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Garda Representative Association
Submission to the
Department of Public Expenditure and Reform
On
Public Service Pay Commission

1. Introduction

This submission sets out our position to the terms of reference of the proposed Public Service Pay Commission as per your invitation of 28th July 2016.

The Garda Representative Association (GRA) represents the Garda rank within An Garda Síochána. Our staff association membership extends to in excess of 10,300 GRA members.

2. Separate Module is a Priority

A key requirement is for the establishment of a separate module within the Public Service Pay Commission to deal with Garda pay. The need for a separate module stems from the unique role of the Garda. This has been established and confirmed by the Conroy, Ryan and Walsh Commissions. Examples of this include:

- Gardai are precluded by law from joining a trade union and from taking industrial action. The GRA is a staff association and not a trade union.
- Garda rank is a first-responder role, where members are duty-bound to face danger with implicit risk of assault and physical harm which can result in incapacitation, medical discharge or loss of life.
- A Garda's powers, responsibilities and duties are with them whether in or out of uniform and whether on or off duty. A Garda is responsible for any error in judgement in exercising these powers and answerable for any such errors¹.
- Gardai are subject to a disciplinary code which has the force of law.
- Gardai are subject to oversight and investigation by the GSOC.
- Gardai are prevented from being deployed within specific distances of their relatives or place of origin.
- Gardai (and their families in some cases) are restricted from an extensive list of spare time activities.

The GRA can expand on this list and provide further expert references.

¹ Judge Conroy Commission Report quote.



3. Role of the Public Service Pay Commission

The Garda Module within the Public Service Pay Commission should, inter alia, address the following:

- Timely restoration of pay levels.
- Elimination of the two-tier system of different pay and conditions within the Garda rank.
- Recognition of the unique role of Gardaí.
- Restoration of a living wage. Significant numbers of members are in economic difficulty.
- Restoration of pay relativities with major employment groups within the economy.
- Restoration of allowances.
- Recognition of improved productivity delivery by Garda rank.

Indicators of productivity delivered by Gardaí over the years 2008 to 2015 include the following: -

- Savings in Garda numbers per head of population² = €93m
 - Reduction in annual overtime (2015 Vs. 2008) = €59m.
 - Working with Transformation. Recognition of productivity could allow Gardaí to continue to deliver the modernisation programme.
- Recognition of all working time as reckonable service, including post-college on the job training.
 - Working with the Reserve Force. Recognition of the coaching, mentoring, training and supervisory role of the Garda rank as well as the associated skill requirements and responsibilities.
 - Recognition of the stresses and risks associated with the role.
 - Recognition of 24-hour x 365 day working and in particular the stresses and risks associated with 2am to 7am night shift working.
 - Introduction of a 39-hour basis working week as applies across the economy, and to implementation of a 1/39 divisor for overtime calculation.
 - Payment for all hours worked.
 - Recognition that there is little scope for career progression in the Force. Approximately 80% of members who joined the Garda Síochána will retire at Garda rank. An Garda Síochána lacks the grading and grade structures that apply in other European police forces.
 - Other elements in the nature of pay and conditions.

The GRA will provide the Commission with detailed evidence to support the deliberations of the Commission regarding these items.

² An additional 2,078 Gardaí (i.e. 16.2%) would have been required in 2015 to maintain the same Garda density per head of population as existed in 2008. Assuming average salary of €45k per garda.



4. Methodology of the Commission

As detailed above, a key requirement of the GRA is for the establishment of a separate module within the Public Service Pay Commission to deal with Garda pay.

Within this module, the following is required:

- Preliminary meeting to agree a schedule of agendas covering an item-by-item review of all the elements and issues detailed.
- Provision for submissions to the Commission; both written and oral.
- Adequate provision for follow up GRA/Commission discussion on each agenda item.
- An interim report to be prepared by the Commission setting out the Commission's initial analysis of issues/submissions. This is to allow the GRA to comment in advance of the Commission reaching the final report stage.

26th August 2016

