



Motions to Biennial Delegate Conference 2021

Northern Ireland

1. Fair Employment for Teachers

Congress notes that there is comprehensive legislation in Northern Ireland governing discrimination on the grounds of race, gender, special educational needs (SEN) and disability, sexual orientation, age, religious belief and political opinion.

Congress further notes that one of the most important pieces of equalities legislation in Northern Ireland is the Fair Employment and Treatment (NI) Order (FETO) 1998.

However, Congress is concerned that the FETO 1998 Article 71 provides an exemption for the employment of teachers in schools in relation to equality of opportunity and fair participation in employment for members of the Protestant and Roman Catholic communities in Northern Ireland, which allows discrimination on the basis of religious belief.

Congress believes that Article 71 of the FETO 1998 is outdated and needs to be removed.

Conference calls on the ICTU to lobby the Northern Ireland Executive to remove Article 71 of the FETO 1998 and ensure that every teacher has equality of opportunity.

NASUWT

2. Post Brexit Issues and Impact on Workers

Irish Congress voiced the concerns of workers on the impact of Brexit. Many of the issues Irish Congress highlighted are now our complex reality, further exacerbated by the COVID Pandemic.

The UK and the EU are obligated to make the Northern Ireland protocol work for all the people of the island of Ireland and respect the primacy of the Good Friday Agreement.

Political and sectarian tensions around the protocol have been concentrated on checks at N Ireland ports. Workers at NI ports have faced threats and intimidation.

The UK government has created a hostile environment for migrant workers in the UK. An estimated 1.3 million EU and overseas workers have left the UK. There is now a post-Brexit labour shortage in the UK in many industries. The UK government responded to the haulier shortage by increasing the number of hours drivers could work, directly affecting driver safety.

The NHS and HSE face nursing and medical care shortages alongside the residential and home care sectors, affecting the health and care of people across the island. Nurses, doctors, carers and other medical workers face gruelling, long shifts, low pay and burnout.

Migrant workers in Ireland have increased. Extreme migrant worker exploitation has also increased. Incidents of racism in the workplace and communities, including hate crimes and violent racist attacks have risen.

Discrimination against the Roma and Irish Traveller community has increased in the UK and Ireland. Deprivation and poor health and education outcomes are worsening.

Conference condemns the exploitation of migrant workers and racism. We recommit to the work of Irish Congress and affiliates on migrant workers' support, migrant workers' trade union organising strategy and anti-racism campaigning.

Conference instructs the Executive based on the ICTU No Going Back policy to:

- Introduce an education and organising campaign to stop sectarianism and racism in the workplace and our communities working with relevant bodies and community organisations: The Equality Coalition, Trademark and others.
- Work with political parties, community organisations, affiliates and others to support workers suffering sectarian intimidation.
- Provide revised, up to date guidance on workers' rights for migrant workers in different languages and signpost support. Encourage affiliates to use ICTU guidance on organising and supporting migrant workers.
- Use the labour shortage to campaign and bargain for better pay, terms and conditions in the affected sectors in line with Better Work, Better Lives.
- Fight to protect and increase all workers' rights.

Public and Commercial Services

3. Protecting the Peace Agreement: Dealing with the Legacy of the Past

Conference notes with serious concern the proposals made by the Secretary of State for Northern Ireland in July 2021 in relation to the legacy of the conflict. The UK Government is proposing:

- To introduce a statute of limitations that would not only stop current and future criminal prosecutions, for all troubles related crimes committed before the Good Friday Agreement, but would also bar the police and Police Ombudsman from investigating them;

- The ending of all other judicial activity and inquiry in relation to the legacy of the conflict, including civil cases and inquests;
- In their place a “truth recovery” process is proposed, but with no suggestion that its investigators could compel witnesses or disclosure of evidence, search and seize information or arrest suspects.

Conference notes that the UK Government has reneged on the commitment within the ‘New Decade, New Approach’ agreement that restored the political institutions at Stormont in January 2020 to legislate within 100 days to implement the Stormont House Agreement to deal with the legacy of the conflict.

Conference notes that the breadth and scope of this proposed amnesty has been roundly condemned by victims and survivors of the troubles; all political parties in Northern Ireland; the Irish Government; and international observers. Conference notes that this would be one of the most extreme amnesties seen anywhere in the world since the end of the Second World War.

Conference is acutely aware of the scale of loss and human suffering experienced by all victims and survivors of the conflict, including many of our own members and their families.

Conference recalls that Congress has repeatedly supported campaigns for truth and justice in relation to human rights abuses committed during the conflict, including support for the Ballymurphy and Bloody Sunday families, the family of Raymond McCord and for a public inquiry into the murder of Pat Finucane, as well as supporting victims and survivors in their long running campaign for a proper pension.

Conference believes that the clear rationale behind these proposals is to deliver on the Conservative Government’s populist pledge to stop investigations and prosecutions of armed forces veterans. In doing so this Government is disregarding the clear wishes of victims and survivors for truth and justice, regardless of the perpetrators.

Conference believes that should these proposals come to pass they will further be used to obscure the human rights violations carried out by agents of the state.

Conference agrees that these proposals clearly conflict with the duty on the UK under the European Convention on Human Rights to effectively investigate unlawful death and torture. Conference agrees that these proposals will undermine the Human Rights Act and the rule of law.

Conference believes that these proposals represent one of the most significant threats to the peace process itself and negate the Good Friday Agreement and its successor agreements.

Conference therefore calls on the incoming Executive Council, in conjunction with affiliates, victims and survivors' groups and our allies across civic society, to actively campaign against the proposals of the UK Government and call upon it to fulfil its prior commitment to implement the measures laid out in the Stormont House Agreement in a human right's compliant manner. Conference calls for this campaign to engage with all political parties in Northern Ireland, the Irish Government, UK Government and opposition, the TUC, STUC, Wales TUC and the international labour movement in taking forward these objectives.

UNISON

4. Protect Retail Workers from Abuse, Threats and Violence

Conference is alarmed to note the significant increase in abuse of retail workers throughout the Coronavirus pandemic. Research by USDAW has found that abuse directed at retail workers has doubled during the COVID crisis compared to 2019.

As a result of the pandemic, enforcing social distancing and face coverings have been primary triggers for violence and abuse against retail workers. Pre-pandemic, incidents were usually triggered by age identification and shoplifting, issues which still cause significant levels of abuse.

Conference also recognises the disproportionate impact of this issue with women, young workers and Black workers, most often on the receiving end of the worst types of abuse.

Throughout the pandemic, retail workers, along with other key workers, have made an incredible contribution to ensure we can get through the crisis. After the crisis is over, we need a new deal for workers.

Conference recognises the need for legislation that creates a specific offence for abusing, threatening or assaulting a retail worker. This legislation must carry a stiff penalty to make it clear that the abuse of retail workers is unacceptable.

Conference notes that similar legislation has already been passed in Scotland and will come into effect from 24 August 2021. Conference firmly believes that all retail workers deserve legal protection from abuse, threats and violence.

Conference calls on the ICTU to:

- i. Publicly support USDAW's Freedom from Fear Campaign; highlighting the significant increase in abuse during the pandemic.
- ii. Campaign for all retail workers to be protected by effective legislation against abuse, threats and violence.
- iii. Make the case to employers to protect retail workers and enforce zero-tolerance policies in stores.

USDAW

Finance, Organisation & Organising (Private Session)

5. Building a Stronger Trade Union Movement in Ireland

That this conference –

Recognises that the trade union movement on the island of Ireland faces significant organisational deficits which pose an existential crisis for the movement if not comprehensively addressed.

Acknowledges that while many unions report stable or growing memberships, overall trade union density in Ireland has failed to keep pace with employment growth and as such continues to fall.

Notes that approximately two-thirds of workers in Northern Ireland and three-quarters of workers in the Republic of Ireland are not currently trade union members, with around half of workers in the North and two-thirds of workers in the South not covered by collective bargaining agreements.

Resolves that strengthening the trade union movement in Ireland is an imperative for all ICTU affiliates and that we must work together if we are to achieve this common objective.

Welcomes the fact that the financial crisis in Ireland and globally one decade ago was characterised by rampant individualism but our response to the COVID-19 pandemic was a triumph for collectivism. Accordingly, trade union values of solidarity, fairness, compassion and equality have never been more relevant and our vision for the future should be inspired by a similar collective spirit.

Remains inspired by and encouraged in the knowledge that the trade union movement is still the largest civil society organisation on the island with a proud record of uniting workers across divides.

Mandates that ICTU and affiliate unions as a matter of urgency, under the leadership, oversight and direction of the ICTU Executive Council, prioritise the following:

- Within 6 months of BDC 2021 (by end April 2022), complete a 10-year progress review of the 2011 recommendations of the Commission of the Irish Trade Union Movement, and produce a refreshed strategy for the movement with clear actionable recommendations that covers:
 - current and future challenges and opportunities
 - structures, capacity and resources to deliver on this strategy
 - opportunities for greater trade union cooperation and collaboration across the island

Further mandates the immediate establishment of a number of high-level strategic groups under the leadership, oversight and direction of the ICTU Executive Council, to progress the following actions during its term of office:

- Develop a single, unified trade union public communications campaign to explain the concept of collective bargaining in accessible terms, and why it is of importance and value both for workers and society.
- Develop a collaborative cross-union campaign and organising strategy, involving relevant affiliate unions, to build trade union profile, presence and power in strategically significant emerging growth sectors of the Irish economy, such as tech, digital and the gig economy. This should be delivered through shared union resources and co-financing, and guided by quality research.
- Develop strategies to further establish Congress as the leading voice for:
 - A reimagined role for the state north and south post-Covid
 - A brighter future of work for all workers on the island centred on quality jobs and quality of life, including through reduced working time, greater control over working time, and worker-led flexibility on work location
 - A fair transition to a zero-carbon, digitalised future for workers.
- Conduct a feasibility study on the potential development of a new, trade union funded, digital-first media platform, informed by national and international research.
- Explore the potential for new trade union ventures, joint initiatives and campaigns delivered through greater pooling and better coordination of union resources on the island, including a new 32-county education and outreach programme for schools and colleges.
- Adopt the collaborative nature of the ONE initiative as a model for promoting local inter-union relations; establish and renew active Local Trades Councils in every county on the island of Ireland reflecting and engaging the local labour force and membership; as well as establishing local trade union centres with a main street or well-situated presence in at least 20 strategically selected city and town locations.

Authorises the incoming Executive Council to take the necessary steps to ensure that substantial progress is made in respect of each of the actions listed above, and for this to be set out in detail for inclusion in the Executive Council's report to BDC 2023.

FÓRSA

6. Recruitment Campaign

The important role that a strong well organised Trade Union Movement can play in the lives of workers has always been apparent, this was never more evident than during the COVID-19 Pandemic. In order to grow and develop the trade union movement and protect workers, Congress will create and organise a national campaign to encourage and motivate all workers to join a trade union by demonstrating:

- the benefits of trade union membership;
- the rights of workers under relevant legislation;
- the value of solidarity between workers;
- the importance of the trade unions in fostering respect for all workers and the work they do;
- the relevance of the trade union movement in the building of a just and equitable society.

Association of Secondary Teachers in Ireland

7. 1998 Belfast/Good Friday Agreement

Conference endorses the content of ICTU's "No Going Back, A New Deal Towards a Safe and Secure Future for All" policy paper published 2020. This publication maps a way forward towards real positive changes for workers, across the island, following the COVID-19 pandemic. Conference further endorses the congress policy of support for and ongoing commitment to the 1998 Belfast/Good Friday Agreement.

Conference also notes the provision in the Belfast/Good Friday Agreement for referendums in both jurisdictions, as well as the growing public debate relating to their timing, potential outcome and impact on workers.

Conference is mindful of the unity of the trade union movement and the necessity of ensuring that the pursuit and maintenance of the rights, interests and concerns of workers are part of any such debate. In this context, conference mandates the Executive Council of Congress as the steering body of the largest civic body across the island, in liaison with affiliate unions and trade councils to identify the priorities of working people and their communities across the island of Ireland and to develop a policy on the referendums, consistent with the "No Going Back" objectives

The policy should then be advocated for by the Executive Council in relation to the referendums if and when they arise and the proposals that will be contained therein.

Waterford Council of Trade Unions

8. Local Trade Union Organisation

Recognising the progress made under Motion 13 (2015) and acknowledging the work undertaken as part of the Local Trade Union Centre Steering Group, Conference notes the necessity to build on the current momentum within the Trades Council Network (TCN) to continue to make progress and develop the capacity of our movement in the community.

We welcome the recognition, evidenced by previous Conference commitments, that the building of a strong Trades Council structure is crucial to increasing the strength and scope of our movement. However, this commitment must be backed-up with tangible actions and resources delivered locally.

We therefore, call on the incoming Executive Council of ICTU to continue their commitment to the development of Trades Councils, in tandem with other initiatives at local level, and take the necessary actions to do this including;

- Commissioning a full audit of currently affiliated Trades Councils to identify key resources and personnel required to assist in building capacity locally;
- Promote Trades Council affiliation through the local organisational structures of affiliate unions;
- Work towards the establishment of a fully functioning Trades Council in every county or local authority area;
- Establish a centrally co-ordinated fund from which Trades Councils could seek financial support for specific projects in order to develop and build their capacity;
- Identify constitutional or structural changes required to ensure that trade unions encourage their branch/local organisations directly affiliate.

Wexford Council of Trade Unions

9. Motion of Censure

Whereas conference recognises that retired trade union activists can offer a huge amount to the movement, that they have an extensive experience from a lifetime of activism as trade unionists and that they are often faced with the consequences of austerity and neoliberal attacks by right-wing governments.

This conference registers its profound dismay over the failure of the outgoing Executive Committee to bring forward actions or mechanisms to enable a much fuller participation by retired trade unionists as per motion 33 which was passed at conference in 2019.

This conference reiterates its mandate for the incoming Executive to bring forward measures to facilitate retired members play an active and full role in our conference, in particular in bringing forward motions to the conference floor.

Fermanagh Trades Union Council

The Economy

10. No Going Back – Towards a Safe and Secure Future for All

Conference endorses the Congress strategy for economic renewal and recovery as outlined in its 'No Going Back – towards a safe and secure future for all' document. There can be no going back to the old economic model. This model was a bad deal for workers and households and a bad deal for the planet.

We need a new deal for workers and households that is negotiated through dialogue with government and employers. We must replace the low-road model of economic development that characterises both economies on the island of Ireland, focusing as it does on cost reduction, low pay and precariousness. This model should be replaced by a high-road model based on high productivity well-paid jobs with a fair share of income for workers, and a right to collective bargaining.

Therefore conference calls on the Executive Council to campaign for a new economy in both jurisdictions of the island as we emerge on the other side of the crisis. This new economy should be based on the principles of inclusive growth, environmental sustainability and universal basic services available to all and funded by a strong tax base.

Executive Council

11. Banking and Financial Matters

Conference understands the extraordinary changes that have occurred in the banking sector over the last two years. Bank staff who were declared essential one day and the next day told they were surplus to requirements as banks were totally opportunistic in using the pandemic to reduce access to banking services for hundreds of thousands of citizens and make staff redundant.

It is vitally important that Conference:

- Recognises the stress and anxiety that the staff have experienced as unprecedented change was visited on them;
- Recognises the supreme effort that staff have put in to ensure that a stable banking system was maintained throughout the pandemic and that a professional service was provided to customers and communities around the Country;
- Recognises the understandable anxiety that staff have felt on hearing that their employer was winding down its operations, closing branches or reducing services;
- Recognises the additional workload that staff have endured as thousands of their colleagues left their employment in the sector;
- Recognises the additional savings that are accruing to the Banks through the sale of assets;

- Recognises that vulnerable customers and communities, as well as small local businesses, suffer most from branch closures;
- Recognises that it is the stated desire of the Irish Government to sell part of or all its shareholding in AIB and BOI.

Conference, recognising that the main retail Banks are owned, or part owned by the Irish or British Government on behalf of the people instructs the incoming ICTU executive to officially endorse the application of an employee share option scheme in Bank of Ireland, Allied Irish Bank and Permanent TSB and Ulster Bank/NatWest and to actively engage with the Government, alongside the Financial Services Union to ensure the stated outcome is achieved

Conference further recognises

- the unique insights that workers directors bring as members of company boards
- the need to strengthen collective bargaining

Conference further instructs the incoming ICTU executive to support and campaign for the addition of worker directors on the Board of each of the main retail Banks, namely Bank of Ireland, Allied Irish Bank and Permanent TSB and Ulster Bank/NatWest and the strengthening of collective bargaining laws to provide for greater worker voice in influencing change programmes across private sector employments.

Financial Services Union

12. Public Procurement/Apprenticeships

Conference notes the work of the General Secretary on construction apprenticeships. In continuing this work conference calls upon the Executive Council to continue its support of this work and to engage robustly with Government on the employment of construction apprentices on all government procured construction projects.

This could be done by using its purchasing power to ensure a mandatory provision in all construction procurement contracts, awarded nationally, by local authorities or state agencies, for at least 3% of the workforce to be recognised apprenticeships on contracts of over €200,000 and or 6 months in duration.

The effects of this will ensure a skilled workforce for the future whilst also ensuring the employment of fully qualified tradespeople whilst further protecting taxpayers from substandard and often unsafe buildings as have been reported in the media in the recent past.

OPATSI

Employment Rights

13. Collective Bargaining

Collective bargaining coverage and trade union density in both jurisdictions on the island has been in gradual decline over the last 25 years. The COVID-19 Pandemic has demonstrated and highlighted the weaknesses in our economic model and has also demonstrated just who the essential workers are. They include many workers in many sectors who have no access to collective bargaining and have no collective voice in either their workplace or their sector.

Conference is also mindful of the proposed EU directive on adequate minimum wages and collective bargaining coverage which the ETUC are seeking to influence and manage in the interests of workers. In this context the work of the high-level expert group on collective bargaining and industrial relations in the Republic of Ireland is crucial.

In Northern Ireland workers' rights is a devolved matter but successive NI Executives have ignored this important lever for fairness for workers and economic growth. The provisions in the *New Decade New Approach Agreement* on workers' rights are incredibly significant and must be supported and implemented.

To that end conference calls on the Executive to:

1. Continue to seek to use our influence within the ETUC to ensure the directive facilitates a meaningful and significant increase in collective bargaining coverage.
2. Continue to use our influence and strong voice through the Irish government established High Level Expert Group on Collective Bargaining to ensure that trade union demands are in any recommendation and implemented by government.
3. Campaign in the forthcoming NI Assembly election to have the workers' rights clause support by the NI Executive parties and form part of the next Programme for Government.
4. Campaign to have the sentiments of any positive EU directive on workers' rights mirrored by way of legislation in the Assembly as employment rights is devolved and to ensure no worker on the island of Ireland is left behind when it comes to collective bargaining rights.

Executive Council

14. Collective Bargaining Provisions in Public Contracts

The Communications Workers' Union (CWU) commends the work done to date by the ICTU Executive and the General Secretary in their pursuit of improvements to collective bargaining structures and coverage. The political and societal appetite for extensive collective bargaining is growing.

In April this year the Citizens' Assembly on Gender Equality made a very significant 'priority recommendation' on the establishment of a legal right to collective bargaining. Under the heading 'Support Employment Contract Security', 96.7% of the Assembly voted in favour of establishing a legal right to collective bargaining to improve wages and working conditions.

On 28 October 2020, the European Commission published a draft of its proposed 'Directive on Adequate Minimum Wages in the European Union'. The Directive seeks to promote collective bargaining in countries where it applies to fewer than 70% of workers. As a country with just over 33% collective bargaining coverage, Ireland will be obliged, among other measures, to '*establish an action plan to promote collective bargaining*'.

In March 2021, the government announced the establishment of a High-level Working Group under the auspices of the Labour Employer Economic Forum (LEEF) to review collective bargaining.

This High-level Working Group is an ideal platform from which the government can launch its action plan to promote collective bargaining. Ensuring that the award of public contracts is only to companies that respect the right of workers to join a union and collectively bargain would be a vital and necessary first step in this plan.

A government that is serious about the support and promotion of collective bargaining and all of its benefits must recognise the significance, value and opportunity presented by public contracts as a driver of collective bargaining coverage. In 2019 the Government signed a contract on the €3 billion National Broadband Plan, the most expensive third-party contract in the history of the State. This contract will create in excess of one thousand direct jobs and, in the absence of any obligation on the contractors to respect trade unions or collective bargaining, this represents the kind of missed opportunity that must not be permitted to happen in the future.

What can be achieved collectively has been starkly illustrated in the fight against Covid-19 but more than that, collective bargaining reduces in-work poverty, lowers wage inequality, and can help to close the gender pay gap. In recognising these benefits, Government should take the lead in the promotion and incentivisation of collective bargaining.

Conference calls on the incoming Executive to continue in its pursuit of improved collective bargaining coverage as a vital element of the social contract at the High-level Working Group and to ensure that the government's action plan, as expected by the Directive on Adequate Minimum Wages, includes a commitment that all future public contracts will contain provisions to facilitate union membership and collective bargaining.

CWU

15. The Right to Collective Bargaining

That Kildare Trades Council affirms that every worker deserves the dignity and respect that comes with the right to union membership and the right to Collective Bargaining and workplace representation.

Calls on the Irish Congress of Trade Unions to launch a National Campaign, in conjunction with Trades Councils to seek the support of Government, Political Parties, Dáil deputies, Senators, Local Authorities and wider society to amend Article 40.6.1.(iii) of the Irish Constitution to guarantee the right of Trade Unions to represent and engage in collective bargaining to ensure that every worker has the fundamental Human Right to be represented in work by a trade union, and employers be required to negotiate with their employee representatives.

Kildare Trades Council

16. The Fourth Industrial Revolution and the Future of Work

We are facing a decade of challenges. Post-pandemic economic and social repair, infrastructural deficits, the prospect of a low-growth, low-productivity future, the continuing impact of Brexit, climate chaos and the proliferation of automation, digitisation and artificial intelligence will challenge workers and their trade unions in profound ways.

The trade union movement must ensure that there will be a Just Transition for workers. A Just Transition that is based not solely on the changeover to renewable technologies and energy sources, but also on the inevitable upheaval that will occur as the labour market transitions to production and service delivery based on digitisation, artificial intelligence and robotics.

The fourth industrial revolution has the potential to deliver considerable economic and social benefits through higher productivity and skilled employment. However, inevitably it will also be highly disruptive, threaten employment quality and introduce new social divisions.

Conference notes that

- 50 percent of current occupations could be at risk from automation and artificial intelligence
- Automation and AI could result in either the loss or non-replacement of current employment and the degradation of employment quality
- Ireland already has one of the highest levels of high-tech and low-tech manufacturing in the EU. A further 'hollowing out' of the labour market could occur as employment in high and low-tech rises, squeezing employment in mid-tech occupations

- It is likely that a further concentration of economic power will occur among a small number of corporations capable of taking advantage of the productive capacity of the fourth industrial revolution

Conference welcomes the programme of work by the National Economic and Social Council on a Just Digital Transition and, in particular, NESCC's emphasis on high-quality employment, democratic decision-making in the workplace, re-balancing of work and life and investment in social infrastructure, enterprise development and public services as ways of addressing the digital future.

Conference calls on the incoming Executive Council to not allow market forces to dictate the trade union movement's response and to undertake a strategic assessment of the potential impact of automation on the labour market and its implications for bargaining strategies at a firm and sectoral level in order to maximise the gains for workers and communities

Furthermore, conference calls on the incoming Executive to highlight the necessary responses and campaign on policies that will ensure that the fourth industrial revolution is worker-centred; including:

(a) Workplace Democracy

Calling on governments to establish sectoral committees to provide the basis for sectoral planning and bargaining; deepening of democratic rights in the workplace so as to promote workers' voice and quality employment including collective bargaining at firm level, resilient sectoral bargaining structures which employers cannot veto; the extension of worker-directors throughout the public and private sectors; expansion of employee-participation schemes; co-management and labour-managed enterprises; and financial transparency.

(b) Quality Employment

Abolishing low pay, standardising of atypical contracts, strengthening the right to opt for remote working and to disconnect and the development of a caring economy based on public service models and professionalised pay and conditions.

(c) Community Responses

Properly resourcing Just Transition strategies at local government level, including public enterprise start-ups and direct state employment programmes; decentralising power and financing to local government as called for by the trade union movement's *More Power to You* campaign

(d) Rebalancing Work and Life

Promoting experimentation in, for example, the four-day working week, participation income schemes for those engaged in meaningful work, and state guaranteed employment for the long-term unemployed.

Conference further notes that creating alliances throughout civil society with groups that share our values and goals, through joint initiatives and messaging and investing in our

communication strategies so that we can lead the debates and publicise our positions and actions will be a necessary component of the trade union movement's response to the fourth industrial revolution.

Conference call on the incoming Executive Council to create the structures of participation and communication with and between affiliate unions to facilitate this and all related work.

SIPTU

17. Bogus Self Employment

This Biennial Delegate Conference (BDC) notes the publication on 21st July 2021 of an updated Code of Practice on Determining Employment Status by the Minister for Social Protection.

The first code was published in 2001 and was prepared by a tripartite Employment Status Group under the Programme for Prosperity and Fairness and was updated in 2007.

The misclassification of workers has grave implications for their entitlements to social protection, employment rights and career advancement and deprives the State of income, through taxation and social welfare contributions. Self-employed workers are frequently denied a range of opportunities open to workers engaged on contracts of service and doing the same work in the same manner. Misclassification inevitably results in exclusion from company maternity, paternity and sick pay schemes and has a disproportionate impact on women workers.

Since the publication of the initial code the problem of bogus self-employed contracts has grown exponentially.

Use of bogus contracts has not been confined to one sector of the economy and has not been limited to private companies.

Successive governments have failed to address the consequences of misclassification of workers despite repeated calls by the ICTU and its affiliate unions. The extent of the problem illustrates the weakness of Codes of Practice as part of a voluntarist industrial relations system.

BDC believes that the updated Code of Practice is inadequate and will not end the use of bogus self-employed contracts.

BDC calls on the Executive Council to campaign for a robust legal framework to protect workers against the imposition of bogus self-employment contracts, including punitive measures against companies found to be misclassifying workers, clear statutory entitlements to have all rights retrospectively applied and compensation for losses suffered as a result of misclassification.

National Union of Journalists, UK & Ireland

18. Bogus Self Employment

In light of the ever-increasing use of bogus self-employment as a vehicle for unscrupulous employers to avoid their obligations to their workers, we call on this conference to seek Congress to use all their office to promote legislation/statutory instrument to define a contract for service and a contract of service. This should include a default that all workers be deemed employees until such a time they can prove otherwise to the relevant state body.

CONNECT Trade Union

19. Automation

Whereas conference recognises the huge threats posed by automation and the adoption of robotics into our economy for the livelihoods of our members:

Ulster University's Economic Policy Centre in 2018 forecast that 423,000 jobs in existing occupations – more than half the total employment in Northern Ireland - were at risk over the coming decade;

- University College Cork in 2019 estimated that two in five jobs in the Republic of Ireland were at risk from automation;
- These and other statistics show that a majority of at-risk jobs were currently held by women, young people and rural dwellers;
- High exposure jobs and economic sectors include office, secretarial and administrative support positions, process plant operators, retail and wholesale, logistics, jobs in agri-food and customer service;
- Historically mechanisation and automation has created more jobs than it has removed from the economy;

Conference recognises that this new technology will generate a lot of wealth and resolves that we must ensure automation delivers better lives for working-class people instead of bigger profits for corporations. We call on the incoming Executive to bring forward a strategy to ensure that new jobs created are unionised and better paid and to bring forward demands for reduced working hours at no loss of pay, such as the historic demand of 40 hours pay for a 30-hour working week, as well as job guarantees and free upskilling/retraining for those workers whose livelihoods are threatened. To secure such outcomes, workers and their trade unions need to be empowered; our voices and interests must be central. We need powerful unions to fight for that to happen. Instead of casting a generation of workers aside, technology must be used to change the lives of working people including better retirements and shorter working time.

UNITE

20. Industrial Relations Legislation

Conference recognises that the restrictions on trade union action in the 1990 Industrial Relations Act need to be opposed, and that the Act should be replaced or reformed to restore rights which trade unions had before 1990. Conference mandates the executive to seek an alternative legislative regime which would allow trade union and industrial action for individual workers, for issues that concern workers across society and across employers, and for effective solidarity to workers in dispute.

Dublin Council of Trade Unions

21. Support for Creative Industries

The challenges of Brexit and the Covid 19 pandemic have highlighted the need for ongoing co-operation between Equity and our ICTU comrades in Irish Equity. While cross border work in the creative industries provides work opportunities for members of both trade unions, there must be a strong, united effort to prevent any deterioration of working conditions and to reinforce the protections provided by union negotiated agreements, especially as an increasing number of foreign production companies seek to operate in both the Republic of Ireland and Northern Ireland.

This ICTU commits to working closely with creative industries unions to protect the shared interests of our members across the island of Ireland.

EQUITY

22. Treatment of Seafarers in the Pandemic

“Conference is deeply concerned at the impact of COVID-19 on jobs and terms and conditions of employment for seafarers working on Irish Sea routes.

Conference notes that in early in the March 2020 lockdown, Stena Line unilaterally scrapped the company sick pay scheme agreed with trade unions organising seafarers and port workers, leaving key workers to rely on statutory sick pay for the entirety of the pandemic. A replacement sick pay scheme at Stena Line has been agreed with the recognised trade unions but does not come into effect until September 2021.

Conference supports the RMT’s work to highlight Stena Line’s treatment of seafarers and port workers on Irish Sea routes, Holyhead-Dublin, Fishguard-Rosslare and Birkenhead-Belfast during the pandemic, including the steps taken to support members and all crew on the Cypriot-registered Stena Edda, where an outbreak of COVID-19 infections occurred amongst seafarers in December 2020.

Conference is concerned that this case alone demonstrates the invidious position which some employers are placing seafarers and port staff in by hacking back terms and conditions of employment, such as sick pay. No worker should feel pressure to go to work when they do not feel well, at any time but particularly during a pandemic driven by a successfully mutating virus.

Conference notes that Stena Line is experiencing a shortage of Ratings and Officers on its Irish Sea routes and agrees with the RMT that this is further evidence of the reputational damage Stena has inflicted on itself through its treatment of seafarers before and during the pandemic.

Conference supports the RMT's campaign for measures to tackle seafarer exploitation on domestic and international shipping routes. This is particularly important in the Irish Sea, where operators continue to fly in crews from eastern Europe and across the world to pay them considerably less than a domestic seafarer would be paid for doing the same job.

Conference shares the RMT's alarm over maritime safety standards at low-cost operators in the Irish Sea and pays tribute to the memory of the seafarer who lost his life on 20th July in Brocklebank Dock, Liverpool during cargo operations on Seatruck Ferries' Cyprus-registered Clipper Pennant. Conference notes that this is the third seafarer death in the Irish Sea on a Seatruck vessel since 2018.

Conference notes the effect of the pandemic on crew changes in the international shipping industry, which at its height ensnared 400,000 Ratings and Officers. Tens of thousands of seafarers have been forced to work well beyond the end of their contracts and beyond the end of the minimum legal protection in the Maritime Labour Convention which requires safe passage home, free of charge, for seafarers after a maximum of 11 months working at sea.

Conference strongly believes that modern island economies require domestic Ratings, Officers and port workers to operate a diverse range of merchant ships and port services, including in the burgeoning offshore renewables' supply chain.

Conference wholeheartedly supports RMT's campaigns in the maritime industry to increase the number of domestic seafarers in employment and covered by collective bargaining agreements with local trade unions. These campaigns include the introduction of cabotage legislation to increase employment on domestic routes and the use of post Brexit equality, employment, safety and immigration laws to end seafarer exploitation in the shipping industry."

National Union of Rail, Maritime and Transport Workers (RMT)

23. End the Threats and Abuse to Public Services Staff

Conference condemns the increasing incidence of verbal, physical and online threats and abuse directed towards healthcare staff, public servants and their unions.

Despite working under incredible stress, with increased workloads and staff shortages, frontline staff strive to provide patients and the public with the best possible care and support. Whilst the vast majority of the public are very appreciative of their efforts, too many frontline staff, and their trade union representatives, have experienced appalling abuse from a small but vocal minority.

Our staff have the right to safely go about their work, free from intimidation and harassment.

Conference calls on social media platforms, employers and the government to take action to counteract these threats and abuse.

Royal College of Midwives

24. A New Deal for Retail and Distribution Workers

The arrival of the Covid-19 pandemic created an awareness in the public eye of the importance, indeed the essential nature, of the roles performed by frontline workers in the retail and the hospitality sectors. For far too long frontline workers in these roles and the significance of their collective contribution to society was somehow seen as secondary or less important. Is it little wonder that they then endure some of the worst terms and conditions of employment comparative to other sectors.

Retail workers in particular have taken the brunt of the pandemic over the past twenty (20) months whilst grocery sales have grown exponential and the clothing industry has witnessed the migration of sales to online shopping resulting in many workers such as those employed in Debenhams and Arcadia having their livelihoods ripped away in a cruel and callous manner. Through being laid off others suffered significant losses in take home pay for excessive periods of time whilst those who attended for work did so on a daily basis facing the unknown perils of a dangerous and potentially life-threatening disease.

We must now move beyond mere appreciation alone in ensuring these workers are afforded the appropriate permanent recognition and reward that they deserve. In this regard conference commends the work of the private sector committee in developing the campaign "A New Deal for Retail and Distribution Workers" and instructs the incoming NEC to ensure that the core objectives of the campaign are delivered through the ongoing allocation of adequate resources and appropriate actions. Conference notes the additional importance of this campaign given that it is structured on an all island basis.

MANDATE

25. Remote Working

While remote working solutions have been critical for the economy, business continuity, and in most cases increased company productivity. Many are working from home and experiencing high levels of anxiety, personal challenges, conflicting priorities, economic strains, and various challenges. There is also evidence of workers being “online” for longer hours with the lines between work and personal life being blurred.

We call on congress to engage with authorities and Government to update and address issues of workers’ rights in this new digital age. To ensure that workers mental and physical wellbeing is considered and implementation of an agreed period of “offline” time is adhered to. Furthermore, that no worker should be put in a position of subsidising the costs of their employer associated with remote working through the use of personal spaces, utility charges and any other personal expenditure involved.

Guinness Staff Union

26. Apprenticeships

In light of recent launch of the Government’s “Action Plan for Apprenticeship 2021 – 2025 which contains therein a plan to migrate the traditional craft apprenticeships to the consortium model, commencing Q1 2022 with a completion date of Q4 2025.

Connect Trade Union calls on conference that Congress and therefore all affiliated unions will do everything in their power to resist any attempt to undermine or cannibalise the existing craft apprenticeships.

CONNECT Trade Union

Social Policy

27. Housing

Congress notes the abject failure of successive governments to uphold and vindicate the Right to Housing, through official policy and action to tackle the ongoing housing crisis.

This failure has translated directly into the most severe and most protracted housing crisis in recent history. It has translated directly into record numbers of homeless people, up to 3000 children trapped in emergency accommodation and an entire generation of young workers and families locked out of the housing market.

The failure to prioritise peoples' right to housing over the needs of developers, speculators and private interests has resulted in house and rental prices that are now many multiples of low and average earnings and beyond the reach of the majority of workers.

It has seen the State abandon its responsibility for public housing provision and effectively privatise that function through wasteful and expensive subsidies to private landlords. Up to one €1 billion - a third of the annual housing budget - will be squandered on these subsidies this year, instead of building the affordable homes that people need.

Successive governments have also failed to forcefully tackle the overwhelming negative and harmful influence of speculative interests and investment funds on the housing market here, a factor that has further disadvantaged young workers and families. Congress therefore calls for a radical departure from the failed policies of the past and the urgent adoption of a policy that **guarantees affordable and secure homes for all**.

This will require the government - as recommended by the ESRI - **to double investment in housing** in order to finance a major, planned State-led programme over five to 10 years, in conjunction with local authorities, delivering some 30,000 homes annually, comprising of public, affordable and cost rental units. This programme must be charged with an **explicit mandate to deliver affordable homes** to buy or rent, with 'affordability' clearly defined and tied to income levels. It must also guarantee in law that all **public land is to be retained in public ownership** and used exclusively for public/ affordable homes.

In addition, we must see the creation of a **Secure Tenancy Model** in the Rental Sector through the introduction of **Tenancies of Indefinite Duration**, a ban on **'no fault evictions'** and a **rent freeze until** a new system of national rent regulation is established, with affordable rents linked to income levels.

In order to underpin and frame housing policy for the future, there must be a referendum to establish a new **Right to Housing** and ensure that the State meets its obligations under the International Covenant on Economic, Social & Cultural Rights and the European Social Charter.

Executive Council

28. Campaign for Public Housing to be built on Public Land

That Conference commits to continue to campaign for public housing to be built on public land. That all public land must be kept in public ownership.

Housing must be treated as a universal public service, the same as health and education. Historic and international experience shows the state is the most effective way to provide decent and secure housing based on need.

That Conference continues to campaign for a raising of the income threshold limits which determine qualification for Social Housing, to make public housing available to more people on a broad range of incomes, with rents set at a percentage of take home pay.

We also call for the creation and funding of a state building company to affordably retrofit and refurbish workers' homes to ensure they meet new energy efficiency standards, along with the implementation of a system of training and recruitment delivered through the state building company and under local authority management.

Conference calls for the establishment of a new Rental Board that will represent all tenants (public and private), to extend security of tenure and maintenance/dwelling standard rights for all tenants including students, and introduce a system of rent setting and control, and encourage tenant unionisation.

Conference as a matter of urgency agrees to sharpen our campaign that includes not only education and lobbying, but a sustained campaign of public mobilizations with all those involved in the housing struggle, as COVID restrictions are eased. Our aim must be to shift the emphasis in housing policy from the private to the public.

In pursuant of our objectives we should not exclude any legitimate action, up to and including nationally coordinated Industrial action.

Waterford Council of Trade Unions

29. Public Policy Lessons from the Pandemic

Conference believes that the Covid pandemic and the response to it in both jurisdictions requires independent reviews by agreed suitably qualified experts. The role of HIQA must be included in the Republic of Ireland's review as their responsibility to set standards pre pandemic in older person services must be examined, as should the RQIA in any similar inquiry in Northern Ireland.

Older persons, as a group of active citizens, are not frail or passive, and representatives of older people and their advocates such as the NI Older People's Commissioner should be central to the design and delivery of reviews or inquiries into statutory responses to the pandemic.

In addition, the voices of workers in the front line, such as care homes, hospitals and community health workers, deserve to be heard in any such review. This conference acknowledges and mourns the sacrifices made by many such workers, and demand that their belated recognition as 'essential' be appropriately rewarded by both decent pay and conditions, as well as a voice at whichever forums take forward the lessons of the pandemic.

The pandemic also exposed that many decades of poor planning, funding cuts and privatisation (driven by austerity), has damaged the social care of older persons. This can be seen in reduced capability and competence, leading to an inadequate response in these areas such as poor infection control and lack of adequate PPE. In care homes and hospitals, this led to breaches in the human rights and dignity of many older people. Conference reiterates its support for public ownership of long-term care facilities as the most accountable and efficient means of delivery of a care service, in both jurisdictions.

Conference demands comprehensive, transparent and statutory enquiries into the responses to the pandemic in NI and ROI.

Conference further believes that stronger legislation must be introduced to secure the rights of older persons in Northern Ireland by being the last jurisdiction on these islands to pass a long-promised law outlawing age discrimination.

Conference also believes that laws in the Republic on age discrimination require the strong and independent regulation of an Older People's Commissioner, as pertains in Northern Ireland.

Executive Council

30. No Going Back – Trade Unions Demand for a Rights Based Society

Conference notes that since the onset of Covid-19, workers across both public and private sectors have either been at the frontline in responding to the worst global public health crisis in living memory or have been plunged deeper into poverty through job loss.

Key workers in both Northern Ireland and the Republic of Ireland have shown incredible dedication and made major sacrifices, putting themselves in harm's way to protect us all and keep society functioning.

Conference pays tribute to all workers for the sacrifices they continue to make and demands that pay justice and workers' rights become an immediate priority for Government and employers in both jurisdictions.

To this end Conference endorses the ICTU 'No Going Back' proposals as the template for all future engagement. 'No Going Back' recognises the toll that years of austerity have taken on our public services pre-pandemic; demands genuine rebuilding and investment in our public sector; calls for our members who continue to deal with the pandemic to be properly valued, no longer be subject to precarious work, and be able to access collective bargaining; highlights the need for a social security system that can genuinely deliver a decent standard of living; highlights the need for a major public housing programme undertaken by public agencies; and calls for fundamental reform of government revenue.

As the 25th anniversary of the Good Friday Agreement approaches in 2023, Conference continues to note with serious concern the failure to implement its provisions on equality and human rights.

Conference agrees that, particularly noting the huge sacrifices made by our collective membership in continuing to respond to the Covid-19 pandemic, the failure of the Northern Ireland Executive to fully engage with NIC-ICTU on the same basis as our trade union counterparts in Scotland and Wales is now untenable.

Conference is equally concerned by the resistance of the Irish Government to support and implement protections being advanced at the EU level around the minimum wage and collective bargaining. Conference notes across the island the lack of legal rights to collectively represent workers; access workplaces; organise and be heard. Conference notes that bogus self-employment, precarious work practices and a prevalence of low pay exists.

Conference notes that the EU – UK Trade and Cooperation Agreement contains only weak commitments on the 'level playing field' that do not require future dynamic alignment on worker's rights and open up the potential for further divergence from existing standards. Conference is particularly concerned that the provisions of the Good Friday Agreement which provide for equivalence in rights across both jurisdictions on the island of Ireland will be undermined if protections for workers diverge.

Whilst the Ireland/Northern Ireland Protocol offers some limited protection for rights and equality standards within Northern Ireland, Conference agrees that the ICTU must be recognised as having a central role in monitoring and challenging the erosion of rights thorough future joint working mechanisms. This must include in particular advocating on behalf of migrant and frontier workers whose legal status and rights remain vulnerable in a post-Brexit hostile environment.

Conference therefore calls on the incoming Executive Council to develop a new political engagement strategy towards both the Irish Government, NI Executive and the UK Government to take forward the recommendations within 'No Going Back'. This should include seeking to ensure that:

- the UK Government honours its commitments and makes the necessary resources available for public services in Northern Ireland, including through reforms in Government revenue raising measures;
- Both the Irish and UK Governments implement their obligations under international human rights treaties and ILO conventions in relation to socio-economic rights and the rights of workers;
- Both Governments North and South develop meaningful bi-lateral relationships with ICTU to produce the cross-cutting policies, strategies and outcomes required to improve the social and economic position of all the people;
- the rights of workers, their families and their communities are not eroded as a result of Brexit, but instead strengthened moving forwards. This should include Congress re-engaging in its previous campaigns for a Bill of Rights and an all-island Charter of Rights.

UNISON

31. Food Poverty and Insecurity

This Congress notes with serious concern the sharp rise in the numbers of families living below the poverty line and experiencing 'Food Insecurity'.

It is unacceptable to this Congress that children, young people, and families living on this Island are faced with choosing between, eating, heating or paying the rent. Every citizen should have the right to food that is sufficient in quantity, safety and nutritional value that is both affordable and sustainable.

The huge growth in charitable food banks over recent years illustrates that many people live on the edge of hunger or are stuck in long term food poverty. Food poverty leads to health and life expectancy inequality, malnutrition, and other related health problems. It has a negative impact on educational attainment and life chances.

This Congress agrees to establish a campaign to eradicate food poverty and ensure food security on this Island and provide for all its citizens a right to food. This will include, for example.

- Free school meals for all state school children including a nutritious breakfast and lunch
- A duty on government when setting minimum and living wages and any benefits that people are expected to live on, to state how much of the prescribed sum has been nationally calculated for food so that it can be publicly scrutinised and challenged where necessary
- Food security must be a priority for Governments on the Island and fully considered when setting competition, planning, transport, local government, and all other policy.
- A nutritious and sustainable food education programme should look at community kitchens, cookery clubs and lessons for the wider community.

GMB

International

32. Elimination of Child Labour

2021 marks the Year for the Elimination of Child Labour yet recent ILO/UNICEF child labour figures found that the official count of the number of children in child labour is rising – up to 160 million worldwide – an increase of 8.4 million children in the last four years. That means one out of every 10 children is today in child labour, 70% of which are in the agricultural sector.

What's even more shocking about these figures is that they don't include the effect of the COVID-19 pandemic. There's no doubt that the health crisis has made things even worse.

Conference notes the work of Congress and affiliates in drawing attention to this issue and for the contact with Government regarding plans for Ireland to engage visibly and substantively with this agenda and urges that the work continue, including:

- Seeking support for the work of the Global March Against Child Labour.
- Seeking the support of the work of Global Union Federations such as Education International and the IUF in addressing the root causes of child labour.
- Pursuing Irish membership of the Alliance 8.7 global initiative – the global partnership seeking to coordinate global action to achieve Target 8.7 of the Sustainable Development Goals, which includes the commitment to 'by 2025 end child labour in all its forms'.
- Seeking support for programmes under Irish Aid outreach in partner countries, including Malawi, Tanzania, and Uganda who have developed robust National Action Plans for the elimination of child labour but await proper implementation for want of resources.
- Seeking support for the strategic work undertaken by Fair Trade Ireland both nationally and internationally on tackling the scourge of child labour in global supply chains particularly in the agricultural sector.
- Seeking to ensure that the private sector play its role including through the implementation of human rights due diligence and international Responsible Business Conduct agreements between businesses, government, unions and NGOs.

Finally, acknowledging that the best way to deal with this issue and other decent work deficits is through a New Social Contract for working people, which includes a call to create decent work for adults and invest in social protection and inclusive services, such as care and education. Parents who find themselves in deep poverty and with no access to quality education feel they have no option but to utilise child labour in order to survive. No parent should have to make that choice.

Conference is of the view that Ireland should be actively engaged in global efforts to create the conditions whereby child labour can be eradicated by the target date 2025 and stand ready to work with Government, business and civil society in order to achieve this.

Executive Council

33. Cuba

That the Irish Congress of Trade Unions calls for the immediate ending of the Illegal blockade of Cuba, which has for the 29th. time been condemned by the UN General Assembly last June in a vote of 143 – 3.

We ask that Congress exert pressure on the Irish and British Governments to use their influence on the US to demand an ending of the illegal blockade of Cuba and recognize the right of Cuba to its own self determination and to achieve its full potential economically as a sovereign country.

We also move that Congress call on the Irish Government to use its position on the UN Security to help end the illegal blockade.

Cork Council of Trade Unions

34. Solidarity with Cuba

The Belfast and District Trades Union Congress calls upon Congress to voice its support and solidarity with Cuba who are experiencing ongoing attacks by the USA who, opportunistically are using social media and false news reporting to continue their decades' long war against the right of the Cuban people to resist American interference and show "another way is possible".

We recognise that the Cuban people have major problems to face, as a result of the internationally condemned illegal economic blockade which causes serious shortages in food, building materials and medical supplies, which have been particularly significant during the global pandemic.

We welcome the solidarity that has been shown worldwide and in Ireland North and South, particularly the assistance already shown by the trade union movement and solidarity organisations.

We congratulate the Cuban people in providing healthcare assistance to other countries through the deployment of their medical brigades which have assisted many countries during the pandemic.

We condemn the USA in their attempt to overthrow the Cuban government and we give our deep gratitude to the people of Cuba and their strength in defending a social system that we all strive for.

Belfast & District Trades Council

Climate Change

35. Industrial Relations in the Energy Sector/Just Transition

Prospect notes the excellent ongoing work of ICTU and NERI to date, on promoting and securing a Just Transition for workers as move towards a low carbon economy.

Prospect calls on ICTU NIC to:

- lobby both energy Regulators, in conjunction with relevant trade unions, to establish and maintain regular forums for unions to engage with them on this issue concerning their members ahead of decision making which may impact them;
- to raise awareness with politicians, in conjunction with relevant trade unions, regarding the issue within the sector, and the impact on our members;
- utilise a permanent and appropriate ICTU forum, approved at ICTU BDC 2019 to consider this issue and support the work of trade unions moving forward in this area, on an all-Ireland basis.

Prospect

36. Climate Change

Conference reiterates the centrality of the climate change crisis and acknowledges that unless governments across the world address this issue the planet on which we live is threatened. Such action must shape all policy and be top of any priority list. How could it not be when long-term political failure at a global level has led us to a crisis involving no less than the survival of the planet? Such a prioritisation was made explicit by the UN Intergovernmental Panel on Climate Change (IPCC) that reported the catastrophic consequences of a failure to impose a 1.5 degrees Celsius limit to global warming by 2050.

Whilst we welcome the reversal by the new US administration of Trump's reckless withdrawal from the Paris Climate Agreement targets (to reduce carbon emission), the need for international strategic action that challenges the nature and tactics of the corporate interests that thwart such targets remain. This makes it essential to expose the funding sources of the climate change denying think tanks that oppose any state-imposed limitations on their transnational "profit at any cost" neo-liberal policies.

Conference therefore calls on the incoming Executive Council to campaign for democratically accountable public ownership, planning and long-term investment which will be required to avert this catastrophe. In doing so Congress must actively engage with and support trade unions, climate change activists and wider society to effect this change.

NIPSA

Public Services

37. Development of an Integrated Education and Training Policy

Noting

- the central importance of a high-quality public education service to the achievement of societal fairness, cohesion and wellbeing;
- the avowed aim of government to develop Ireland as a sustainable knowledge economy;
- the need, therefore, for cross-sectoral coherence and integration in terms of education and training policy and practice;
- pre-existing disparities, disadvantage, inequalities, organisational and operational deficiencies highlighted and, in many cases, exacerbated by the COVID-19 pandemic;
- the potential for emergent global trends - such as the privatisation of education services, accelerated deployment of Artificial Intelligence, the increased influence of multi-nationals – further to widen these disparities;
- the incontrovertible case for pre-empting educational disadvantage by early and decisive intervention;
- that Ireland’s educational and training infrastructure – at every level, Early Childhood to tertiary – requires significant and sustained re-conceptualisation and re-building;
- the imperative, therefore, of significantly increasing public investment in education and training;

this BDC instructs Congress to develop an integrated education and training policy that has a whole-of-life/lifelong learning focus and to orientate the work of the relevant sectoral committees and working groups of Congress towards this goal.

This policy must be predicated on the retention and protection of the continuum of education as a public good - an integral element of the social contract - and must be informed by and reflect the guiding principles of equality and inclusion. It should therefore include but not be limited to:

- the provision of high-quality early childhood care and education (ECCE) for all children, regardless of family means or geographical location;
- professionalisation of ECCE, with commensurate terms and conditions of employment;
- gradual reduction towards the EU average in class/group size, recognising that large classes inevitably and negatively affect the quality of service to learners, irrespective of age or level;

- protection and enhancement of in-person, face-to-face teaching and learning as the best and most effective modality;
- broad and balanced curricula, capable of including and challenging all learners and of catering to diverse aptitudes – academic, practical, technical and artistic - developed through democratic consultative processes and informed by practitioner expertise;
- development of education infrastructure – including digital infrastructure and connectivity - that best facilitates high quality, inclusive teaching and learning;
- strategic multi-annual targeting of dedicated resources to address and eliminate educational disadvantage;
- vindication of teacher/lecturer professional autonomy and academic freedom;
- elimination of discrimination against various categories of educators, including recent entrants to teaching;
- insistence on safe workplaces (for staff and learners), involving the systematic identification and elimination of hazards (including psycho-social hazards which have a corrosive impact on morale and engagement), the election of Safety Representatives as a mandatory operational process and inspection of schools and other education and training workplaces by the HSA;
- appropriate mechanisms for state certification, at the appropriate levels, and publicly accountable quality assurance processes;
- provision of workplace training/up-skilling on a guaranteed, statutory basis.

While the policy declaration is to be brought to the BDC in 2023, the core elements and principles identified are to inform the ICTU's interactions with all relevant departments and agencies in the interim period.

TUI

38. Investment in Education

1. Reaffirms its view that education is a fundamental human right, and its support for a public education system which is well-resourced, non-selective, inclusive, and democratically governed, offering a broad curriculum which has regard for students' well-being and overall development and not only academic outcomes;
2. Recognises the value of shared schooling in contributing to building and sustaining diverse and tolerant communities and commits the ICTU to engaging actively in this work across the island;
3. Emphasises that the representative unions of teachers and other education workers must be included and valued in the development of education reforms such as curriculum development, assessment, and responding to the demands of a more digital world;
4. Notes the importance of Early Childhood Education and that this service has been outsourced in large part to the private sector resulting in insufficient support for measures (such as standard qualifications and conditions of employment) which are essential to its progress;
5. Salutes the work of teachers and other education staff in maintaining service to students throughout the pandemic, including early, rapid and under-resourced adaptation to support remote learning;
6. Declares that the pandemic experience has shown the essential value of face to face engagement with students for purposes of a full and rounded education experience;
7. Notes that the need to augment supports for schools during the pandemic demonstrated the under-resourcing of education and that such supports including substitute supply panels, in the Republic of Ireland, and improved terms and conditions for substitute teachers in Northern Ireland, must continue into the future;
8. Demands in particular that class sizes in schools across the island be reduced to at least the average class sizes of EU States
9. Further demands that:
 - i. the moratorium on promotions be fully lifted so that schools in the Republic of Ireland can manage the increasingly complex demands placed on them in terms of education and administration
 - ii. the increasingly evident staffing shortfalls in schools in Northern Ireland are addressed as a priority; and
10. Commits the Executive Council to prioritise education resourcing in its pre-Budget processes and in its policies and to encouraging the administrations in both parts of

this island to work together through the mechanisms of the Good Friday Agreement to address challenges faced by our education systems.

INTO

39. Safe Nurse and Midwifery staffing levels and skills mix in all areas of our Health and Social Services

Conference recognises the incontrovertible international evidence that safe nurse and midwife staffing levels and skills mix in our hospitals, care of the older person services, disability services and community services saves lives.

During the pandemic this became very obvious particularly in areas of poor staffing levels.

Conference also affirms that maintaining safety in the area of nurse and midwife staffing and skills mix is essential to the maintenance of safety in our health services for both patients and staff, and notes the historical and ongoing shortages which puts both patients and staff at risk.

Consequently, conference calls on the Government to underpin emerging framework measurement policies by urgently legislating for safe nurse and midwifery staffing levels and skills mix in all areas of our health and social services to maintain patient and staff safety.

INMO

40. Youth Mental Health

"That, recognising the prevalence and impact of mental health on young people, this Conference calls on the Government to demonstrate its stated commitment towards youth mental health by removing the current barrier whereby people over age 16 cease to get free medicines and prescriptions for their mental illness under the Long-Term Illness scheme."

Bray & District Council of Trade Unions

41. Out-Sourcing/External Service Delivery in the Public Service

Outsourcing/External Service Delivery is increasingly favoured by governments (irrespective of espoused ideology) as a service delivery model for public sector work, services and supports in Health, Education, Local Government, and the Civil Service, based on claims of value for money and efficiencies. However, among the real costs - but discounted - of the Outsourcing/External Service Delivery model are:

- Insecure jobs, lower pay, less beneficial conditions for workers;
- Profit taking by management at the expense of reinvestment;
- Narrow and legalistic interpretations of service delivery;
- Less accountability of elected representatives and senior public officials for service delivery failures/inadequacies.

This Conference calls on the incoming Executive of Congress to initiate a campaign against the outsourcing of public services to the private sector.

This campaign to include:

- Lobbying Government and public sector management;
- Promoting insourcing within the public sector as an alternative model;
- Supporting the re-integration and re-municipalisation of out-sourced services;
- Supporting Public Sector Trade Unions in resisting Outsourcing/External Service Delivery proposals.

Galway Council of Trade Unions

42. Provision of Financial Support for carrying out Essential Services during and Post COVID Pandemic and Development of a Strategic Business model for Mails and Retail Services in An Post

Conference acknowledges the trojan and successful efforts of staff and management at An Post in maintaining essential nationwide services throughout the COVID 19 pandemic. It is a testament to the incredible efforts of staff, as supported by their Union, there was no service failure notwithstanding the serious risks involved. Furthermore, community initiatives aimed at supporting the elderly and vulnerable, already in place on an ad-hoc basis, were formalised to involve support organisations such as Alone, thus expanding the social obligations of this vital public service.

An Post has absorbed the significant financial costs associated with the pandemic and has fully funded the financial costs from scarce resources, with no financial assistance or support from Government. This will inevitably impact on much needed investment at the company, to ensure its future viability and transformation as we emerge from the consequences of COVID. An Post staff endured a lengthy pay pause in 2020, in addition to curtailments in place on pensions.

A business model cannot be sustained, where the company absorbs the costs associated with its universal social obligations in both delivery and post offices, deals with letter and post office footfall reductions, is starved of government support in terms of finance, government work or real banking business. At the same time, the company is expected to compete with its competitors, national and international, that government permit to operate as bogus self-employed at huge cost to the Exchequer.

Ultimately, in the absence of state support, service to customers will be curtailed while staff and pensioners of An Post will be expected to carry the can for this which cannot be tolerated by the Trade Union movement. Therefore, this conference calls on the Government to provide tangible financial support to An Post for the provision of essential services during and post the pandemic. In addition, An Post should be called upon to jointly develop a strategic business model for future Mails and Retail services with the relevant employee stakeholders.

CWU

43. Key Role of Further and Higher Education Sectors in Covid Recovery

Conference notes the considerable impact of the Covid-19 pandemic on the young people of the island of Ireland, particularly in terms of their education and their isolation from social support networks.

Conference further recognises that the Further and Higher Education sectors are already underfunded and the negative impact that has on students, as well as the difficulties for workers in the sector who are plugging the gaps caused by staff shortages leading to stress-related illnesses and burnout.

Our movement must be a leading voice in the fightback against this and demand proper funding for the education of our young people. It is in our interests as trade union leaders and representatives, as workers and parents, and as citizens of the country that our young people will inherit. These are our future healthcare workers, civil servants, tradespeople, and transport workers, to name but a few. Allowing these young people to fully realise their potential can only be to the benefit of us all.

During the pandemic, young people have been required to make very considerable sacrifices for the benefit of other age groups who were generally vulnerable to effects of Covid 19. This has placed stresses on their mental health at a time in their life when they are most in need of support. Appropriate support and pastoral care must now be provided within the educational system, in both the Further Education and Higher Education Sectors. This support can only be provided if additional resources are made available to undertake this important work, which is beyond the role and professional competence of existing staff.

Whilst Conference acknowledges the work already undertaken by Congress in the area of education, it resolves to:

- continue its engagement with Student Unions in Ireland;
- commit to work more closely with NUS-USI as partners;
- use our network to lobby for increased funding provisions, where appropriate;
- fight for free third level education for all students;
- fight to abolish student tuition fees;
- help in the fight to tackle unfair and excessive accommodation costs for students;
- offer tangible support for the students' unions and others to tackle the crippling debts for students;
- share information on these issues with affiliates, and encourage them to add their voices to this discussion.

UCU

44. Health Service North and South

The Belfast and District Trades Union Council calls upon Congress to examine how current staffing, funding and strategy relating to health and social services meet the needs of our people across this island. This question has rightfully come under close scrutiny during the current pandemic with the logic of all-Ireland health provision/harmonisation increasingly apparent as essential to safeguard our people's health needs in a systematic way.

It is essential to have dialogue about the major differences in health service North and South, including issues around the funding, ownership, structure and charges within the current system as well as a proper and informed debate about a progressive tax system to fund public health provision. Conference supports Belfast Trades Council's view that the future health service in Ireland should be free at the point of delivery (by the public sector) and be based on clinical need, not the ability to pay. This new model of healthcare must strip profit seeking from our healthcare system at all levels – whether it is the contract cleaning companies, stand-alone private hospitals /private beds in hospitals (built with public money) or private services undermining public provision. Central to this planned re-shaping of healthcare must be the trade unions and its workers.

The Belfast Trades Council calls for broad discussion and research with the health service unions to consider:

1. Working towards the harmonisation of an all-Ireland health service on a geographical and economic basis.
2. Providing analysis of what exists at the present time regarding cross border co-operation of public and private healthcare.
3. How to reassert and give meaning to Congress' belief that public health is best served by a health service which is publically owned, democratically accountable and free at the point of use.
4. How long-term staffing and funding guarantees are secured.
5. How the future accountability of health delivery will be based on genuine, expanded models of industrial democracy and accountability within the administration of health policy.

Belfast & District Trades Council

45. Independent Voice for Pharmacists

Congress appreciates that there was time that the majority of pharmacists owned their own pharmacy, but understands that today the vast majority are either employed or locum.

We also note the launch of Transforming Medication Safety in Northern Ireland by Health Minister Swan in September 2020 and the acknowledgement of the integral role pharmacists play in safe prescribing and supporting patients with medications.

Congress recognises that too often today, these pharmacists are tethered to busy dispensaries, treated as checking devices, placed under immense pressure to fulfil prescription volume and address patient requirements at the interface of healthcare services and the wider population - the coalface.

They juggle this with administrative burden and often are expected to adopt a managerial role, organising less experienced staff. They are not afforded opportunity to further themselves within their career. Pharmacists can become the scape goats for errors, poor practice and lapses in best patient care. They risk disciplinary action or being reported to the professional regulator by their own employment body when things go wrong, becoming personally culpable and potentially criminally prosecuted. Congress is not surprised that there are now concerns that not enough new entrants will want to join this profession.

Congress is concerned that ideas mooted to address this problem include a pharmacy apprentice scheme, bypassing the traditional university route into the profession, and to give new graduates the independent prescribing qualifications. However, this does not seek to resolve nor adequately address the growing discontent within the workforce, and poor working conditions, terms and progression. This programme seeks to absorb the growing demand by increasing the pool of professionals for employers to draw from, at potentially lower cost. This is also based on the fantasy that the conditions described above are appropriate to teach an apprentice how to be a health professional.

Congress notes that while the PDA Union is securing recognition agreements and giving an independent voice to pharmacist workforces within each employer, when seeking pharmacy engagement external structures still reflect the bygone age when pharmacists were also the proprietor of the pharmacy. Employer bodies are allowed to adopt a dual representative role – both campaigning for increased investment in their business, and the terms of their own contracts with government, while also claiming to represent the workforce.

This unbalanced arrangement represents a conflict of interest, stacked strongly in favour of the employer's own interests and calls upon the **department of health, the health and social care board, and all integrated care structures to ensure policy and service design** is made through tripartite structures, with **non-employer pharmacists** represented by their **trade union** able to provide a more comprehensive, integrated point of view to complement that presented by employers.

Congress believes there are a number of critical items that need to be discussed in such structures including:

- time for ongoing professional development
- Service design outside of business models
- Protected time to engage in local area networks
- Protected time to engage with local community groups

The monopoly on professional opinion must be disrupted.

PDA

46. A University for Derry

Congress notes that:

- Derry City is the only city of its size on the island of Ireland without a University;
- The absence of a University is reflected in a depressed economy in the North West. A full University would provide the educational opportunities needed for working class people across the North West to get well-paid employment;
- The New Decade New Approach agreement of 2019 included this commitment “The Executive will expand university provision at Magee in line with commitments made by the previous Executive, including through the establishment of a Graduate Entry Medical School.”;
- While the previous Executive had committed to expanding Magee to meet the needs of 10,000 students, the Vice Chancellor of Ulster University has said that this will be impossible without the Executive agreeing to lift the Maximum Student Numbers (MaSN) for NI, thereby funding the additional 4000 student places required.

Congress therefore calls on the Dublin and Stormont government to agreeing a funding formula whereby the historic injustice to Derry City is overturned and Derry becomes a University city in line with its population size.

Derry Trades Union Council