

**Fourth meeting of the Public Service Pay Commission  
19<sup>th</sup> December 2016 at 8.30 am, St. Stephen's Green House.**

**In attendance**

Mr. Kevin Duffy (Chair)  
Ms. Marian Corcoran  
Mr. Ultan Courtney  
Ms. Ruth Curran  
Mr. Noel Dowling  
Mr. Seán Lyons  
Mr. Peter McLoone

Mr. David Denny (Secretary)  
Ms. Susan McKiernan (Secretariat)  
Ms. Karen Murphy (Secretariat)  
Ms. Angelena Hollingsworth (Secretariat)  
Mr. James Maher (Secretariat)

9 am – 10.15 am

Comdt. Shane Keogh (RACO)  
Comdt. Earnán Naughton (RACO)  
Comdt. Derek Priestley (RACO)  
Mr. Gerry Rooney (PDFORRA)  
Mr. Ger Guinan (PDFORRA)

10.30 am – 11.30 am

Chief Supt. Orla McPartlin (Association of Garda Chief Superintendents)  
Chief Supt. Micheal O'Sullivan (Association of Garda Chief Superintendents)  
Supt. Denis Ferry (Association of Garda Superintendents)

11.30 am – 12.30 pm

Mr. Peter Hughes (Psychiatric Nurses' Association)  
Mr. Des Kavanagh (Psychiatric Nurses' Association)  
Ms. Aisling Culhane (Psychiatric Nurses' Association)

1.15 pm

Mr. Pat Ennis (Garda Representative Association)  
Mr. Ciaran O'Neill (Garda Representative Association)  
Mr. Jim Mulligan (Garda Representative Association)

The Commission Members agreed the minutes of the last meeting.

The Commission also briefly discussed the approach to pensions for Work Programme 1. Ms. Corcoran suggested that the Commission should explore how it would review pensions and what external expertise would be required so that this would be ready to action if/when required. Mr Dowling observed that a 12% discount had already been applied in respect of

public service pensions in the Benchmarking II report. Mr McLoone observed that the Benchmarking II figures would need to be updated.

9am

The RACO and PDFORRA representatives joined the meeting at 9am. The Chairman, Mr Duffy outlined that the initial job of work for the Commission in progressing its Terms of Reference (ToR) was to advise on unwinding of FEMPI. The Chairman stated that many issues had been flagged in submissions, this was helpful background and might well be more relevant further down the road. For moment, the Commission's work was confined to the Work Programme set out in ToR.

Comdt. Naughton stated that RACO had expected an individual meeting in respect of its submission. The Commission confirmed that both organisations could forward written observations on DPER's submission to the Commission which would be shared later that morning.

Comdt. Naughton said that RACO had committed early to the LRA, the difficulty now was that members were asking why other unions who had not and had been agitating had gained advantage. He also outlined that RACO did not have access to the WRC and that C&A parallel process was not delivering for RACO.

Ms. Curran joined the meeting at this point. He continued saying that officer numbers had declined with significantly increased workloads and demands on members. Comdt. Naughton added that the media had latched on to the valuation of 30 year pension in the recently published Horgan report. He stated that forced retirement after 30 years was not a positive thing for the armed forces. He also outlined that 13% of officers have left forces in last 3 years and that the pension is not preventing this. RACO maintained comparisons with pay for foreign military would be difficult as accommodation often provided in other jurisdictions.

Mr Guinan said PDFORRA endorsed ICTU submission and also the approach that the Commission would meet individual unions in relation to specific issues. Mr Guinan stated that the value of pension had been reduced in recent decades. A significant issue for PDFORRA is that its members with a trade were paid less than their civilian (public service) equivalents e.g. Military aircraft inspectors. He also stated that security of tenure is not reflected in the Defence forces and provided further detail in relation to the various fixed term arrangements which applied.

The Commission then provided some observations and asked some questions. Mr McLoone outlined that the Commission was adopting a collective approach to meetings due to its task to provide inputs to FEMPI unwinding and the time constraints. Mr Lyons asked about recruitment and retention issues. Both RACO and PDFORRA outlined that there were definite retention issues and that an exodus was overtaking recruitment. A detailed discussion concerning these matters followed. Mr Dowling enquired if there were exit interviews and was advised that they were voluntary with a low take up (circa 5%). There was some further discussion of a recent Wellbeing Survey. Ms. Corcoran observed that the response rate (10%) was very low.

The Chairman advised that DPER had indicated that they would be submitting a valuation of pension to the Commission. He said there were a couple of ways that the bodies might

approach this: conduct their own valuations, wait for DPER's and comment, or approach DPER to try and work together on the valuation.

There was a further detailed discussion concerning security of tenure and retention before RACO and PDFORRA representatives departed.

### **Action point**

- DPER submission to be circulated to both Associations.
- Associations to consider approach to pensions.

### 10.30am

The Association of Garda Chief Superintendents and Association of Garda Superintendents met with the Commission at 10.30am. The Chairman invited the Associations to provide a written submission. He also asked them to outline the matters that were relevant for their Associations. Chief Supt. McPartlin asked about the footnote in the Commission's ToR referencing all other benefits. The Chairman advised that the Commission was expected to look at total value of public service pay generally, including basic pay, allowances, security of tenure and pensions. He also stated that the Commission's initial task was to advise on the unwinding of FEMPI. Mr McLoone said that DPER's submission would set out what that Department had in mind, when the Associations had an opportunity to read it. The DPER submission also indicated that the State wanted a value placed on pensions and security of tenure and that an issue was emerging around PRD/offsetting. The Chairman advised that the Commission's considerations would not be constrained by the Horgan report. The Chairman advised that pensions would definitely feature in the first report and added that the ToR also provided that there would be some international comparison.

Chief Supt. McPartlin indicated that the AGCSI would be forwarding a submission. Supt. Ferry stated that for his members a major issue was whether the terms outlined in the Labour Court recommendation in respect of the GRA would apply to them. The Superintendents' Association hadn't gotten an official response and that as a result the Association did not know where it stood. Mr Courtney said that the Commission's key focus was to produce an independent, credible report and that the Commission would go through the meat of the Associations' submissions when their written submissions were received. The Chairman stated that there were commonalities with other public servants in respect of the unwinding of FEMPI, and he said that it was in the Commission's and the Associations' interests to forward a written submission. The meeting concluded with some further discussion around the valuation of pension.

### **Action point**

- DPER submission to be circulated
- Associations asked to forward a submission

11.30am

The Commission met with the Psychiatric Nurses' Association members at 11.30am. The Chairman welcomed the representatives and asked them to take the Commission through their submission. Mr Hayes indicated that the Association might add to its submission and that it would be looking for additional pay measures to attract psychiatric nurses. Mr Hayes further indicated that the Junior Minister for Mental Health had acknowledged the shortage. He stated that a lot of graduates are emigrating and that others are going to work in the private sector where pay and other terms and conditions were better. He also indicated that a lot of services had moved to the community and so members were no longer receiving subsidised meals and subsistence. Mr Hayes made the point that no other sector has advertisements at the airport to recruit/attract returning emigrants and that the HSE Bring Them Home campaign delivered only 6 nurses for mental health area.

Mr Hayes also stated that previously, up to 3% of prison population had mental health problems and that this was up to 8% now as services weren't being delivered due to nursing shortages.

The Chairman indicated that the Commission would not be commenting on level of nurses, but it had been asked to consider recruitment and retention issues and problems. Secondly, the Commission had been asked to consider the value of public service pensions. He asked that these considerations would not be in way of making recommendations but producing information to assist all parties in negotiation. A very detailed discussion on recruitment and retention issues followed. The PNA indicated that the retention of graduates was a problem as was recruiting qualified staff. Mr Hayes also stated that current services are reliant on retired staff working up to 19 ½ hours per week which was not good for staff or patients. Mr Kavanagh then spoke about the different types of pension arrangements that applied for PNA members.

Ms. Curran asked the PNA if information was available about staff due to retire in next five years. The PNA indicated that this would be available. Ms. Corcoran asked if information was available as to how many of 250 graduates would come into public service. Mr Hayes provided some further detail. Mr Kavanagh also indicated that he believed the solution to recruitment and retention issues was to make the salary scale more attractive for nurses. The meeting concluded with some further discussion of these issues.

### **Action points**

- PNA to be circulated on PER submission
- PNA to submit recruitment and retention data
- PNA would seek to submit information about terms and conditions, pay and vacancies in other countries.

1.15pm

Garda Representative Association (GRA) representatives joined the meeting. The Chairman introduced the Commission members and stated at the outset that the initial report would not involve a benchmarking type exercise for specific grades.

Mr. Ennis went through the GRA's written submission, which they had not been able to supply in advance. He outlined the pay reductions and productivity improvements since 2008. He stated that a separate module specifically dealing with pay for members of An Garda Síochána would be preferable, given their unique status.

The Chairman reiterated that the focus for the first report is to provide inputs regarding the unwinding of FEMPI legislation. He also clarified that the Commission would not be restricted by the Horgan report on pay and industrial relations issues in An Garda Síochána.

The GRA stated that the pension issues raised at the meeting on 23<sup>rd</sup> September 2016 with officials from Department of Justice and Equality and Department of Public Expenditure and Reform (DPER) were of great concern to members. The GRA listed changes made to the retirement age since 2004 and mentioned anecdotal evidence of below average life expectancy for retired Gardaí. The Chairman explained how future reforms may include a portion of the Pension Related Deduction being retained in the form of an increased pension contribution. He described how these potential increased rates might be based on the outcome of the upcoming actuarial exercise valuing public service pensions for different categories, and would be a matter for negotiations between DPER and representative groups. He reassured the GRA that any material received from DPER regarding this exercise would be shared.

The GRA provided anecdotal evidence of recruitment difficulties, describing how despite the high number of applicants for recent Garda competitions not all classes in the Garda College are full. They offered to supply more detailed information on the actual numbers successfully completing the recruitment and training process. The GRA acknowledged that the recent Labour Court recommendation should help ameliorate this. The GRA quoted a target figure from the Modernisation and Renewal Plan of 15,000 sworn members which is significantly higher than the current number (approx. 13,000).

### **Action points**

- GRA will provide further information on recruitment difficulties and post retirement life expectancy.
- DPER material regarding pension valuation will be shared with GRA in due course.