

28 March 2018

**Ms Margaret Heffernan**  
**Director**  
**Dunnes Stores**  
**46-50 South Great Georges St**  
**Dublin 2**

### **An Open Letter to the Owners of Dunnes Stores from Mandate Trade Union**

**Dear Ms Heffernan**

As another year begins I feel compelled for a number of reasons to write regarding the protracted fraught nature of the relationship between your Company and Mandate Trade Union. I think it is true to say for many years now the relationship has been built around little or no formal engagement between the parties which has resulted in a particular industrial relations model that has sporadically shown the potential to create conflict that negatively impacts on employee relations and the public perception of the Dunnes business. Regrettably, circumstances have deteriorated even further with the latest decision by management not to deduct the full union subscription from members' wages along with a refusal to place new members of the Union onto the payroll deduction system. These recent developments are ones which we have not overly exposed or reacted to, however I am sure you can appreciate we cannot continue to ignore them indefinitely.

I believe that a number of critical developments have occurred over the recent past that affords an opportunity to legitimately pose the question now as to whether the current non-engagement approach practised by the Company towards the Union best serves the interests of all stakeholders and indeed whether consideration and the development of a model which accepts the wishes of thousands of your employees to be both individually and collectively represented by a trade union of their choice is in fact good, and not bad for the future prosperity of the business.

For no other reason than we have no real choice, Mandate Trade Union is forced into the space of portraying Dunnes in a negative light principally due to the non-application of formal procedures to deal with local and national industrial relations issues. It would be wrong to say that such procedures do not exist because they were jointly agreed by the Company and the Union as an integral part of the resolution to the 1996 national dispute, unfortunately management have consistently failed to put them into practice. Consequently the Union and its members have to resort to dealing with industrial relations matters through either cases referred under specific individual rights based legislation or widespread collective industrial action.

It is largely because of this reality that the Union has been to the forefront of seeking legislative change in the area of employment law and this has resulted in the introduction of the Industrial Relations (Amendment) Act 2015 and the proposed Employment (Miscellaneous) Provisions Bill 2017.

I have no doubt you are aware that we are currently prosecuting a claim to the Labour Court against Dunnes with regard to the former. In relation to the latter we would much prefer to engage directly with the

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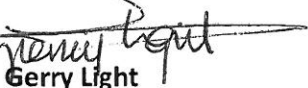
Company to agree a Banded Hours structure that is specifically designed to reflect the unique needs of the Dunnes business. This is something we have done with many retailers operating in the Irish market. However, if the current model of non-engagement persists when the new legislation is eventually introduced it will be viewed that Dunnes took a reactive instead of proactive approach towards entering into a collective agreement with the chosen representatives of a substantial number of their employees in order to deal with the certainty of earnings issue. Apart from the obvious benefits of having an agreed framework tailor made to suit the needs of your business such an agreement also offers a derogation from certain aspects of the proposed legislation.

In 2018 there is little doubt that the concept of decency in the workplace has found a more deep rooted awareness and value in the eyes of the general public along with individual politicians and political parties from all persuasions. Not only is the advancement of the concept the morally right thing to do it also has in our experience the potential benefit of bringing many positive changes to a business whether it is in the area of staff morale and productivity, customer loyalty, enhanced business prosperity along with a favourable perception and reaction by the general public. Of course the main test of whether a business is considered such an employment is the way it chooses to deal with its workers and their desire to access in a meaningful way their constitutional entitlements that should flow from being a member of a trade union. In our view we have now thankfully passed the point where an employer can simply declare without scrutiny and challenge that they broadly accept the existence of this entitlement whilst at the same time they purposefully refuse to allow their workers fully vindicate it.

In conclusion I once again pose the question directly to you the principals of the Dunnes business. Do you wish to continue with the current model of adversarial industrial relations or whether now is the time to explore a different approach that affords the opportunity of not a win/lose but rather a win/win situation for all the stakeholders connected to the enterprise. In consideration of this point it is difficult to ignore the recent change of approach that has been adopted by Ryanair, another hugely successful indigenous Irish business. Clearly their decision was based on a realisation that a refusal to formally engage with a trade union and its members should not be retained on the basis of blind principle rather it must be considered over a timespan that not only takes account of the evolving dynamics of a particular business but also key influences brought about by societal changes that at their core demand a greater commitment to corporate social responsibility and worker welfare in particular. There can be no doubt that the Ryanair decision has been positively greeted by a broad cross section of public opinion both home and abroad.

Our Biennial Annual Conference takes place in Wexford in the last week of April this year. I have no doubt that the thousands of our members who are employed in Dunnes would want to hear a report of a positive response to the general proposition for change outlined in this letter. I should also point out that a desire for such a move was recently unanimously expressed by those attending a national Dunnes Union activists event along with their fellow members through general Dunnes membership opinion surveys that we conduct on a regular basis. Of course whether we are in a position to deliver any positive news is totally dependent on the type of reaction, if any, we receive from their employer and in this regard we await hearing from you with genuine interest and one that is totally designed to move the practice of industrial relations in Dunnes in a progressive and constructive direction for the good of all concerned, both now and more importantly into the future.

Yours sincerely  
For Mandate Trade Union



Gerry Light

Assistant General Secretary