

# Civil Service Conciliation and Arbitration Scheme

## General Council Report 0855

(Meeting/s of 25 January 1978, 29 March 1978, 20 December 1979)

Claim that facilities be made available by Departments to employees, not being full-time officials of associations or unions, who are representatives of recognised associations or unions in respect of non-industrial civil servants

1. The claim was that the following facilities be afforded to accredited representatives of recognised staff associations or unions:

1. local absence from work up to one half day at any time for industrial relations activities.
2. local absence from work or special leave with pay to cover meetings of accredited association or union representatives or duly appointed members of Staff Sides immediately before or after a meeting with the Official Side (subsequently amended to include one staff panel meeting per month).
3. Special leave with pay for other meetings of association or union representatives, e.g. meetings of National Executive Committees; ICTU Special or Annual Delegate Conferences; committees of ICTU etc. and for other absences in connection with association or union business subject to a maximum of 40 days in any leave year.
4. The provision of a room for accredited representatives of recognised associations or unions with appropriate furniture, viz. a desk with a lockable drawer and a lockable cabinet.
5. The use of an official telephone, with reasonable privacy, for industrial relations activities.
6. The provision of a notice board on official premises.
7. The provision to the appropriate recognised association or union of the names of new entrants and of those resigning and, in addition, the names of incoming and outgoing transferred staff.

2. The Staff Side said that effective representation was essential for the promotion of good industrial relations in the civil service. Concession of the facilities claimed would contribute to that end. The Official Side said that by and large the facilities available to non full-time representatives of staff associations and trade unions in the civil service compared very well with those in other employments but there were some areas in which improvements might be possible. At the meeting of 29 March 1978, it was agreed to establish a sub-

committee to examine the claim.

3 At the meeting of 20 December 1979 the report of the sub-committee was before the council. It was agreed to recommend that effect be given to the terms of paragraph 10 of the report.

4 This report was adopted on 4 January 1980.

Report of sub-committee on a claim that facilities be made available by Departments to employees not being full-time officials of associations or unions, who are representatives of recognised associations or unions in respect of non-industrial civil servants.

1 The sub-committee met on 14 July 1978, 20 October 1978, 21 November 1978, 18 December 1978, 24 January 1979, 1 March 1979, 4 April 1979, 8 May 1979, 21 May 1979 and 30 November 1979.

Paragraphs 2 to 9 below summarise discussions on the various headings of the claim. Paragraph 10 contains the sub-committee's recommendations.

2 Local absence from work of up to one half day at any time for industrial relations activities

The Staff Side said that they were seeking special leave with pay for designated non full-time representatives to enable them to deal with industrial relations activities at local level in Departments and Offices. It was intended that such special leave could be taken as and when the need for it arose but a limit could be put on the total number of days leave which could be taken in any year. As the industrial relations process was a joint one and as the work carried by non full-time representatives at local level contributed greatly to industrial relations harmony in the civil service, it was considered that the cost of the special leave sought should be borne by the State.

The Official Side said that they fully appreciated the importance of the functions of non full-time representatives at Departmental level. However, these functions had to be balanced against the fact that the primary role of any officer in the civil service was to carry out his/her official duties and responsibilities. The Official Side could not agree that the State should bear the full cost of a concession such as had been sought. They were, however, prepared to consider sharing the cost and to negotiate an agreed level of recoupment by

the Staff Side.

The Staff Side said that they did not wish to pursue this aspect of the claim further at this stage on the basis of recoupment of costs.

### 3 Special leave with pay for meetings before and after meetings with the Official Side

The Staff Side said that it was often necessary for staff associations, unions and panels to meet to discuss the subject matter of meetings with management (including meetings held under the conciliation and arbitration scheme) before and/or after such meetings occurred. These meetings were to the benefit of

management in that they gave staff representatives an opportunity of co-ordinating their views on the matters at issue. It might also be beneficial to the working of the conciliation and arbitration scheme if special leave were available for one staff panel meeting per month in each Department/Office to non full-time representatives who were members of the staff panel. At present most staff panel meetings were held outside of normal working hours. Even if this part of the claim were conceded staff panel meetings might still have to be held outside of normal working hours but the arrangement sought would allow staff panels more flexibility in arranging meetings.

The Official Side said that it was prepared to concede special leave with pay for a meeting shortly before and/or after any meeting with the Official Side. It was also prepared to concede special leave with pay for one staff panel meeting per month in each

Department/Office. The grant of such special leave with pay would be at the discretion of Departments/Offices and would be subject to exigencies of official work.

The Staff Side said that this was acceptable.

4 Special leave with a for National Executive Committee meetings etc.

The Staff Side said that special leave arrangements for ICTU conferences and executive committee meetings had been agreed (General Council Report 633). These provisions were inadequate in that they did not cover annual delegate conferences or union special delegate conferences. They were also unsatisfactory insofar as the cost of "buying out" staff for unions was prohibitive under the existing recoupment arrangements. As under 2 the Staff Side was of the view that the cost of such special leave should be borne by the State.

The Official Side said that there would have to be some recoupment of costs in respect of special leave granted for union meetings. Subject to recoupment at half of the mean of scale. with no additions for pension contribution etc. and to release being at the discretion of Departments/Offices and subject to exigencies of official work. they were prepared to agree to the grant of special leave with pay for the following purposes:

- 1) Annual delegate conferences - up to 2 days per annum to duly authorised representatives
- 2) Special delegate conferences - 1 day per annum to duly authorised representatives
- 3) Executive meetings - up to 25 days per annum to association representatives
- 4) ICTU conferences - as specified in Circular 26/74

The Staff Side said attendances at such meetings should not involve any

recoupment but as the Official Side did not share this view the proposal was acceptable in general at this stage.

The Staff Side pointed out that in many cases officers would be serving on a point lower than mean of scale and that it would be more appropriate in their case to recoup costs at half of actual pay. The Official Side said that it would agree to recoupment being at half of actual pay in such cases.

#### 5 Room for accredited representatives

The Staff Side said that In some Departments obtaining rooms in which to hold meetings. filing cabinets etc. in which confidential staff sides had great difficulty in There was also a need to provide union papers could be stored.

The Official Side said that it would not object to the provision of accommodation facilities, where feasible, in cases where the provision of such facilities could be justified. However, as the amount of accommodation available varied between different Departments/Offices it would be more appropriate to raise this matter at Departmental level.

The Staff Side agreed to do this.

#### 6 The use of an official telephone for industrial relations activities

The Staff Side said that a telephone, with reasonable privacy, was essential for the carrying out of representative functions at Departmental level.

The Official Side said that there was no objection to the reasonable use of official telephones for staff association/union purposes but that such use of telephones should not interfere with official duties.

The Staff Side said that this was acceptable.

#### 7 The provision of notice boards on official premises

The Staff Side said that such notice boards were essential particularly in large offices where branch officials might have difficulty in contacting all members.

The Official Side said that there was no objection to providing notice board facilities but that such notice boards could not be in public offices. Departmental rules

about seeking permission to place notices on boards would have to be adhered to in all cases.

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The Staff Side said that this was acceptable.

8 The provision of names of new entrants to recognised associations or unions

The Staff Side said that in larger branches officials did not know when new recruits entered the grades for which associations/unions held recognition.

This made the job of recruiting new members extremely difficult. It was also very difficult to keep track of staff who retired/resigned or who were transferred between two branches or who were promoted. It was important that associations/ unions be notified at regular intervals about staff changes.

The Official Side said that regard had to be had to the right of staff to freedom of association. The furthest they could go was to agree to a situation in which new recruits would be informed on entry about the association/union holding recognition for their grade. They would also be given the name of the branch official from whom information about the association/union could be obtained.

This could be done by means of a short written notice. It would be incumbent upon associations/unions to provide particulars of the relevant branch officials.

The Staff Side said that this was acceptable.

9 As regards the general question of failure to provide leave. facilities etc. to staff representatives the Official Side said that the Staff Side was always free to raise with the Official Side any cases where it felt that such leave. facilities etc. were being unreasonably withheld.

10 It was decided therefore, to make the following recommendations to the General Council: -

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(1) That the Staff Side association/representatives concerned should be granted special leave with pay for a meeting shortly before and/or after any meeting with the Official Side and also for one staff panel meeting per month in each Department/Office subject to the condition that the grant of such special leave with pay would be at the discretion of the Departments/Offices concerned and subject to the exigencies of official work.

(2) That the special leave with pay allowed for association/union executive meetings and delegate conferences and for ICTU conferences should be subject to recoupment at half of the mean of scale or half of actual pay, whichever was lower. The leave granted for association/union meetings held during official hours should be up to 2 days per annum for

annual delegate conferences, not more than 1 day per annum for special delegate conferences, and not more than 25 days per annum for executive meetings. Leave for ICTU conferences should be as specified in Circular 26/74. Apart from recoupment the conditions in Circular 26/74 would apply generally.

(3) That the availability of rooms for use by accredited representatives should be discussed at Departmental level.

(4) That the reasonable use of official telephones for union activities would be permissible as long as such use did not interfere with official work.

(5) That staff associations should have the use of notice boards on official premises so long as the notice boards were not in public offices and subject to any Departmental rules about the display of material.

(6) That new recruits should be given the name of the association/union representing their grade and the name of the branch official from whom information about the association/union ~L'Y be obtained by means of a short written notice in the form set out in the appendix to this report, associations/unions to be responsible for providing particulars of the relevant branch officials.

APPENDIX

The recognised association/union for your grade is

Should you wish to obtain further information about the  
association/union

please contact

Name:

Address:

Telephone:

Agreed Report recording agreement

This report was adopted on 4 January 1980