique and very rare historical document, former union official Peter Rigney told *Shopfloor*: "We're grateful to the Library of the Trade Union Congress in London for finding a copy, providing us with a scan, and securing copyright permission. It makes fascinating – if grim – reading on the Ireland of a century ago."

Three of the railway workers – all union members – were shot dead by an RIC raiding party, a fourth died the following year of injuries sustained.

Several others were wounded, and some – who didn't retire until the 1960s – were later placed on 'light duties' as they still carried bullet fragments from that dreadful night in their bodies.

This tragic series of events was sparked earlier on the evening of the 31st when RIC District Inspector William King and his wife, Alice, were ambushed by a team of IRA volunteers while strolling close to the railway station in the town.

Mrs King – who according to the IRA was not deliberately targeted in the action – was hit by shots fired from the south end of the station, later dying of her wounds.

In response, a party of RIC auxiliaries and Black and Tans raided the station, rounding up members of staff. It is reported that up to 100 men were on duty at the time.

The men, their hands raised above their heads, were led away under police escort towards a nearby barracks. According to accounts, they were then told to run for their lives, before being fired upon.

- Seventeen-year-old locomotive cleaner Denis Bennett and signalman Patrick Devitt, a father of eight, died at the scene.

- Fireman Daniel Mullane, 23, had initially escaped the volley of shots but returned to help a wounded colleague. He was then shot three times and died a few days later.

- Signalman Joseph Greensmith, 68, who had been thrown down the stairs leading to the North

signal cabin during the police raid, died the following June. The behaviour of the police and auxiliaries on that day made headlines across Britain and Ireland. The men who died were union members – and their unions, the Associated Society of Locomotive Engineers and Firemen (ASLEF) and the National Union of Railwaymen (NUR), pressed for an official investigation into what had taken place. ASLEF threatened a nationwide strike across Britain.

A British military court of inquiry was subsequently held into the events of January 31st. (Its president, Colonel Commandant H R Cumming, was himself killed by the IRA in the Clonbanin ambush in March 1921 before the conclusion of the inquiry.)

The inquiry suggested that the railwaymen "were not beaten or subjected to inhuman treatment or in any way abused" while held at the barracks and that any casualties resulted from an exchange of fire after the police escorting the railwaymen were shot at from the south signal cabin.

'Mistaken'

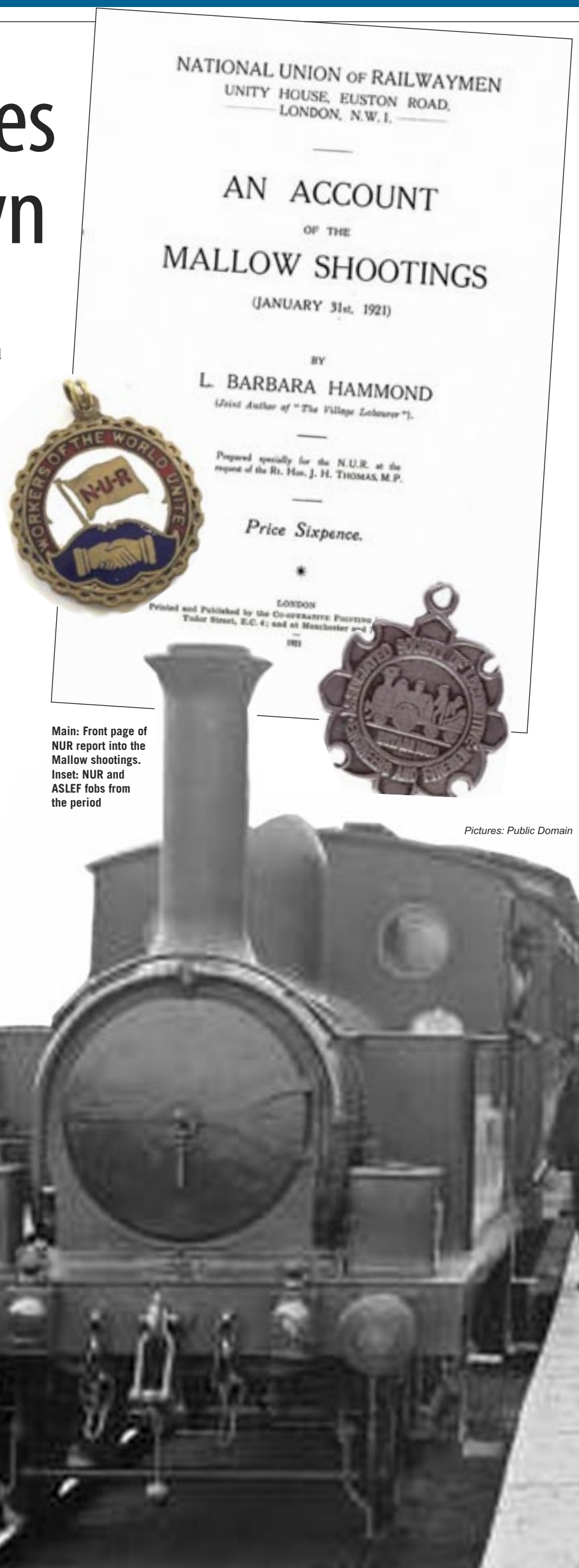
The inquiry claimed the railwaymen were "mistaken" in thinking that the death of their co-workers had been carried out by Crown Forces – a conclusion that was widely derided as a whitewash in Ireland.

Meanwhile, National Union of Railwaymen General Secretary J H Thomas, who was also a Westminster MP, commissioned English social historian L. Barbara Hammond to write a report into the shootings.

Thomas also raised the issue in the House of Commons. It was reported that there was uproar when Chief Secretary for Ireland Hamar Greenwood – a politician closely associated with the aggressive use of auxiliaries – was greeted with the jibe of "Here comes the assassin" as he entered the chamber.

Hammond turned out to be a good choice as report author. She had actually been in Mallow on January 31st, 1921 with her husband and was able, according to JH Thomas, to "make careful investigations on the spot and secure valuable first-hand information".

An Account of the Mallow Shootings (January 31st 1921) by L. Barbara Hammond. Read the full report at <https://bit.ly/3dkciAC>



Main: Front page of NUR report into the Mallow shootings. Inset: NUR and ASLEF fobs from the period

Pictures: Public Domain



Report: NUR General Secretary JH Thomas



Shot dead: Inquiry chief Col Comdt HR Cumming

Low pay, poverty pay: welcome to the Irish retail sector



Michael Taft

THE EU Commission has recently published data for earnings in the service and sales sector across the EU. And when compared to our peer group (other high income economies such as Belgium, Austria, Germany Denmark, etc.), Irish sales workers are extremely low paid. [See Table 1]

There we see Ireland right at the bottom. It should be noted that these numbers factor in living costs through PPP (or Purchasing Power Parities) so as to more effectively compare between EU countries. So that €9.33 hourly figure for Ireland includes the very high living costs here compared to most other countries.

Nonetheless, this shows that service and sales workers would need a 20% increase in pay just to bring their wages up to the average of other high-income economies. And even then we'd still trail a number of countries.

Unfortunately, we don't have the data for sales workers in just the retail sector – the above refers to all sales and services workers in the private sector. However, other data shows that, if anything, Irish retail workers trail even further behind.

What we do have is data for low pay in the wholesale and retail sector. Low pay is an official category. It is measured as two-thirds of the median wage. The median wage is the midway point where 50% of workers earn above and 50% earn below.

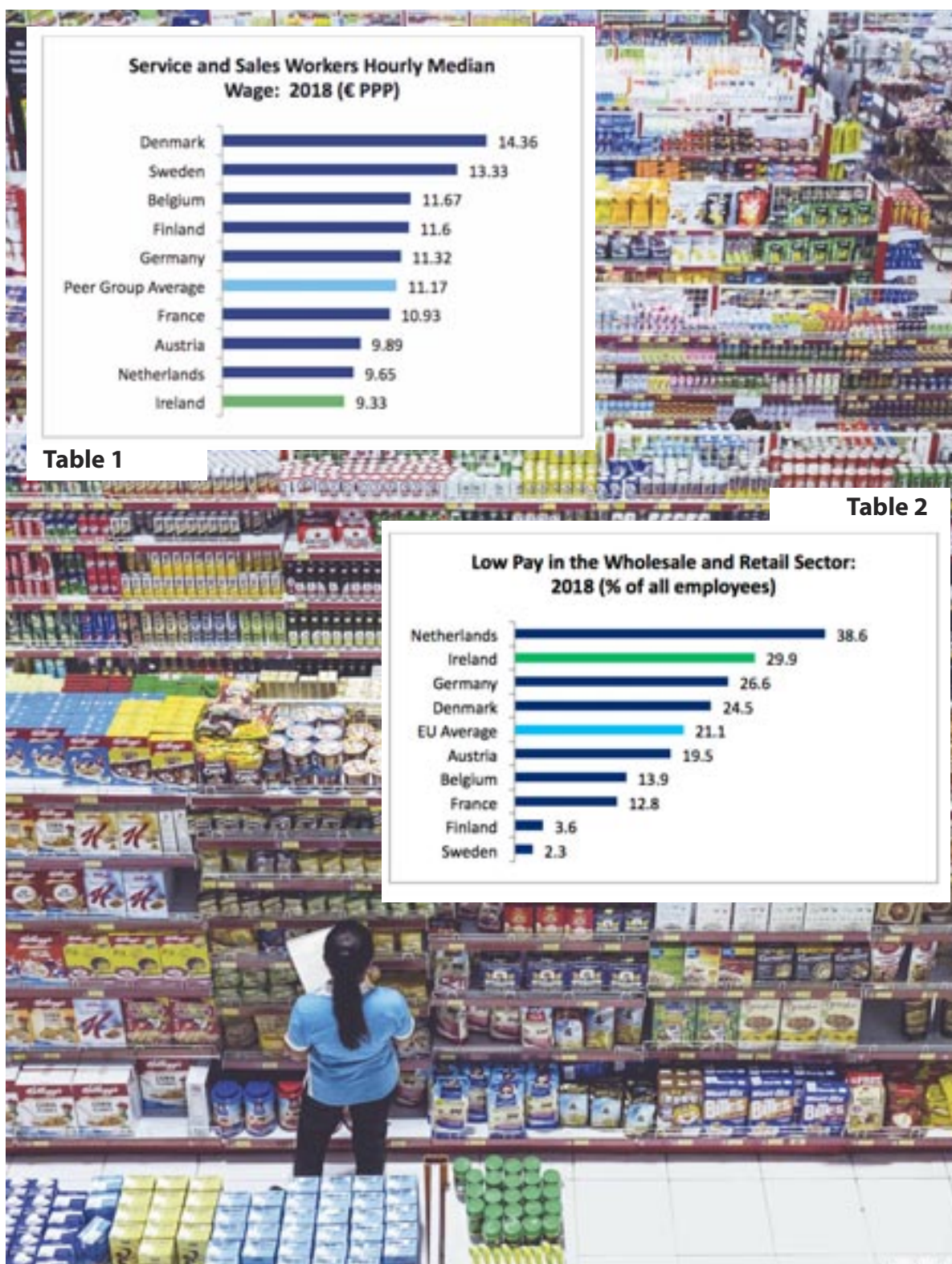
So what do we find for the Irish distributive sector? [See Table 2]

Some 30% of employees in this sector are officially designated as low-paid. That is far higher than the EU average where low pay affects 21% and behind only one other country in our peer group.

The low-pay threshold in 2018 was €11.86 per hour. The Living Wage was €11.90 per hour. That means that 79,000 employees in the Irish wholesale and retail sector earn below the hourly Living Wage. This is an indictment of a sector that pays poverty-line wages to so many workers.

So what can be done about this? Whenever people discuss how to combat low pay the first policy instrument they reach for is the national minimum wage. Clearly, the minimum wage is an important policy tool. In 2018, while the low-pay threshold was €11.86 per hour, the minimum wage was €9.55 per hour. We'd have to increase the minimum wage by 25% to get everyone up to the low pay threshold.

However, a high minimum wage is no guarantee that we can raise people to the Living Wage. The minimum wage is an hourly calculation. The Living Wage, on the other hand, is an



annual calculation. The Living Wage is based on what a single person needs for a minimum adequate income based on a 39-hour working week, 52 weeks a year. It is expressed in an hourly figure but that is to ensure it gets the widest possible attention. The hourly Living Wage is currently €12.30. But the annual Living Wage is €25,000. In other words, a full-time single worker would need to earn €25,000 a year to each a minimum adequate income (and the emphasis is on 'minimum').

There are employees on precarious contracts, temporary contracts, unable to work the hours they want or need. While there has been some progress on this (i.e. banded hours), there is still a long ways to go. Increasing the hourly minimum wage won't necessarily raise workers to an annual minimum adequate income.

What can? Let's go back to the table on low pay in the wholesale and retail sector. Some 30% of employees experience low pay. In Finland, the percentage of low-paid employees in that sector is 3.6% while in Sweden the figure is 2.3%. That's a substantial difference. How does Finland and Sweden manage this? Do they have a really high minimum wage? No. They don't even have a national minimum wage. They do not have a statutory wage floor set by government.

They achieve this performance through widespread collective bargaining – not only throughout the economy but in the distributive sector as well. Through bargaining at sectoral and company level, workers and their trade union representatives are able to lift wages while addressing issues relating to precarious work hours and occupational benefits (e.g. sick pay, top-up maternity pay, etc.).

Therefore, we need a two-prong strategy: increasing the minimum wage and increasing collective bargaining. In this way, we can reduce low pay and raise people's living standards up to the Living Wage and beyond. Everyone has a role to play in this – in the workplace, in the community, in the political debate.

And the first step is to join a union.

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A great educator, Mel was never far from a flipchart. Here he deploys 'Nae Pasaran', a peculiarly Northern twist on the old Spanish Civil War slogan '¡No pasarán!'

TRIBUTE by Brian Forbes
Mandate National Coordinator

MANDATE was deeply shocked and saddened to hear of the recent passing of our dear comrade Mel Corry after a short battle with Covid-19.

Mel passed despite having no underlying conditions and receiving the very best of care from his beloved National Health Service.

This terrible virus has robbed the world of one of our very best socialist educators and a true understated champion of the working class.

Mel had been working for Trademark Belfast as a tutor on Mandate's education courses since 2013. It was through this political education and advocacy work where all our union staff and many of our members had the great pleasure and privilege of learning from this experienced stalwart of trade unionism who formed life-long, deep connections with so many people simply by being Mel Corry.

Since Mel's untimely passing, at the far too young age of 56, many Mandate members have spoken with me sincerely about their love for Mel's dry wit, his twinkle in the eye and his brutal-but-compassionate honesty.

Mel was truly a remarkable man and he easily made friends and

Rest in Power, Mel

comrades during his time working alongside our proud union. The palpable outpouring of grief and sadness at Mel's passing is testament to the exceptionally high regard he was held in by all who had the pleasure of meeting him and spending some time in his company.

Mel was brilliant company: a talented raconteur, a marvellous musician but – more importantly – a kind and gentle soul.

The bold Mel held court on many an occasion regaling us all over a pint or ten with humorous stories from his past working life and his musical travels that had everyone in his company in genuine tears of laughter.

Mel's passing has left a great void in the trade union movement but his honest dedication towards fighting inequalities and his championing of those who were most disadvantaged in our communities and in our workplaces will live long in our collective memories. Mel will be remembered fondly by a generation of Mandate activists who became

inspired through his teaching and wise counsel to become more involved in their union.

We will be forever indebted to Mel for his ability to encourage union members to collectively join the fight to defend their class against oppression and then onwards towards a radical socialist alternative.

Struggles

The epitome of a working class trade unionist, Mel acutely felt and deeply understood the struggles met by workers and their families trying to put food on the table and a roof over their heads.

Through his union work it was patently obvious Mel felt a deep affinity with Mandate members and them with him. He was an important part of their struggles and their ongoing journey through life towards a better tomorrow.

Mel's life was a life well lived and he will leave an irreplaceable hole both in our hearts as well as within

our trade union movement. My Mandate comrade Dave Gibney recently reminded me of the time Mel spoke at our 2014 conference in Killarney. He spoke with passion about the great inequities and social injustices we faced, and continue to face.

When we all arrived the morning the conference was to start, Mel was already there before everyone else setting up a wee stall where he could recommend books to our members and activists to help them on their learning journey. That was Mel – a trade unionist, a socialist and an educator every minute of every day.

Dave Gibney one of the founders of the Right2Water campaign speaking about Mel recently said: "When Mandate became involved in the Right2Water campaign, we immediately made contact with Trademark Belfast and asked them to involve themselves in the campaign."

"Through Unite the Union, Mel and his Trademark comrades provided educational courses to water activists

across the country which gave them a good grounding and understanding about the privatisation agenda that was and is destroying living standards for workers and their families across the island of Ireland."

Understated, knowledgeable, empathetic and communist. He had a clear socialist anti-sectarian vision for a better future and he spent his life searching for it and fighting for it every single day.

Everyone connected with Mandate wishes to extend our sincere condolences to Mel's wife Fiona and sons Sean and Michael, his granddaughter Nancy, his wider family circle, his many friends and his wonderful comrades in Trademark Belfast and all who are impacted by this terrible loss.

Final words come from his Trademark friends and comrades: "Mel was a committed trade unionist and communist, an inspirational teacher, a passionate bluegrass musician and composer, a talented young boxer in his day, a defender of workers who made a lasting contribution to the peace process."

"He worked tirelessly in the service of his class and was and remains an exemplar of the incorruptible working class."

"Gone too soon comrade
♥ Ní bheidh a leithéid arís ann."

NOAH DONOHUE DEATH

Oireachtas must step up the fight to uncover the truth

ON JUNE 21st, 2020, 14-year-old Noah Donohoe from Belfast went missing. He was missing for six days while search operations were carried out. Later his body was found in a storm drain in north Belfast. The postmortem revealed that the cause of death was drowning.

Soon after Noah went missing, on-line speculation began about his disappearance and around those who might have been involved. After Noah's body was found, the PSNI gave assurances that "there was no foul play" involved after people living in the area were targeted by anonymous online trolls.

There were claims that Noah's disappearance was part of a loyalist conspiracy, which is untrue.

"In my 30 years in the police this is one of the most unusual missing person inquiries that I have done," said PSNI Superintendent Muir Clark.

Noah's body was found in a storm drain and it was reported that a person would have to actively enter the storm drain, that it didn't seem plausible that he would have fallen in.

However, the access hatch on the grille of the storm drain was allegedly not locked on the day that Noah disappeared. However, a padlock was put on the grille on June 24th, 2020 by officials. This is three days after Noah's disappearance, meaning effectively that Noah's body was locked in



Thomas Pringle

the storm drain for three days. The Department for Infrastructure (DfI) would not confirm that the hatch had been unlocked up to June 24th.

Why have I raised Noah's case in Dáil Éireann? Because I could not believe that no other politician had brought it up prior to that. I was contacted by Noah's grieving mother, Fiona, and aunt, Niamh, and met online with them alongside Deputy Joan Collins and Senator Eileen Flynn.

During 'Statements on New Decade, New Approach' on February 24th, 2021, I spoke of Noah's case. There appears to have been a failure of action by the police which left Noah's family in the horrific position of having to investigate this crime on their own.

They have identified and retraced Noah's last journey by walking the route and identifying and following up on hundreds of security cameras that cover the route in question. They have identified things the police should have done and acted on but



Justice campaign: Noah Donohoe

did not. From my briefing with Noah's family, it seems clear that the police have not acted properly in this investigation. The investigation and whole scenario raises more questions than answers and a grieving family deserves answers.

A grieving mother was left with no option but to investigate her son's death herself. In my view, the fact that she has uncovered more information than the police is indefensible. For example, Fiona Donohoe made a public call for people with phone evidence to come forward, and they did.

Fiona has also come south to raise awareness of Noah's case, to look for

support in the investigation and to highlight the inadequacies in getting answers around her young son's tragic death.

I have been urging the Taoiseach, the Tánaiste, the Minister and everyone who can help to do so. We wrote to Taoiseach Micheal Martin requesting a meeting and we await a reply.

As *Shopfloor* went to press, I, along with Deputy Joan Collins and Senator Eileen Flynn hosted an online briefing with Noah's mam, Fiona, and aunt, Niamh, as well as representatives from the Dáil and Seanad which gave the family an opportunity to present their findings to public represen-

tatives and to answer questions.

The family have started the **#RememberingMyNoah** campaign, are raising public awareness and are carrying out their own investigations into Noah's death. It is time for members of the Oireachtas to step up and help Fiona and Niamh in this campaign for justice and truth. Union members can help too by lobbying politicians to make sure they care about Noah. And thanks go to Mandate for giving me this opportunity to highlight Noah's case.

Thomas Pringle is Independent TD for Donegal

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Mandate has launched our **UNIONLINK** courses on <https://unionlink.org> where you can register online for bitesize course programmes, such as Industrial Relations, Recruitment and Organising, Stress Management courses etc.

In addition to the free training and development courses, we are pleased to launch our new online training platform (Academy on the App Store and Google Play Store), in partnership with Olive Media.

This app will allow members the option to purchase online professional and development

courses such as Interview Skills, Basic First Aid and GDPR, at discounted rates of up to 60%.

The Mandate Training Academy will also host links to Mandate's **LOOKUP App** and our Mandate Induction video, all presented now on our new online Training Academy.

In time our course offering will grow, allowing you – the member – improved access to a wider range professional course modules.

The cost of purchasing Mandate online courses also qualify for grant support through our Education Grant Scheme every November.



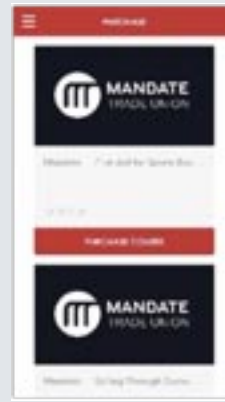
How to register...

- Click on the registration link here – **REGISTRATION LINK**
- Fill out details leaving the 'Member ID' and 'Team' field blank.
- This should be done from PC/laptop using a Google Chrome web browser (where possible)
- If you already have an existing AcademyHQ account please contact our support team at support@olivemedia.com
- Following registration above, members can download the 'Academy HQ' app from the Google Play store or App Store if you wish to login from your smartphone. Alternatively use the following link to login on your PC: <https://mandatemembers.academyhq.com/en/auth/login>



How to purchase training...

- Click on Purchase Course on the bottom left hand of your page
- Here you will see a list of courses and their prices
- Choose your course and click 'Add to Cart'
- Proceed to check-out
- Make payment
- Return to the dashboard tab and you will see your course





Piecework at home: Mother and her children producing baby clothes in a New York tenement in 1912
Picture: NARA (Public Domain)

RETURN OF 'PIECEWORK'

ICTU vows to fight to protect hard-won rights

CONGRESS General Secretary Patricia King has underlined the need to protect workers' rights against the backdrop of a huge hike in remote working over the past year.

She said: "The trade union movement is fully committed to ensuring workers' hard-won rights are preserved when working remotely, that protections are fit for purpose and that the post Covid-19 world of remote working does not

lead to greater work precarity and casualisation."

The comments come after Brendan McGinty, the managing partner of Stratis Consulting, suggested recently that the boom in remote working opened up the possibility of a return to a "modern version piecework" – with it to be decided "if for certain roles there should be a movement towards pay for work done rather than for time".

Piecework is defined as work paid for according to the amount produced.

King added: "We have raised this repeatedly in our consultations in the LEEF forum with Government and employer representative bodies. Congress and trade union representatives around the country will ensure that any attempt to usher in a return to piecework will be vigorously resisted."

UK NEWS

Union hails 'massive victory' over equal pay ruling for Asda workers

THE GMB trade union has hailed as a "massive victory" a UK Supreme Court landmark ruling, allowing the roles of shop floor workers and warehouse staff at Asda to be compared in assessing equal pay.

According to law firm Leigh Day, which represents Asda staff, it constitutes the largest equal pay claim ever to be brought in the UK and will have implications for workers in other supermarket and retail chains.

Lawyers have estimated that if all UK supermarkets were found to be in breach of equal pay laws, they could face a total bill of around £8 billion.

Around two-thirds of shop floor staff at Asda are women, while most warehouse workers are male. It is understood distribution staff were paid between £1.50 and £3 an hour more than workers on the shop floor.

Until now, the case has focused on whether both groups of workers can be compared for equal pay purposes – not whether their work is of equal value.

Asda has several outlets in Northern Ireland but none south of the border. Despite this, prior to the Covid pandemic and because of



cross-border trade, it still had a percentage of the overall grocery market in the Republic.

Dismissing Asda's appeal on March 26th, Supreme Court judge Lady Arden pointed out that the ruling did not mean shopworkers had won the automatic right to equal pay, but that their success meant they were now free to take further action.

However, Leigh Day lawyer Lauren Loughed said the ruling meant her clients had cleared "a big hurdle" in their fight for equal pay.

The GMB has called now on Asda

bosses to come to the talks table to broker a potential £500 million settlement.

GMB Legal Director Susan Harris told *Shopfloor*: "This is amazing news and a massive victory for Asda's predominantly-female shop floor workforce. Asda has wasted money on lawyers' bills chasing a lost cause, losing appeal after appeal, while tens of thousands of retail workers remain out of pocket.

"We now call on Asda to sit down with us to reach agreement on the back pay owed to our members –

which could run to hundreds of millions of pounds."

Wendy Arundale, who worked for Asda for 32 years, said: "I'm delighted that shop floor workers are one step closer to achieving equal pay.

"I loved my job, but knowing that male colleagues working in distribution centres were being paid more left a bitter taste in my mouth.

"It's not much to ask to be paid an equal wage for work of equal value, and I'm glad that the Supreme Court reached the same conclusion as all the other courts."

Unite's Amazon workers helpline

UNITE has launched a national advertising campaign to encourage Amazon workers to blow the whistle on poor treatment by calling **1800-851268**. The online retail giant, which already employs several thousand people in Ireland in tech and warehousing roles in Dublin and Cork, is planning a major 'fulfilment centre' in North County Dublin.

The union's hotline initiative coincides with the launch of the campaign alliance, 'Action on Amazon', that is demanding a 'new deal' for Amazon workers, including union recognition and a greater share of profits.

Unite Executive Officer Sharon Graham told *Shopfloor*: "Unite has opened a confidential hotline for Amazon workers in Ireland to blow the whistle on poor treatment and working practices.

"It is prime time Amazon gave workers in Ireland the right to negotiate collectively through the union of their choice, and to organise without interference, bullying and intimidation."

● Alabama action – p18 & 19

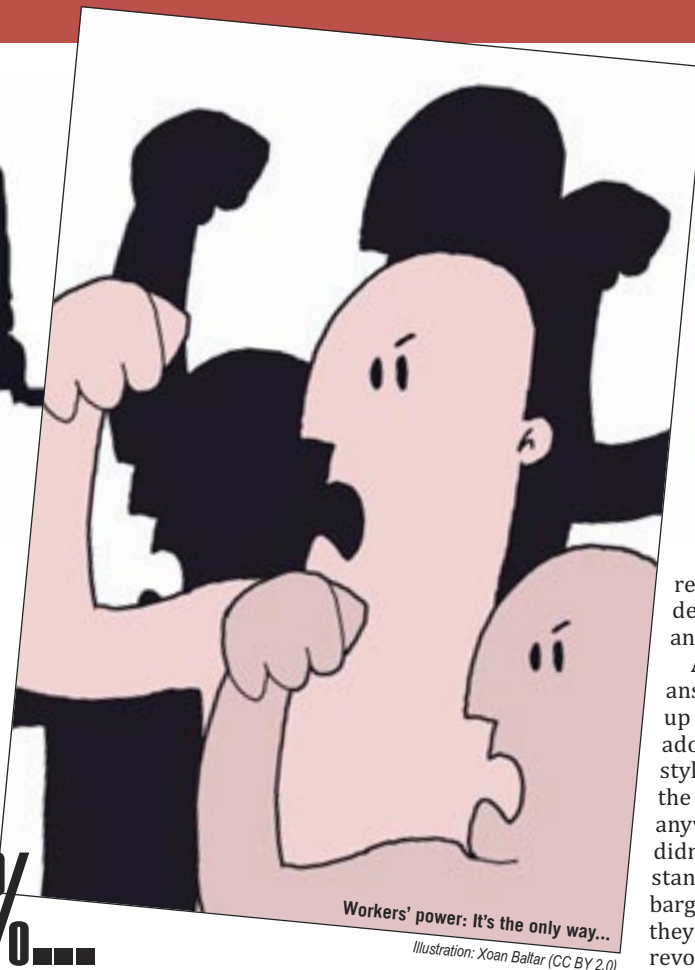
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Categorising workers ...don't be fooled by an old trick used by the 1%...

AN AMERICAN academic and labour journalist has warned US unions that Silicon Valley's offer of sectoral bargaining is a trick designed to create a 'third category' of worker.

And she claimed that a prominent part of today's labour landscape both in the US and across the world – precarious working or the gig economy – has long been a feature of American capitalism.

Jane McAlevey, who is senior research fellow at the University of California Berkeley Labor Center, made the comments in a well-argued piece in left-leaning US publication *The Nation*.

Comparing the situation today with the 1930s, she pointed out that "abysmal conditions" in auto plants then were not much different from Amazon warehouses today.

Those auto workers, however, had mobilised to build strong unions that turned those same jobs into the kind of employment "that became the backbone of the American dream".

She thinks the lesson for today's workers is clear.

"It's only if and when workers decide to harness their only real power – coming together in a union – that their lives will improve."

But McAlevey identifies a catch: "If they are to be allowed to do so, the law first has to consider them to be

'real' workers." This is because to be covered by the US's National Labor Relations Act and Fair Labor Standards Act, a worker has to be an 'employee' as opposed to an 'independent contractor'.

She explains: "The current debate about who is a worker, who is an independent contractor, and who is legally eligible for things like Social Security and unemployment insurance centers around the question of whether state and federal policy makers accept or reject what is

referred to as a 'third category' of worker." Again, McAlevey points to historical parallels – about how the same discussions about categorising workers occurred in the 1930s involving the notion that nannies and farmworkers did not deserve the same protections as those earning their living on the factory floor.

Today, she claims gig-economy employers are "dangling" the carrot of "sectoral bargaining" to unions in exchange for setting up this third category of worker.

At first sight this sounds "enticing" – unions engaging with employers across an economic sector (fast-food, hotels, retail, hospitals) to create wage and benefits standards. But, she argues, these theoretical advantages disappear "when workers aren't

regularly organized to such a degree that they walk off the job and regularly strike".

And McAlevey has a quick answer to those on the left who flag up the advantages for workers of adopting a Swedish or Germany-style sectoral bargaining model in the US. "In Germany or Sweden, or anywhere else in the world, workers didn't achieve their decent living standard because of sectoral bargaining. They achieved it because they fought like mad, including with revolutions in the earlier half of the past century, to achieve an overall détente with capital."

Worker power

"It took worker power to win the standards workers enjoy in every country that currently has sectoral bargaining."

She added: "Whether you are a worker in Germany or in Alabama, the only way you win a decent life is by building enough power to create a crisis for the capitalist class. That means the power to forge supermajority unity, striking, and causing profits to nosedive until the bosses remember that workers – whatever we call them – make the profits the 1 per cent thrive on today, while everyone else suffers."

Read the full article at <https://bit.ly/30nkDvF>

“Whether you are a worker in Germany or in Alabama, the only way you win a decent life is by building enough power to create a crisis for the capitalist class”

UK NEWS

New deal needed for workers

USDAW General Secretary Paddy Lillis has reiterated the union's call for a 'New Deal for Workers'.

Speaking on March 23rd, the anniversary of Britain's first lockdown because of the Covid-19 pandemic, he said: "Millions of low-paid workers have provided essential services to help ensure the country is fed, healthy and safe throughout."

"Usdaw members employed in our supermarkets, distribution warehouses, food processing sites and home delivery operations welcomed the key worker status, but that respect and appreciation must not fade into the background when this national crisis passes."

"There must be lasting and fundamental change to the way society views our lowest paid workers. We need a new deal for the workers: a minimum wage of at least £10 per hour, an end to insecure employment, respect for shopworkers and action to ensure that retail jobs are no longer underpaid and undervalued."



#RememberMyNoah



#JusticeforNoah

**TWITTER STORM FOR NOAH DONOHOE
6:11pm every Sunday evening @mynoh8**