



**ANNUAL
DELEGATE
CONFERENCE
2010**

FINAL AGENDA

PUBLIC SERVICE EXECUTIVE UNION
ANNUAL DELEGATE CONFERENCE 2010

FINAL AGENDA

Note: The references in this document to the Report of the Standing Orders Committee, the timetable for the Conference, the Sections of the Annual Report associated with Motions on Policy and the Primary and Secondary Categories of Motions on Policy are included at the request of the Standing Orders Committee for ease of reference by the delegates at Conference. Their validity is subject to the approval of the Report of the Standing Orders Committee by the Conference.

*Time Unit A – 3:30 p.m. to 4:15 p.m. – Thursday
Items 1 to 6*

1. **OPENING OF CONFERENCE**
2. **MINUTES**

Minutes of the 2009 Annual Delegate Conference
(See pages 1 to 27 of Annual Report)
3. **APPOINTMENT OF TELLERS**
4. **RECOMMENDATIONS OF STANDING ORDERS COMMITTEE**

(See separate document)
5. **APPOINTMENT OF SCRUTINEERS**
6. **PRESIDENT'S ADDRESS**

*Time Unit B – 4:15 p.m. to 4:25 p.m. - Thursday
Distribution of Ballot Papers*

Time Unit C – 4:25 p.m. to 4:45 p.m. - Thursday

7 **ELECTION OF OFFICERS**

President: **Valerie Behan** (Foreign Affairs) has been nominated by the following Branches:

Foreign Affairs,
Justice, Equality & Law Reform
Eircom
Social and Family Affairs
Environment Heritage and Local Government

Vice-President: **Brian O'Connor** (Eircom) has been nominated by the following Branches:

Eircom
Social and Family Affairs
Revenue
Environment, Heritage and Local Government

Tony Nolan (Social Welfare Inspectors) has been nominated by the following Branches:

Social Welfare Inspectors

Notes: Since Valerie Behan is the only candidate for election as President she will be deemed to be elected to that position.

There are two candidates for Election as Vice-President Brian O'Connor and Tony Nolan. Brian O'Connor is also a candidate for election to the Executive Committee, and if he is elected as Vice-President he will no longer be a candidate for election to the Executive Committee. His name will, however, appear on the Ballot Paper for the election of the Executive Committee. Votes cast for Brian O'Connor in the election for the Executive Committee will be deemed to have been cast for the person with the next preference on the ballot papers involved, in the event of he being elected Vice-President.

8. **ELECTION OF FOURTEEN (14) MEMBERS OF THE EXECUTIVE COMMITTEE**

The following have been nominated:

Name	Branch
Behan, Valerie*	Foreign Affairs
Brennan, Melissa	Foreign Affairs
Burke Geary, Geraldine **	Defence
Carroll, Clodagh	Education and Science
Dunne, Angela***	Revenue
Fitzpatrick, Frank	Environment, Heritage and Local Government
Flanagan, Jerome	Oireachtas
Glancy, Louie	Revenue
Hastings, Pat	Health and Children
Hynes, Patricia	Courts
Jackson, Martin	O.P.W.
Jennings, David	Agriculture, Fisheries and Food
Kelly, Larry	Transport
Lawless, Brendan	Property Registration Authority
Lee, Fiona	Commissioners of Irish Lights
Long, Helen	Social and Family Affairs
McCrea, Paul	Social Welfare Inspectors
McGuirk, Niall	Taoiseach
Moreland, Paul	An Post
Moyer, Paul	Revenue
O'Connell, Augustine	Enterprise, Trade and Employment
O'Connor, Brian	Eircom
O'Cribin, Gearoid	Social and Family Affairs
O'Donoghue, Ger	Justice, Equality and Law Reform
O'Gorman, Tony	Revenue
Rossiter, John	Revenue
Tobin, Patricia	Social and Family Affairs

* As Valerie Behan will be deemed to be elected as President her name will not appear on the ballot paper for election to the Executive Committee

**Also nominated by the Road Safety Authority

*** Notification has been received from the Revenue Branch withdrawing the nomination of Angela Dunne for the Executive Committee.

9. **ELECTION OF SIX (6) MEMBERS OF THE STANDING ORDERS COMMITTEE**

Fallon, Mary	O.P.W.
Fitzgerald, Frank	Revenue
Flynn, Carol	Enterprise, Trade & Employment
Hegarty, Paul	Revenue
Malone, Gerard*	Revenue
O'Donohoe, Mary	Social and Family Affairs
Squires, Jimmy	Social Welfare Inspectors Branch

* Also nominated by the AO Branch

10. **STATEMENT OF ACCOUNTS**

(This is published in a separate document)

11. **MOTIONS TO AMEND THE RULES**

See *Time Unit L* (12.35pm. to 12.50pm. Friday) below.

12. **AMENDMENTS TO THE REGULATIONS ON PROCEDURE AT MEETINGS**

There are no such motions.

Time Unit D – 4:45 p.m. to 5:05 p.m. – Thursday
Address by David Begg

14. ANNUAL REPORT AND MOTIONS ON POLICY

MOTIONS IN PRIMARY CATEGORY

MOTIONS A.1 TO A.84

Pay and Allowance

- A. 1** That this ADC endeavour to maintain the members' standard of living through protection of pay and conditions (1)
- S.W.I.B.
- A. 2** That the incoming Executive Committee seeks to have all the pay cuts and pension levies imposed on members reversed, reimbursed in full and actively oppose any further threatened pay cuts, adjustments or other changes to members pay and conditions in 2010 and 2011. (4)
- Communications, Energy and Natural Resources
- A. 3** That the PSEU advocates a concerted nationwide lobbying of public representatives with a view to constantly reminding them of the eventual consequences of their voting to reduce the salaries of Civil and Public Servants. (2)
- S.W.I.B.
- A. 4** That the ADC instructs the Executive Committee to take all necessary steps to have levies and pay cuts removed immediately and a more organised resistance to these public sector cut be taken, up to and including strike action. (79)
- Social and Family Affairs
- A. 5** This ADC instructs the incoming Executive Committee to formally notify the Department of Finance that any concessions given under the previous National Pay Agreements are now being revoked in light of the two pay cuts imposed on our members. (3)
- Communications, Energy and Natural Resources

(Motion A. 5 is out of order. See Para 11.8 SOC Report)

- A. 6** This ADC notes with concern the large number of vacancies created by various de-staffing measures, as well as the savaging of the pay and conditions and increased work burden of remaining staff. This ADC supports the 'work-to-rule' measures introduced by the Executive and also mandates the Union to

implement the following 'work-to-rule' industrial action principles to protect its members from further exploitation.

- (a) Members are instructed to only fulfil duties appropriate to their grade, until such time as a direction is otherwise given by the Union.
- (b) Members should not carry out duties above the accepted responsibility structure of their grade, until such time as a direction is otherwise given by the Union.
- (c) Members should not accept extra duties which arise out of the non-filling of vacancies, until such time as a direction is otherwise given by the Union.
- (d) Members should not carry out extra work outside of core hours, unless accompanied by overtime, until such time as a direction is otherwise given by the Union.
- (e) Members should not work beyond their standard working pattern to facilitate increased work arising from non filling of vacancies, until such time as a direction is otherwise given by the Union.
- (f) Members should not carry out any work on representations received by the Minister or on speeches for areas not covered by their organisations Statement of Strategy, until such time as a direction is otherwise given by the Union.
- (g) Members should not carry out any work on parliamentary questions, until such time as a direction is otherwise given by the union. (5)

- Environment, Heritage and Local Government

(Motion A. 6 is out of order. See Para 11.9 SOC Report)

- A. 7** (*)That this ADC instructs the incoming Executive Committee to examine all recent reports from the ESRI, to see how the pay and conditions of the members of this Union are affected, and to engage either a Statistician or Economist or both to prepare a paper for publication, preferably in a peer reviewed journal, and to publicise any positive result. (8) (C. 1)

- Enterprise, Trade and Employment

- A. 8** That this Conference condemns the Government for its continuing scapegoating of the Public Service as the cause of the financial woes of this country. Conference instructs the incoming Executive Committee to continue the fight to maintain our living standards, and to highlight the injustice that we, who did not cause the debacle in the country's finances, are now being

singled out to provide the funds to bail out the bankers, developers and others who have caused Ireland's financial meltdown. (10)

- Revenue

- A. 9** In light of the details of the Government-imposed pay cuts, this Conference calls on the incoming Executive Committee to seek the reversal of implications for jobsharers who have to endure the higher rate of cut on their reduced pay. In light of these drastic proposals, this Conference calls for the early retirement scheme (ISER) conditions made available in 2009 to be extended until the end of 2010. (11)

- Revenue

- A. 10** (*) That this ADC instructs the incoming Executive Committee not to re-enter talks with government without the reversal of the Jan 2010 pay cut, that any future agreement is conditional on rescinding of the Pension levy, and that any agreement regarding organisational change/transformation is accompanied by a pay increase. (12) (C.2)

- Enterprise, Trade and Employment

- A. 11** (*) That this ADC instructs the incoming Executive Committee to actively work to restore the old relativities that existed between the civil service grades prior to benchmarking and in particular to seek to close the gap between the HEO/AP grades to the benefit of our members. (13) (C. 3)

- Enterprise, Trade and Employment

- A. 12** (*) That this ADC, given the current gap which exists not only between the top point of the Higher/Up Graded HEO Scale but also the top point of the HEO standard Scale, calls upon the incoming Executive Committee to develop a policy which will remedy this long standing and outrageous injustice, which the benchmarking process does not appear to have remedied or taken account of, and to implement the policy and to report back to the next ADC of this Union on the nature of the policy and its success to date. (14) (C.4)

- Enterprise, Trade and Employment

Amendment

Given the current gap which exists between the top point of the Higher Scale and the top point of the Standard Scale for both EO and HEO Grades, this ADC calls upon the incoming Executive to develop a policy which will remedy this long standing injustice, and to report back to the next ADC of this Union on the nature of the policy and its success to date.

- Enterprise, Trade and Employment

- A. 13** (*) That this ADC calls on the incoming Executive Committee to report to the next ADC on why it considers that the benchmarking process meets the needs of its members in terms of pay and to indicate what pay policy it proposes to follow in pursuing these needs through the benchmarking process. (15) (C. 5)

- Enterprise, Trade and Employment

- A. 14** This ADC notes sections 27.7 to 27.14 of the Towards 2016 agreement and further notes that the Government has unilaterally chosen not to act 'in accordance with the provisions of this Agreement'.

This ADC notes the significant increase in obligatory payments, labelled as a pension levy, in 2009 and the savage cuts introduced in the Dec 2009 budget. These cuts have more than wiped out the gains made in return for changing practises in T2016 (open recruitment etc.)

This ADC sees the Government actions as a clear breach of the agreement and thus mandates the Union not to implement any further elements of the agreement and, where possible, to row back to the pre-agreement position.
(16)

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- Environment, Heritage and Local Government
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- A. 15** This ADC instructs the incoming Executive Committee to embark upon a Programme of Regression as part of the Industrial Action Programme, and to ask the Public Services Committee of ICTU to adopt the programme of regression.
(17)

- Enterprise, Trade and Employment

(Motion A. 15 is out of order. See Para 11.10 SOC Report)

Amendment

This ADC instructs the incoming Executive Committee to embark upon a programme of Regression as part of the Industrial Action Programme, and to ask the Public Service Committee of ICTU to adopt a programme of regression.

- Enterprise, Trade and Employment

(Amendment to Motion A.15 is out of order - SOC Report, Para. 12.2)

- A. 16** (*) That this ADC instructs the incoming Executive Committee to propose to the ICTU Executive that ICTU acknowledge the formal collapse of National Partnership and withdraw from negotiations in that forum. (18) (C.6)

- Enterprise, Trade and Employment

- A.17** (*) That this ADC instructs the incoming Executive Committee to examine all recent reports from the C&AG, to see how the pay and conditions of the members of this Union are affected, and to engage either a professional actuary, or accountant, or other qualified person to prepare a paper for publication, preferably in a peer reviewed journal, and to publicise any positive result. (7) (C. 7)

- Enterprise, Trade and Employment

A. 18 That this conference condemns the U-turn by government to reduce the pay cut applied to senior civil servants as unequal and unfair and instructs the incoming Executive Committee to seek to have this decision reversed retrospectively. (9)

- Education and Science

Organisation of the Public Service

- A. 19** This ADC notes rumours of a suggested plan for the redeployment of members within a 30 miles radius of their place of work. This ADC mandates the Union to in no way agree with any redeployment measures which are in any way compulsory for any staff, including decentralising staff, beyond the terms of already agreed movement mechanisms. (21)

- Environment, Heritage & Local Government

- A. 20 (*)** This conference instructs the incoming Executive Committee to consult with members prior to any negotiations with the Official Side on possible changes to members working conditions eg: On attendance/opening hours to the public/work practices, which may form part of any proposed discussions under the guise of Modernisation of the Civil Service. (22) (C.8)

- S.W.I.B.

(If Motion A. 20 is carried, Motion A. 21 falls. See Para 11.11 SOC Report)

- A. 21** That this ADC instructs the Executive Committee not to engage with Government in relation to any transition programme, having regard to the savage deterioration in members pay and the Victorian conditions that exists in relation to annual and sick leave cover. (23)

- S.W.I.B.

- A. 22 (*)** That this ADC instructs the Executive Committee to begin negotiations for a whistleblowers charter for the Civil Service. (24) (C.9)

- Environment, Heritage and Local Government

- A. 23 (*)** That this ADC instructs the incoming Executive Committee to instruct all its civil and public service branches to formally withdraw from their Partnership Committees with immediate effect. (25) (C.10)

- Enterprise, Trade and Employment

(Motion A. 23 is out of order. See Para 11.12 SOC Report)

- A. 24** That this ADC instructs the incoming Executive Committee to take all reasonable steps to ensure that PSEU grade vacancies are filled across Government Departments. (26)
- Social and Family Affairs
- A. 25 (*)** This ADC instructs the incoming Executive Committee that any further engagement with Government on the public sector modernisation programme should be contingent on a quid pro-quo binding commitment from Government that they will reform how they do business, in particular in areas that impinge on the workload of civil servants e.g. PQ system, Representations, political work, etc. (27) (C.11)
- Agriculture, Fisheries and Food
- A. 26** This ADC instructs the incoming Executive Committee to actively engage with Government to ensure that its members are not disadvantaged if and when staff from other agencies/bodies are integrated into the individual Departments. The executive should also give regular updates to its members of the numbers integrated from other bodies and its opinion on whether its members have been disadvantaged. (28)
- Agriculture, Fisheries and Food
- A. 27** That this ADC seeks to bring the ESRI within the scope of the FOI Act. (29)
Environment, Heritage and Local Government
- A. 28** This Conference calls on the incoming Executive Committee to develop, within one month, a Union Policy to protect member's interests in the face of the recruitment embargo. (30)
- Revenue

(Composite Motion "A" covers Motions A. 29, 30, 31, 32 and 33. See Para 15.1 SOC Report)

Composite Motion "A"

That this ADC requests the Executive Committee to give union members details of all changes discussed with the Department of Finance in the negotiations prior to the 2010 Budget. These details to include shared services, opening and closing times, attendance arrangements, the extension of competitive and merit based promotions, redeployment arrangements; sick and annual leave.

- A. 29** This ADC requests the Executive Committee to give union members details of Introduction of shared services in Health, Local Authorities, Education and

Civil Services - in areas like Finance Procurement, Human Resources, and Payroll that were discussed with finance before the budget. (32)

- Environment, Heritage and Local Government

A. 30 This ADC requests the Executive Committee to give union members details of Changes to Civil Service opening and closing times and attendance arrangements that were discussed with finance before the budget. (33)

- Environment, Heritage and Local Government

A. 31 This ADC requests the Executive Committee to give union members details of the extension of competitive and merit based promotions at all levels throughout the Public Services that were discussed with finance before the budget. (34)

- Environment, Heritage and Local Government

A. 32 This ADC requests the Executive Committee to give union members details of the explicit agreement on the re-deployment of civil and public services within and between organisations to ensure better delivery of priority services as budgets and staffing decline that were discussed with finance before the budget. (35)

- Environment, Heritage and Local Government

A. 33 This ADC requests the Executive Committee to give union members details of Better Management and Standardisation of Annual and sick leave arrangements that were discussed with finance before the budget. (62)

-Environment, Heritage and Local Government

*Time Unit H 10:45 a.m. to 11:10 a.m. – Friday
Presentation of Honorary Life Membership to David Bedlow*

*11:10 a.m. to 11:40 a.m. – Friday
Break for Tea/Coffee*

Industrial Action

- A. 34** (*) That this ADC instructs the incoming Executive Committee to immediately escalate the current industrial action by withdrawing services on PQs, Speeches, Briefing Material in all Departments and particularly in Constituency Offices. It is proposed that this would be in place by the end of May for all Departments. (36) (C.12)

- Arts, Sports and Tourism

(Motion A. 34 is out of order. See Para 11.13 SOC Report)

Amendment

That this ADC instructs the incoming executive that as part of effective industrial action civil servants should target politicians by withdrawing services on PQs, Speeches, Briefing material etc. and particularly by withdrawing services in Constituency Offices.

- Arts, Sport and Tourism

(Amendment to Motion A.34 is out of order - SOC Report, Para. 12.3)

- A. 35** (*) This ADC instructs the incoming Executive Committee to establish through Departmental Councils the total number of vacancies that have arisen during this embargo in all Departments, and whether any of these vacancies would have been a promotional opportunity for PSEU members. The Executive Committee should vigorously pursue the filling of these vacancies when the ongoing embargo is lifted. Vigorously pursue in this instance is to include notification of and use of industrial action. (37) (C. 13)

- Arts, Sports and Tourism

(Motion A. 35 is out of order. See Para 11.14 SOC Report)

- A. 36** That this ADC seeks that forms of industrial action other than all out or one day strike be considered by the incoming executive e.g. suggesting non use by members of tracking and evaluation systems within all gov. depts. (38)

S.W.I.B.

Decentralisation

- A. 37** That this ADC instructs the Executive Committee, in light of the recent announcements on decentralisation, to ensure that PSEU members who have partially relocated can be facilitated to relocate to the decentralised location or return to their original location. (39)

- Social and Family Affairs

Time Unit J (CONTINUED)
-12:00 p.m. to 12.05 p.m. – Friday
Section 5 of Annual Report with Motion A.38

E-Working

- A. 38** That this Conference instructs the Executive Committee to seek to have e-working opportunities extended and made available to more to staff. (41)

- Revenue

Civil Servants & the Media

- A. 39** (*) That this ADC instructs the incoming Executive Committee to take strong proactive measures to counteract biased reporting in the media regarding civil and public servants. (42) (C.14)
- Health and Children
- A. 40** That this ADC condemns the sections of the print and broadcast media who have throughout 2009, continued with a relentless anti-public service campaign, which has contributed to serious divisions in our society. (43)
- S.W.I.B.
- A. 41** That this ADC notes with concern that Anti Union and Anti Public Service stand being taken by sections of the national media and recommends to the members of the Union that they take this into account when deciding which Newspaper to purchase etc. (44)
- An Post
- A. 42** Conference calls on the Executive Committee of the PSEU to instruct members to boycott anti-civil service media organisations, starting with publications and radio programmes produced by independent News and Media Group and Newstalk Radio. The boycott should remain in place until the Executive Committee decides to end it. The unfair and inaccurate reporting by these organisations serves no purpose other than to try to drive a wedge between the private and the public sector. (45)
- Revenue
- A. 43** This Conference deplores the blatant anti public-sector policy applied by the independent Group of Newspapers, and now calls on Irish Congress of Trade Unions to implement an agreed campaign of boycotting the said newspaper group for any advertising needs. (46)
- Revenue
- A. 44** This ADC requests the Executive Committee to form a media monitoring and intelligence unit, staffed by volunteers from the Branches. This would have multiple purposes, including providing information to Head Office in a timely manner about statements by Ministers and TDs that could be refuted and making complaints to the Broadcasting Commission about factual inaccuracies. (47)
- Environment, Heritage and Local Government
- A. 45** This ADC instructs the incoming Executive Committee to engage the services of a professional Public Relations Consultant for a defined period deemed necessary by the executive committee for the purposes of countering the recent propaganda attacks on Public service workers.. Following the media

misrepresentation of the average public servant and in particular the failure of the main stream media to provide balanced exposure to the plight of the public servants following the pension levy and the pay cuts of 2009, the need to proactively engage in PR is glaringly obvious. The PSEU can if it deems necessary coordinate with the other public service unions to undertake this urgent appointment. (48)

- Communications, Energy and Natural Resources

MOTIONS TO AMEND THE RULES

11. **MOTIONS TO AMEND THE RULES**

Motion No. 1 to Amend the Rules of the Union

That Rule 7.1 be amended to insert the following text at the end of the third sentence after ‘Conference’ and before the word ‘Casual’

“No Branch may have more that two people elected to the Standing Orders Committee at any one time.”

The amended Rule to read as follows.

7. Standing Orders Committee

7.1 There shall be a Standing Orders Committee. The Standing Orders Committee shall consist of six members. The Standing Orders Committee shall be elected at the Annual Delegate Conference. No Branch may have more than two people elected to the Standing Orders Committee at any one time. Casual vacancies on the Standing Orders Committee shall be filled by a ballot vote of the members of the Delegate Conference at the time when the vacancy arises. Within one month of a vacancy arising, the General Secretary shall, in writing, invite branches and the Executive Committee to make nominations to fill the vacancy. The notice inviting nominations shall specify the last date for receipt of nominations which shall be at least 14 days after the date of issue of the notice. Within seven days after the final date for the receipt of nominations, the General Secretary shall issue ballot papers to each Branch Secretary in number equal to the number of delegates to which the branch is entitled to at Delegate Conference at that time, to each member of the Executive Committee and to each member of the Standing Orders Committee. The Branch Secretary shall be responsible for distributing the ballot papers to the delegates of his/her Branch. The ballot papers should include the name and branch of each person nominated in accordance with the procedure set out in this Rule, and shall be accompanied by a list of Members of the Standing Orders Committee. The ballot paper shall state a final date for the return of ballot papers to the General Secretary. This date shall be 14 days after the date of the issue of the ballot papers. The scrutineers for the election shall be the scrutineers elected at the previous Annual Delegate Conference and the General Secretary. The General Secretary shall notify the Branch Secretaries, the Executive Committee and the Standing Orders Committee of the result of the election as soon as possible. If no nominations are received by the final date for receipt of nominations the Executive Committee shall have the power at their discretion, to fill the vacancy by co-opting a member of the Union whose Branch does not already have a member on the Standing Orders Committee. A vacancy on the Standing Orders Committee which arises between the first day of January and the date of the Annual Delegate Conference shall be filled by the Executive Committee.

The Standing Orders Committee shall hold office from the conclusion of the Annual Delegate Conference at which it is elected to the conclusion of the next Annual Delegate Conference. A person may not, at the same time, be a member of the Executive Committee and the Standing Orders Committee.

- Social and Family Affairs

(Motion 1 to amend Rules of the Union is out of order. See Para 6.2 SOC Report)

Motion No. 2 to Amend the Rules of the Union

That Rule 7.1 be amended to insert the following text at the end of the third sentence after ‘Conference’ and before the word ‘Casual’

“No Branch may have more than two people elected to the Standing Orders Committee at any one time.”

The amended Rule to read as follows.

7. Standing Orders Committee

7.1 There shall be a Standing Orders Committee. The Standing Orders Committee shall consist of six members. The Standing Orders Committee shall be elected at the Annual Delegate Conference. The maximum number of delegates from one branch on the Standing Order Committee should be limited to a maximum of two. Casual vacancies on the Standing Orders Committee shall be filled by a ballot vote of the members of the Delegate Conference at the time when the vacancy arises. Within one month of a vacancy arising, the General Secretary shall, in writing, invite branches and the Executive Committee to make nominations to fill the vacancy. The notice inviting nominations shall specify the last date for receipt of nominations which shall be at least 14 days after the date of issue of the notice. Within seven days after the final date for the receipt of nominations, the General Secretary shall issue ballot papers to each Branch Secretary in number equal to the number of delegates to which the branch is entitled to at Delegate Conference at that time, to each member of the Executive Committee and to each member of the Standing Orders Committee. The Branch Secretary shall be responsible for distributing the ballot papers to the delegates of his/her Branch. The ballot papers should include the name and branch of each person nominated in accordance with the procedure set out in this Rule, and shall be accompanied by a list of Members of the Standing Orders Committee. The ballot paper shall state a final date for the return of ballot papers to the General Secretary. This date shall be 14 days after the date of the issue of the ballot papers. The scrutineers for the election shall be the scrutineers elected at the previous Annual Delegate Conference and the General Secretary. The General Secretary shall notify the Branch Secretaries, the Executive Committee and the Standing Orders Committee of the result of the election as soon as possible. If no nominations are received by the final date for receipt of nominations the Executive Committee shall have the power at their discretion, to fill the vacancy by co-opting a member of the Union whose Branch does not already have a member on the Standing Orders

Committee. A vacancy on the Standing Orders Committee which arises between the first day of January and the date of the Annual Delegate Conference shall be filled by the Executive Committee.

The Standing Orders Committee shall hold office from the conclusion of the Annual Delegate Conference at which it is elected to the conclusion of the next Annual Delegate Conference. A person may not, at the same time, be a member of the Executive Committee and the Standing Orders Committee.

- Road Safety Authority

(Motion 2 to amend Rules of the Union is out of order. See Para 6.3 SOC Report)

Motion No. 3 to Amend the Rules of the Union.

This ADC instructs the Executive to insert the following rule – 10.14.

A member of the Executive who has served on the Executive for 5 years or more cannot go up for election for a position on the Executive for a further 5 years.

- Enterprise, Trade and Employment

(Motion 3 to amend Rules of the Union is out of order. See Para 6.4 SOC Report)

Motion No. 4 to Amend the Rules of the Union.

This ADC instructs the Executive to insert the following rule – 10.15 –

Each candidate for election to the Executive must submit his/her manifesto for election to each branch secretary before the start of the period of AGM.

- Enterprise, Trade and Employment

(Motion 4 to amend Rules of the Union is out of order. See Para 6.5 SOC Report)

Motion No. 5 to Amend the Rules of the Union

That this ADC instructs the Executive to Amend Rule 16.11 of the Union as follows;

Current Wording

Rule 16.11 “Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the Union party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may be rescinded or amended without the necessity of a further ballot of the members concerned”

this motion seeks to Remove “*may only be rescinded or amended by a further ballot of the members so concerned*”.

Rule 16.11 “*Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the union party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may only be rescinded or amended by a further ballot of the members so concerned.*

- Enterprise, Trade and Employment

(Motion 5 to amend Rules of the Union is out of order. See Para 6.6 SOC Report)

Amendment

Rule 16.11 “Nothing in this Rule shall constitute an obstacle to negotiations for the settlement of a trade dispute nor the return to work by members of the union party to the trade dispute, and any decision taken in accordance with this rule to organise, participate in, sanction or support a strike or industrial action may only be rescinded or amended by a further ballot of the members so concerned.

- Enterprise, Trade and Employment

(Amendment to Motion No. 5 is out of order – SOC Report, Para. 7.2)

Superannuation

A. 46 That this ADC empower the incoming Executive Committee to pursue the matter of pension deductions from its members with a view to establishing the final destination of such pensions contributions and make such enquiries as is reasonable to establish such facts including Dáil parliamentary questions to the Minister for Finance, if necessary, and to report the Minister to the Pensions Board if members pensions contributions are not ultimately finding their way into an approved pension scheme as authorised by that Board. If the contributions are not being remitted to a scheme as authorised by that Board then the Executive and Head Office official of PSEU should pursue this matter with a view to having such scheme controlled by the Pensions Board. (49)

- S W.I.B.

A. 47 That this ADC instructs the Executive Committee to seek to have the pension levy removed from earnings that are not reckonable for pension purposes. (50)

- Social and Family Affairs

- A. 48** That this branch requests the ADC to ensure that our members' existing pension and gratuity rights are protected in light of the recent budget pronouncements of the Minister for Finance. (51)
- S.W.I.B.
- A. 49** Since the Government wish to reduce the number of staff in the Civil Service the EC should negotiate an enhanced **ISER** on behalf of members. (52)
- S.W.I.B.
- A. 50** This ADC requests the Executive Committee to seek clarification in the case of qualifying persons who were serving on 31 December 2009 and resign/retire from 1 Jan 2011 onwards be entitled to have their superannuation benefits calculated on the more favourable of (a) or (b) as outlined below:
- (a) rate of pay applicable at 31 December 2009
or
(b) rate of pay applicable at date of cessation of employment. (53)
- Environment, Heritage and Local Government
- (Motion A. 50 covers Motions A.51 and A.52. See Para 13.1 SOC Report)**
- A. 51** (*) That this ADC instructs the incoming Executive Committee to insure that members serving on 31 December, 2009 and resigning/retiring after 31 December, 2010 will have no less favourable pay rates when calculating their superannuation award than the people retiring pre 31 December, 2010. (54) (C.15)
Environment, Heritage and Local Government
- A. 52.** That the incoming Executive Committee ensures that pensions for existing members are preserved in accordance with the terms and conditions on appointment and that any attempts to alter these conditions for existing members be opposed. (55)
- Communications, Energy and Natural Resources
- A. 53** (*) That this ADC instructs the incoming Executive Committee take all necessary action to ensure that parity is established between staff recruited before 1995 and those recruited after 1995, with regard to pension arrangements, up to and including the pursuit of a legal case, if necessary. (57) (C.16)
- Enterprise, Trade and Employment

GENERAL CONDITIONS OF SERVICE

Motor Travel Rates

- A. 54** That this ADC notes that the cost of maintaining a motor vehicle has increased due to the imposition of The Carbon Tax and an increase in insurance premiums and that it seeks to have an increase obtained in Motor Travel Allowance to take this into account. (58)
- S.W.I.B.
- A. 55** That this Conference asks the incoming Executive Committee to instruct the Dept of Finance that members of this Union will not perform duties involving T&S until the agreed rates are restored. (59)
- Revenue
(Motion A. 55 is out of order. See Para 11. 15 SOC Report)

Parental Leave

- A. 56** This Conference directs the incoming Executive Committee to seek to increase the maximum age of all eligible children from 8 years to 16 years under the parental leave scheme. (63)
- Revenue

Family and Equality Issues

- A. 57** That this ADC instructs the Executive Committee to arrange that the PSEU takes a visible part in the 2010 Gay Pride March. (64)
- Enterprise, Trade & Employment

Career Breaks

- A. 58** That this Conference instructs the Executive Committee to seek to reinstate the incentivised career break scheme for civil servants introduced in 2009. (65)
- Revenue
(Motion A. 58 covers Motion A.59. See Para 13. 2 SOC Report)
- A. 59** To instruct the incoming Executive Committee to seek to retain the 3 year special incentivised career break scheme for future years. (67)
- Education and Science
- A. 60** That this Conference instructs the Executive Committee to seek to allow public servants on career breaks to seek other employment. (66)
- Revenue

*Time Unit P – 3.45 p.m. to 4.05 p.m. – Friday
Section 8 of Annual Report with Motions A.61 to A.70*

Organisation of the Union

A. 61 (*) This ADC instructs the incoming Executive Committee to establish an advertising budget. (71) (C. 17)

- Justice, Equality & Law Reform

A. 62 To instruct the incoming Executive Committee to review the effectiveness of Head Office's communication with members including the design and user friendliness of the PSEU website, the timeliness of updates on the website and to give consideration to seeking professional advice in this matter. (72)

- Education and Science

Amendment

To instruct the incoming Executive Committee to review the effectiveness of Head Office's communication with members including the design and user friendliness of the PSEU website, the timeliness of updates on the website.

- Enterprise, Trade and Employment

Amendment

Replace the word "professional" with the word "expert".

- S.W.I.B.

Amendment

*To instruct the incoming Executive Committee to review the effectiveness of Head Office's communication with members including the design and user friendliness of the PSEU website, the timeliness of updates on the website **and to employ external professional advice in this matter***

- Garda Civilians

(If the Enterprise, Trade and Employment Branch Amendment is carried, the other Amendments fall. If the first amendment is defeated, then, the other Amendments are taken in the order as set out on the Agenda. See Para 12.4 SOC Report.)

A. 63 That this ADC instructs the incoming Executive Committee to Review the percentage that union members pay to the PSEU in accordance with the pay cuts that members have had to endure. (73)

- C.S.O.

(Motion A.63 is out of order. See Para 11.16 SOC Report)

A. 64 Conference calls on the incoming Executive Committee, the full time Officials and the Standing Orders Committee to be familiar with the rules of the Union. (74)

- Revenue

A. 65 This ADC proposes that ballots on industrial action contain a proposed date for the mandate to expire. (75)
Administrative Officers.

A. 66 To instruct the incoming Executive Committee to conduct a survey of the attitudes of PSEU members on actions taken to protect members' pay and conditions in light of Government and media attacks, the PSEU's current media strategy and to seek members' views on the potential for improving the same and to produce a report by Summer 2010 detailing findings and possible actions that the Executive Committee intends taking to address any areas identified as requiring improvement. (76)
- Education and Science

A. 67 That this ADC asserts that officials of the PSEU be prohibited from taking on any other role which could be interpreted as a conflict of interest, and that the PSEU seek through the Public Services committee of ICTU to have this policy taken on by all Public Sector Unions with regard to their own individual officials. (77)
- S.W.I.B.

(Motion A. 67 is out of order. See Para 11.17 SOC Report)

A. 68 That all full time Officials immediately declare what their gross annual salary is, their pension and other benefits and confirm that their salaries are subject to the same pay pension levies, health levies and pay cuts as the members. (78)
- O.P.W.

(Motion A. 68 is out of order – See Para 11.18 SOC Report)

A. 69 This Conference notes the lack of clarity received in relation to planned procedures for the days of Industrial action, in particular the planned day of action for Dec 3rd 2009. (19)
- Revenue

A. 70 That henceforth union contributions are calculated on the basis of gross pay less the pension levy and not on the basis of gross pay as is currently the position. (20)
- O.P.W.

(Motion A. 70 is out of order. See Para 11.19 Soc Report.)

*Time Unit Q – 4.05 p.m. to 4.10 p.m. – Friday
Section 9 of Annual Report with Motions A.71*

Taxation

- A. 71** (*) That this ADC instructs the Executive Committee to use whatever means possible to persuade the Minister for Finance to rescind the Pension Levy and the pay cut and replace it by an increase in Higher Tax rate in order to promote a socially just policy and improve Government income in order to prevent further public service pay cuts and any diminution of public services and to report back to the 2011 Annual Delegate Conference. (56) (C.18)

- Enterprise, Trade and Employment

*Time Unit R – 4.10 p.m. to 4.15 p.m. – Friday
Section 10 of Annual Report with Motion A.72*

Membership Benefit Schemes

- A. 72** This Conference calls on the incoming Executive Committee, in line with other Unions/Associations, to broker a discount deal with local retailers and to accordingly issue each member with the required membership cards. (81)

- Revenue

*Time Unit S – 4.15 p.m. to 4.30 p.m. – Friday
Section 11 of Annual Report with Motions A.73 to A.78*

Irish Congress of Trade Unions

- A. 73** That all PSEU members boycott any function being attended by any government minister or representative, and that the PSEU seek through the Public Services Committee of ICTU to have this policy taken on by all Public Sector Unions. (83)

- S.W.I.B.

- A. 74** ADC instructs the Executive Committee to press the Public Services Committee of Congress (ICTU) to promote publicly the functions and achievements of the Civil and Public Servants. (84)

- An Post

A. 75 That this ADC expresses our solidarity with the people of Haiti in the aftermath of the devastating earthquake suffered by them, and instructs the incoming Executive Committee to support any initiative undertaken by the Irish Congress of Trade Unions (ICTU) in response. (85)

- Social and Family Affairs

A. 76 (*) That this ADC instructs the incoming Executive Committee to withdraw any and all appointees to State Boards, or other Government fora and to request ICTU and all Public Service Unions to do likewise. (86) (C.19)

- Enterprise, Trade and Employment

(Motion A. 76 is out of order. See Para 11.20 SOC Report)

A. 77 This Conference calls on all Trade Union Officials appointed to any State Board to refer any emoluments received from their appointment to their relevant Union. (88)

- Revenue

A. 78 (*) That this Union bring the following motion to the next ICTU Conference:

That Congress agree that, entry into any future National Agreements should be made conditional on meaningful discussion and progress with the Government on “at least” Nationalisation of the Banks and a meaningful increase in the share of tax paid by those earning above Eur. 100,000. (6) (C.20)

- eircom

Union Organisation

(The Report on Membership as at the end of 2009 should be taken at the start of this Time Unit, followed by the Presentation of Prizes in respect of Membership & Recruitment – see Para. 19.4 of SOC Report)

(The address by a member of the Union’s Solidarity Fund should follow the Presentation of Prizes – See Para 19.5 of SOC Report)

General

- A. 79** That this ADC request the incoming Executive Committee to make a substantial donation to one of the Irish relief agencies in Haiti e.g, Concern, Trocaire etc. (87)
- Enterprise, Trade and Employment

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Miscellaneous

- A. 80** That the incoming Executive Committee objects on behalf of members to any new or existing work placement schemes including the recently announced FAS Work Placement Scheme or any other work placement scheme if the terms of the Scheme undermine the position of our members, both during this period of industrial action and in the longer term. (89)

- Communications, Energy and Natural Resources

- A. 81** That this ADC instructs the Unions Executive Committee to nominate a Climate Change Officer and encourage all branches to do the same. (90)

- Taoiseach

Amendment

That this ADC instructs the Unions Executive Committee to nominate a Climate Change Officer.

- Garda Civilians

- A. 82** That this ADC strongly urges all Head Offices officials to voluntarily donate 1 full day(s) pay in order to show solidarity to its members. The PSEU members have already been hit hard with a loss of earnings and pension contribution. The monies deducted from head Office can be donated to any charity that Head Office deems suitable. A list of the charities (who benefit from this gesture) will be published at a later date in the Union's Review magazine. Any further/future strike days should also be treated in the same manner. (91)

- Health and Children

(Motion A. 82 is out of order. See Para 11.21 SOC Report)

Amendment

*That this ADC **compels** all Head Offices officials to voluntarily donate 1 full day(s) pay in order to show solidarity to its members. The PSEU members have already been hit hard with a loss of earnings and pension contribution. The monies deducted from head Office can be donated to any charity that Head Office deems suitable. A list of the charities (who benefit from this gesture) **and the exact sums donated will be** published at a later date in the Union's Review magazine. Any further/future strike days should also be treated in the same manner.*

- Garda Civilians.

(Amendment to Motion A.82 is out of order - SOC Report, Para. 12.5)

- A. 83** (*) That this ADC instructs the incoming Executive Committee to use the Freedom of Information act to find out the stipends paid to members of all state boards,

boards of agencies, tribunals and any other government sponsored fora, attendance at which is rewarded by attendance fees, travel + subsistence, allowances, fees or any other form of financial emolument. (92) (C.21)

- Enterprise, Trade and Employment

Amendment

That this ADC instructs the incoming executive to use the Freedom of Information act to find out the stipends paid to members of all state boards, boards of agencies, tribunals and any other government sponsored for a, attendance at which is rewarded by attendance fees, travel + subsistence, allowances, fees or any other form of financial emolument and to produce a report to members on the results by end September 2010.

- Enterprise, Trade and Employment

A. 84 That all Union literature, which comes out on recycled paper, be marked as such. (68)

Taoiseach

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*Time Unit V–5.0 p.m. to 5.10 p.m. – Friday
Section 1 of Annual Report*

Time Unit W – 5:10 p.m. to 5:20 p.m. – Friday
Any remaining Sections of Annual Report should be taken first. If there is any remaining business from Time Units A to X which has not been taken, the Standing Orders Committee will make a recommendation to the Conference on the order in which any such business should be taken

*Time Unit X – 5:20 p.m. to 5:30 p.m. – Friday
Conclusion of Conference*

5:30 p.m. – Friday – Conference Concludes

MOTIONS IN SECONDARY CATEGORY

MOTIONS B.1 TO B. 8

- B. 1.** That this ADC instructs the incoming Executive Committee to seek the restoration of full AA membership for Transport Officers working in the Road Safety Authority. (31)

Road Safety Authority

- B.2.** This Conference directs the incoming Executive Committee to immediately, through its membership of ICTU, move to build an alliance between all public and private workers, including those currently unemployed, with a view of building an effective voice for the working class in the current and coming conflict. (82)

- Revenue

- B.3** To instruct the incoming Executive Committee to take all action necessary to ensure that PSEU members in the Department of Education and Science's main locations in Athlone, Tullamore and Dublin and all other Department of Education and Science offices are not forced to relocate to other geographical locations and/or other Departments within their existing geographical location against their will, to offset vacancies arising from the take up of the civil service incentivised career break scheme or any other modernisation or decentralisation scheme. (40)

- Education and Science

- B.4.** This Conference instructs the incoming Executive Committee to seek to have the flexi-time worked up per flexi period increased from one and a half days to two days. (60)

- Revenue

- B.5.** In light of new procedures in regard to notification of sick leave absences which reach 28 days to the CMO as outlined in Revenue circular E.6218 of 14th December 2009, Conference calls on the Executive Committee to seek clarification, from management, on the level or nature of support that will be made available to staff returning to work, especially in the case of mental health difficulties, and to seek assurances that no member of the PSEU will be pressurised into returning to work early. (61)

- Revenue

- B.6.** (*) That this ADC instructs the incoming Executive Committee to report back to all branches with details of motions that have been passed in previous years. (69) (C, 22)

- Taoiseach

- B.7.** That this ADC recognises the need for important timekeeping and that designated time slots for motions are strictly adhered to. (70)

- Taoiseach

- B.8.** That this ADC makes, or request Congress to make, a budget submission to Government which requires all entities which collect fiduciary taxes (PAYE, PRSI, VAT, etc). to lodge all amounts to a separate bank account for those funds, and that the legislation should stipulate that the funds are not to be used for the running costs of the business. (80)

- Environment, Heritage and Local Government

MOTIONS TO WHICH RULE 7.2 WAS APPLIED

Motions C.1 to C. 22

Following are the original texts of the Motions to which Rule 6.2 has been applied by the Standing Orders Committee. The texts of the Motions, as adjusted in accordance with Rule 6.2, are set out in the Primary and Secondary Agenda above. They are marked with an asterisk () on the Primary and Secondary Agenda. The texts set out above are in order. Their acceptance for debate is subject to the approval of the Branches concerned and the Conference. In the event that there is no objection from the Branch concerned in a particular motion, it is assumed that it is acceptable to them. In the event that the Recommendations of the Standing Orders Committee are accepted by Conference, then they should be deemed to be acceptable to Conference. In the event that the adjusted texts set out in the Primary and Secondary Agenda are not acceptable to the Branch concerned or Conference in the case of any particular motion, then the texts below should be substituted for the adjusted texts on the Primary and Secondary Agenda. In such event, the Standing Orders Committee recommends that the Motions be regarded as being out of order since they have been adjusted under Rule 6.2 so that they are in order. If the adjustment is not acceptable, then, of course, they should be regarded as being out of order.*

- C. 1** That this ADC instructs the incoming Executive to examine all recent reports from the ESRI, to see how the pay and conditions of the members of this Union are affected, and to engage either a Statistician or Economist or both to prepare a paper for publication, preferably in a peer reviewed journal, and to publicise any positive result. (8) (A.7)

- Enterprise, Trade and Employment

- C. 2** That this ADC instructs the incoming executive not to re-enter talks with government without the reversal of the Jan 2010 pay cut, that any future agreement is conditional on rescinding of the Pension levy, and that any agreement regarding organisational change/transformation is accompanied by a pay increase. (12) (A. 10)

- Enterprise, Trade and Employment

- C. 3** That this ADC instructs the incoming executive to actively work to restore the old relativities that existed between the civil service grades prior to benchmarking and in particular to seek to close the gap between the HEO/AP grades to the benefit of our members. (13) (A.11)

- Enterprise, Trade and Employment

- C. 4** That this ADC, given the current gap which exists not only between the top point of the Higher/Up Graded HEO Scale but also the top point of the HEO standard Scale, calls upon the incoming Executive to develop a policy which

will remedy this long standing and outrageous injustice, which the benchmarking process does not appear to have remedied or taken account of, and to implement the policy and to report back to the next ADC of this Union on the nature of the policy and its success to date. (14) (A.12)

- Enterprise, Trade and Employment

- C. 5** That this ADC calls on the incoming Executive to report to the next ADC on why it considers that the benchmarking process meets the needs of its members in terms of pay and to indicate what pay policy it proposes to follow in pursuing these needs through the benchmarking process. (15) (A.13)

- Enterprise, Trade and Employment

- C. 6** That this ADC instructs the incoming executive to propose to the ICTU Executive that ICTU acknowledge the formal collapse of National Partnership and withdraw from negotiations in that forum. (18) (A.16)

- Enterprise, Trade and Employment

- C. 7** That this ADC instructs the incoming Executive to examine all recent reports from the C&AG, to see how the pay and conditions of the members of this Union are affected, and to engage either a professional actuary, or accountant, or other qualified person to prepare a paper for publication, preferably in a peer reviewed journal, and to publicise any positive result. (7) (A.17)

- Enterprise, Trade and Employment

- C. 8** This conference instructs the incoming executive to consult with members prior to any negotiations with the Official Side on possible changes to members working conditions eg: On attendance/opening hours to the public/work practices, which may form part of any proposed discussions under the guise of Modernisation of the Civil Service. (22) (A.20)

- S.W.I.B.

- C. 9** That this ADC instructs the Executive to begin negotiations for a whistleblowers charter for the Civil Service. (24) (A.22)

- Environment, Heritage and Local Government

- C. 10** That this ADC instructs the incoming executive to instruct all its civil and public service branches to formally withdraw from their Partnership Committees with immediate effect. (25) (A. 23)

- Enterprise, Trade and Employment

- C. 11** This ADC instructs the incoming executive that any further engagement with Government on the public sector modernisation programme should be contingent on a quid pro-quo binding commitment from Government that they will reform how they do business, in particular in areas that impinge on the workload of civil servants e.g. PQ system, Representations, political work, etc. (27) (A. 25)
- Agriculture, Fisheries and Food
- C. 12** That this ADC instructs the incoming executive to immediately escalate the current industrial action by withdrawing services on PQs, Speeches, Briefing Material in all Departments and particularly in Constituency Offices. It is proposed that this would be in place by the end of May for all Departments. (36) (A. 34)
- Arts, Sports and Tourism
- C.13** This ADC instructs the incoming Executive to work with Departmental Councils to fully total vacancies that have arisen during this embargo in all Departments, where this vacancy would have been a promotional opportunity for PSEU members, and the executive committee would vigorously pursue filling these vacancies when the ongoing embargo is lifted. Vigorously pursue in this instance is to include notification of and use of industrial action. (37) (A. 35)
- Arts, Sports and Tourism
- C.14** That this ADC instructs the incoming executive to take strong pro-active measures to counteract biased reporting in the media regarding civil and public servants. (42) (A. 39)
- Health and Children
- C. 15** That this ADC instructs the incoming executive to insure that members serving on 31 December, 2009 and resigning/retiring after 31 December, 2010 will have no less favourable pay rates when calculating their superannuation award than the people retiring pre 31 December, 2010. (54) (A.51)
- Environment, Heritage and Local Government
- C. 16** That this ADC instructs the incoming executive take all necessary action to ensure that parity is established between staff recruited before 1995 and those recruited after 1995, with regard to pension arrangements, up to and including the pursuit of a legal case, if necessary. (57) (A. 53)
- Enterprise, Trade and Employment
- C. 17** This Branch instructs the incoming executive to establish an advertising budget. (71) (A. 61)
- Justice, Equality & Law Reform

C.18 That this ADC instructs the executive to use whatever means possible to persuade the Minister for Finance to rescind the Pension Levy and the pay cut and replace it by an increase in Higher Tax rate in order to promote a socially just policy and improve Government income in order to prevent further public service pay cuts and any diminution of public services and to report back to the 2011 Annual Delegate Conference. (56) (A. 71)

- Enterprise, Trade and Employment

C.19 That this ADC instructs the incoming executive to withdraw any and all appointees to State Boards, or other Government fora and to request ICTU and all Public Service Unions to do likewise. (86) (A. 76)

- Enterprise, Trade and Employment

C. 20 That this Union bring the following motion to the next ICTU Conference:

That Congress agree that, entry into any future National Agreements should be made conditional on meaningful discussion and progress with the Government on at least Nationalisation of the Banks and a meaningful increase in the share of tax paid by those earning above Eur. 100,000. (6) (A. 78)

- eircom

C. 21 That this ADC instructs the incoming executive to use the Freedom of Information act to find out the stipends paid to members of all state boards, boards of agencies, tribunals and any other government sponsored fora, attendance at which is rewarded by attendance fees, travel + subsistence, allowances, fees or any other form of financial emolument. (92) (A. 83)

- Enterprise, Trade and Employment

C.22 That this ADC instructs the incoming executive to report back to all branches with details of motions that have been passed in previous years. (69) (B. 6)

- Taoiseach

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