



PDFORRA

Submission of the Permanent Defence Force Other Ranks Representative Association (PDFORRA)

To the Public Service Pay Commission

February 2018



PDFORRA Submission to the Public Service Pay Commission



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INTRODUCTION

1. The Role of the Defence Forces

1.1 The primary mission of the Defence Forces has been set out in the recently published White Paper on Defence. The introduction to this document, in broad terms, outlines the State's obligation to citizens in order to ensure the security of the State. The document stresses that:

“The security of the State and its citizens is a primary responsibility of Government. It is a whole of Government concern and a broad range of government departments and agencies are assigned security responsibilities. Providing for the military defence of the State's territory is a fundamental security requirement and responsibility for this is vested specifically in the Department of Defence¹ and the Defence Forces.

In a modern state, Defence² is conceived as the ultimate guarantee of freedom. The defence contribution to security also encompasses defence inputs to domestic security, in particular in support of An Garda Síochána who have primary responsibility for protecting the internal security of the State; defence inputs to the State's response to large scale emergencies; and defence inputs to international peace and security. In addition, defence resources are used for other non-security tasks which maximise the utility of defence assets for the benefit of the State.”

1.2 The responsibility for effecting the security of the State lies primarily with the members of the Permanent Defence Forces. As can be imagined, the foregoing duties involved in securing the State is diverse and wide-ranging. For example, the list hereunder shows many of the functions which have been assigned to the men and women of the Defence Forces.

- To provide for the military defence of the State from armed aggression;
- To participate in multi-national peace support, crisis management and humanitarian relief operations in accordance with Government direction and legislative provision;

¹ The Department of Defence comprises civil and military elements with distinct but complementary roles. Defence Forces Headquarters (DFHQ) is the military element of the Department of Defence. References to the Department of Defence in this document refer to both the civil and military elements unless otherwise qualified.

² Other terminology used in the White Paper is as follows; the term 'Defence' is used to refer in a broad sense to defence provision in Ireland; "Defence Forces" refers to the military organisation; the term "Defence Organisation" refers to the Department of Defence and the Defence Forces.



- To aid the civil power – meaning in practice to assist, when requested, An Garda Síochána, who have primary responsibility for law and order, including the protection of the internal security of the State;
- To provide a Ministerial air transport service (MATS);
- To provide ceremonial services on behalf of Government;
- To fulfil any other tasks that Government may assign from time to time;
- To contribute to maritime security encompassing the delivery of a fishery protection service and the operation of the State’s Fishery Monitoring Centre, and in co-operation with other agencies with responsibilities in the maritime domain, to contribute to a shared common maritime operational picture;
- To contribute to national resilience through the provision of specified defence aid to the civil authority (ATCA) supports to lead agencies in response to major emergencies, including cyber security emergencies, and in the maintenance of essential services, as set out in MOUs and SLAs agreed by the Department of Defence.

1.3 To fulfil these roles, the Defence Forces requires a wide range of skill sets to be provided by personnel who are subject to a disciplined code of conduct and who are available 24/7/365.

1.4 In an ever changing environment the Defence Forces remain identifiable as a core pillar of the State and the ultimate demonstration of sovereignty.

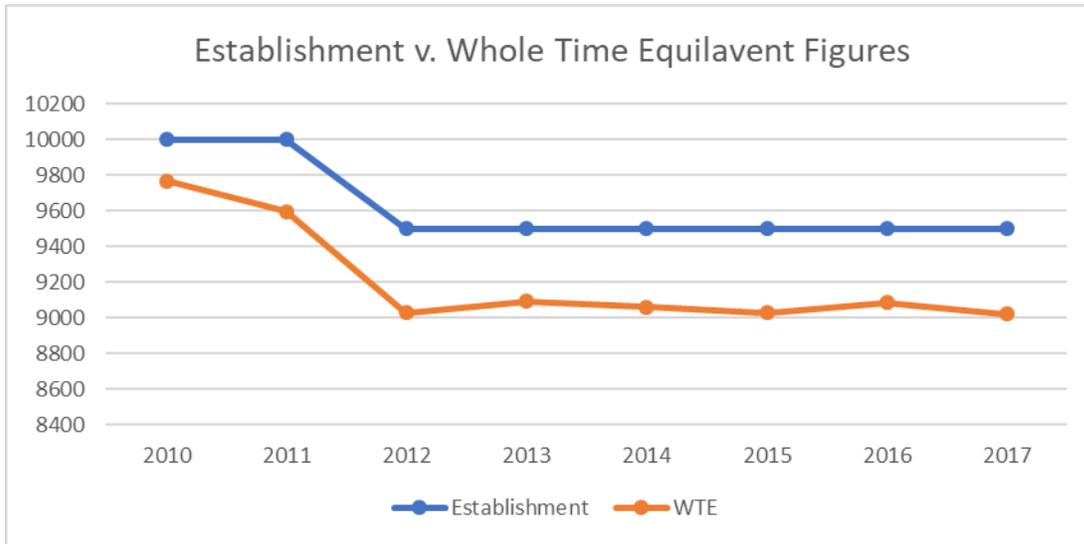
1.5 Current operational outputs are being achieved with a Whole Time Equivalent (WTE) number of 9,135 personnel serving from an Establishment of 9,500. Of this total, personnel of Commandant rank and higher do not undertake operational duties of a security nature.

1.6 Lastly, it must be remembered that of the WTE number, the number of recruits must be subtracted as these personnel are not available for operational duties pending final approval.



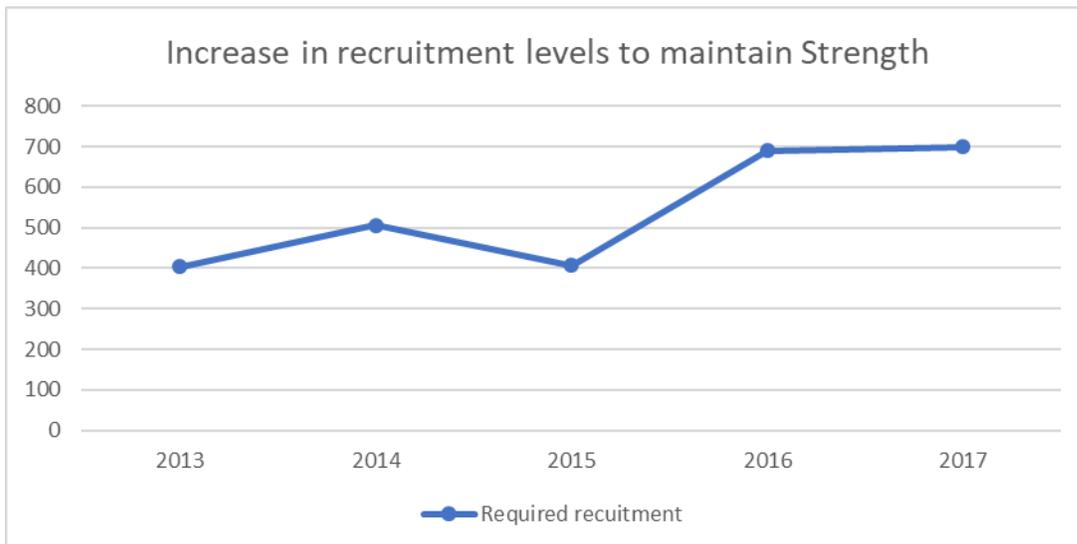
1.7 Defence Forces Establishment versus Strength figures since 2010 are set out hereunder.

Table 1.



1.9 The relatively static number of Whole Time Equivalent Strength versus Establishment figures above can be contrasted with the year on year increases in required recruitment numbers.

Table 2.

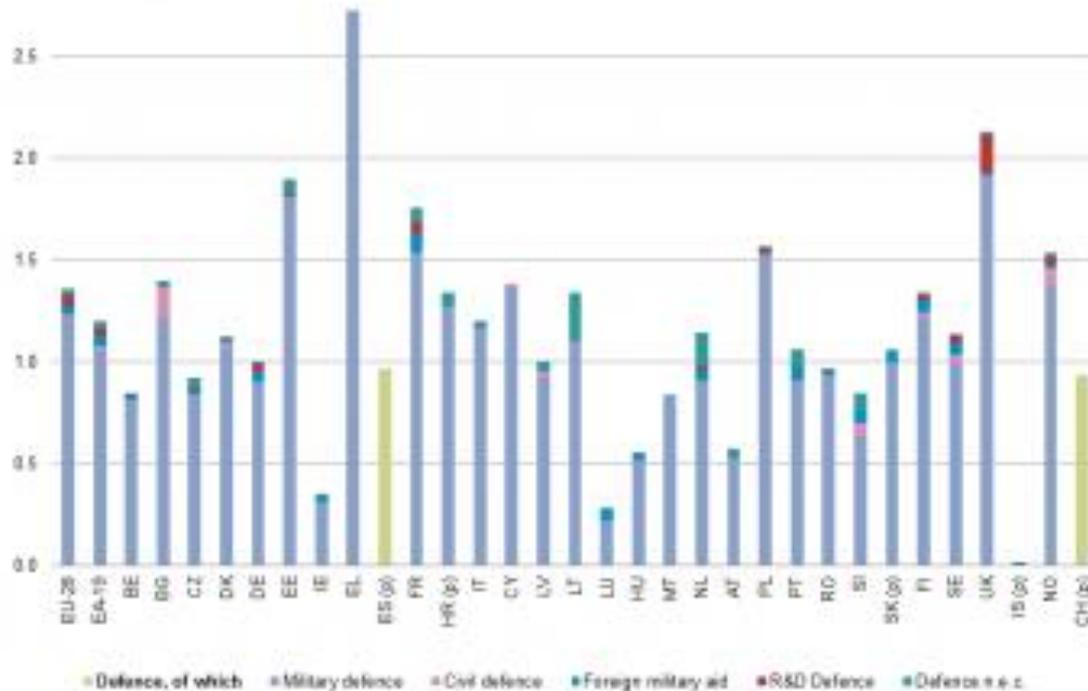




1.8 DEFENCE SPENDING

1.10 Ireland ranks second lowest to Luxembourg in terms of spending on Defence, this despite the fact that we have one of the largest areas of territorial waters in the EU

Table 3



- Source Eurostat 2017

1.9 In 2015, 'defence' expenditure amounted to 1.4 % of GDP for the EU-28. For the euro area, defence expenditure amounted to 1.2 % of GDP; with expenditure in both areas changing little in comparison with 2014.

1.10 In 2015, the highest levels of total expenditure on defence in the EU and EFTA countries were observed in Greece (2.7 % of GDP), followed by the United Kingdom (2.1 % of GDP), Estonia (1.9 % of GDP) and France (1.8 % of GDP). In contrast, Luxembourg (0.3 % of GDP), Ireland (0.4 % of GDP), Hungary (0.5 % of GDP) and Austria (0.6% of GDP) had comparatively low expenditure on defence.



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RECRUITMENT



2. INTRODUCTION

As a matter of public policy, the Government, through the adoption of the White Paper on Defence in 2014, have stated the following in respect of HR policy for the Defence Forces:

“Delivering sustainable capability in defence outputs requires the deployment of appropriately trained and experienced military, civilian and civil service personnel across a range of defence functions.”

Further, in the context of recruitment of personnel:

“Continuous recruitment is the lifeblood of the Defence Forces providing young, motivated and enthusiastic personnel to replenish military formations for operational deployments. Over the course of the White Paper the Government are committed to maintaining a PDF establishment of at least 9,500 serving personnel. To this end, the Defence Forces will review and develop rolling medium term manpower planning requirements so as to deliver an effective and efficient workforce mix in terms of age profile, skills, competencies and experience, and current personnel policies to support this will be further developed and implemented.”

However, it must be considered that since the publication of the White Paper on Defence in 2014, the Whole Time Equivalent (WTE) strength of the Defence Forces has rarely exceeded 9,100 personnel, and has never reached 9,500.

The reason for the foregoing could be said to result from recruiting challenges, as evidenced by Comdt D Power, quoting Freakley³ *“The Army faces major challenges in recruiting from the under 24 demographic group, due to education, health and conduct deficiencies”*. While the foregoing statement was made in respect of US Army recruitment, the observation has never been more relevant regarding recruitment into the Armed Forces of most Western countries, including the Irish Defence Forces- as recent panel resilience figures show.⁴

The recently published Climate Survey Report made the following observations in respect recruitment and retention of personnel:

“Research on turnover makes a distinction between functional turnover of employees and dysfunctional turnover (Morin and Reynaud, 2009) Functional turnover refers to an individual who adds little value to the organisation, or for whom the cost of replacement by the organisation does not exceed the cost of retention. Dysfunctional turnover refers to a valued employee who quits and takes

³ Freakley 2009

⁴ *“Recruitment and Retention of Military Personnel”* Final Report of Research Task Group HFM- 107, NATO 2007.



with them their experience and corporate knowledge (Renaud et al, 2014). Boxhall (2013) highlights perceptions and assessments of employees of fairness of rewards and other benefits relative to the employee's perceived contribution to the organization as a key contributing factor to the loss or retention of key talent. These assessments traditionally focus on reward, promotion, status, and workload. Collings (2014) refers to this as the 'contribution axis' Dysfunctional turnover has been highlighted as having a particularly negative outcome for military organisations...(Dupre and Day 2007)."

Again, the observations have never been more reflective of the current status of the Defence Forces and the feelings of personnel within the organisation. The impact of the current pay, promotion and workload structures are addressed further in this submission under the heading "Retention"

A further consideration, in respect of high turnover levels and corollary recruitment, is time value loss of personnel. For example, an annual recruitment intake of 800 personnel equates with 6 months' loss in full duty terms for 400 personnel. This equates with 10% of the Privates of the Defence Forces. Moreover, each 40 recruit class requires 8 Corporals, 1 Sergeant and 1 Lieutenant. Therefore, 160 Corporals, 20 Sergeants and 20 Lieutenants are unavailable for other duties for 6 months of every year.

Moreover, this cycle of recruitment and discharge increases the wider public perception of the Defence Forces as not being an attractive working environment, which leads to increased advertising costs to seek new recruits. In 2017, two recruitment campaigns had to be launched in an attempt to secure additional interest. Both campaigns attained less expressions of interest than that singular campaign in 2012.

Lastly, it must be considered that Ireland is not unique in respect of the number of citizens unwilling to enter into the military but, it must also be considered that there are significant associated costs with the recruitment and subsequent discharge of personnel over short periods of time.

In a European context this has resulted in the contemplated re-introduction of conscription in other European countries. Sweden has recently announced that it is re-introducing conscription to the military. Denmark currently has conscription. Germany has retained the law providing for conscription which it phased out in 2011. Currently, the German armed forces pay bonuses to personnel who remain in service and upper age limits for service have increased.

Meanwhile the British Parliament recently recognised their recruitment and retention difficulties through the introduction of the Armed Forces (Flexible Working) Bill 2017⁵.

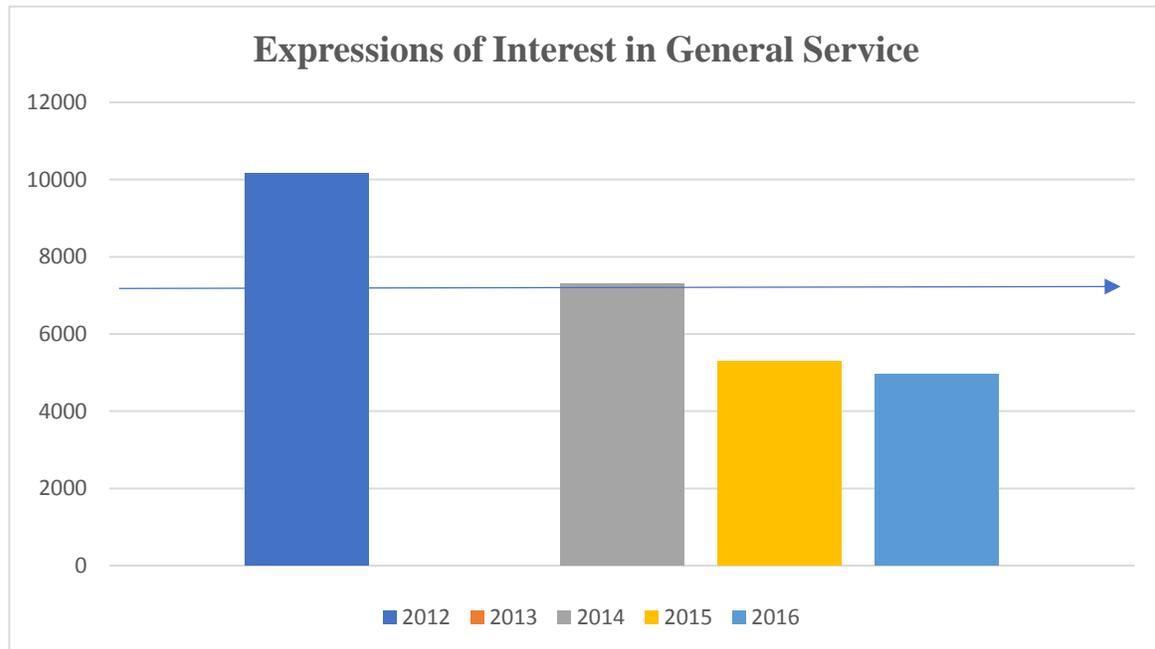
⁵ [https://hansard.parliament.uk/commons/2017-11-14/debates/b9d29586-0047-45f9-b2b0-f98c624f1dec/ArmedForces\(FlexibleWorking\)Bill\(Lords\)\(FirstSitting\)](https://hansard.parliament.uk/commons/2017-11-14/debates/b9d29586-0047-45f9-b2b0-f98c624f1dec/ArmedForces(FlexibleWorking)Bill(Lords)(FirstSitting))



2.1 RECRUITMENT NUMBERS

2.1.1 The recently published Public Service Pay Commission report contained the following figures pertaining to applicants, which had been supplied by the Department of Defence and DPER.

Table 4.



**No personnel were canvased in 2013 as the panel from the previous year sufficed due to changes to Defence Employment Control Figures. See table 1. The blue line above represents a minimum number of applicants per year to sustain current levels, based on 10- 13% panel resilience.*

- 2.1.2 PDFORRA contest that these figures do not reflect the true number of applicants for the reasons set out hereunder.
- 2.1.3 Having consulted with Competitions Section within the Department of Defence, they have confirmed that these figures only represent the number of persons who expressed an initial interest in joining the Defence Forces.
- 2.1.4 The true figures of applicants are more appropriately reflected in the numbers of candidates who follow through with the process and remain eligible for selection.
- 2.1.5 This figures do not account for Direct entry competitions which have been held for positions, such as ERA's.



- 2.1.6 Applicants for the Army may also apply for the Naval Service.
- 2.1.7 Competitions section has had to “re-open, or keep open” a window of opportunity for follow through with applications on a number of occasions. This has resulted in minimum numbers following through despite being given ample opportunity.
- 2.1.8 Potential Candidates are required to complete an online application form through the Defence Forces website. This methodology is used throughout the public recruitment process for ease.
- 2.1.9 Lastly, it must be considered that the Defence Forces recruits enlisted personnel from the market place in competition with other public and private sector employers. Typically, these sectors enjoy greater security of tenure and conditions of service.
- 2.1.10 Thus, it must be stated that the Defence Forces is at a disadvantage compared to other employers as enlisted personnel must be over 18 and under 25 (28 Naval Service) years of age on recruitment, which reduces the pool from which the Defence Forces can attract new recruits.

2.2 SELECTION CRITERIA

Potential candidates are required to complete an online application form through the Defence Forces website. Additionally, the dates for the Recruit Competition are advertised in the National Newspapers and on the website, with applications only being accepted on those dates.⁶

- 2.2.1 Army recruits are the backbone of the Irish Defence Forces. They are the frontline soldiers of the Army. The Defence Forces is looking for people who are looking for a challenging and physically demanding career in the military. Applicants should have:
- The ability to work in a disciplined military environment.
 - The ability to work with others in a team.
 - Work well in a high pressure and physically demanding environment
 - Be willing to serve abroad for extended periods of time.

⁶ However, recent competitions have resulted in the prolonging of competitions to accommodate initial applicants who did not complete the process within specified timelines.



- 2.2.2 **Psychometric Testing.** All applicants who apply are then invited to complete Psychometric Testing. Full details of these tests will be emailed to all successful applicants after the fitness test phase is complete.
- 2.2.3 **Fitness Testing** All candidates who meet the minimum eligibility criteria are then invited to attend a Fitness Testing centre, where they will be required to complete the Defence Forces induction fitness test. This is a pass or fail test. Once candidates commence the test, they will not be permitted to reattempt it as part of this competition.⁷ Dual candidates for the Army and Naval Service will only be required to pass one test. Additionally, dual applicants will only have the opportunity to attempt the test once: if the test is failed in a Fitness Testing centre in the Army, this will also mean that the applicant has failed the fitness test as part of their application for the Naval Service. Therefore, the dual applicant having failed the fitness test in any Defence Force location, will have been unsuccessful in their application for both the Army and Naval Service.
- 2.2.4 **Interview** Candidates who are successful at the Fitness Assessment Centre will be asked to attend for Interview. The interview is competency based where Candidates will be assessed under the following competencies: -
- Ability to work under pressure
 - Teamwork
 - Motivation
 - Career Orientation
- 2.2.5 **Medical & Security Clearance** The top scoring candidates at the Interview will then be called to attend a full medical examination. In conjunction with this all candidates will be security vetted by An Garda Siochana. Candidates will be required to pass both the medical examination and security vetting to be considered for induction.
- 2.2.6 **Qualifications** No formal education qualifications are required to join the Defence Forces as a recruit. However, you must satisfy the Interview Board and the Recruiting Officer that you possess a sufficient standard of education for service in the Defence Forces.
- 2.2.7 **Age Limitations** Applicants must be not less than 18 years of age and under 25 years of age on the date deemed as the closing date for applications.

⁷ Again, this measure has been eased recently. Personnel who initially fail are invited to re-attempt after a six-week interval. Anecdotally, PDFORRA have been informed that a recent call of 30 personnel resulted in 3 persons attempting the test. Of the foregoing three all failed.



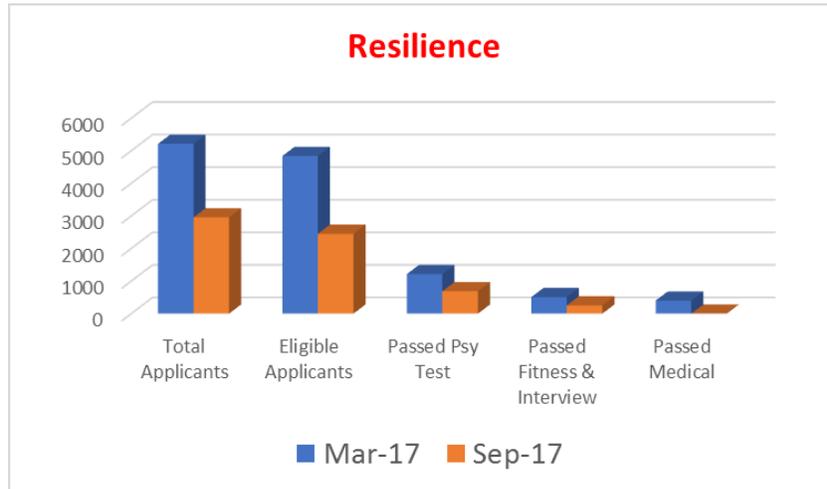
2.3 PANEL RESILIENCE

Panel resilience can be defined as the number of personnel who become eligible for selection subsequent to having expressed an interest in enlisting for General Service.

- 2.3.1 Panel resilience rates provided by Competitions Section typically show a resilience rate of between 10-15% within the Defence Forces, calculated on an average annual basis. These figures would be typical when compared with international comparators, and in some cases higher when compared to countries with conscription, Sweden being the most recent obvious comparator.
- 2.3.2 In 2017, two separate recruitment campaigns were launched to attract recruits for the Defence Forces, this was a relatively new recruitment approach- as previously a singular window had been open for recruitment.
- 2.3.3 However, 62% (2996) of applicants called did not attempt stage 1, which is the online psychometric testing. This test was to be undertaken within a set timeframe. To secure greater numbers a second window was opened for those that did not attempt which a further 173 completed.
- 2.3.4 Subsequently, a total of 1,213 were called for stage 2/3 fitness & interview; again, in an effort to maximise the number of eligible candidate's, personnel who did not present for medicals and applicants who failed the fitness were recalled to conduct a retest after 6 weeks.
- 2.3.5 The foregoing processes resulted in a panel after interview/fitness for Army (425) and NS (81) – total 506 that gives 9.7% panel resilience.
- 2.3.6 Total spend on targeted advertising for this campaign was €116,550.
- 2.3.7 Consequential upon the foregoing low number of applicants/ultimate eligible candidates, and the stated desire to reach full establishment figures, a second recruitment campaign was launched in August/Sept 2017. This resulted in a total of 2954 applicants of which 2451 were eligible.
- 2.3.8 Of the foregoing 2451, 56%, 1373 of applicants called did not attempt stage 1 online Psychometric testing. A second window was opened allowing for additional candidates to complete increasing overall figures of attempts.
- 2.3.9 Of the foregoing, a total of 687 were called for stage 2/3 (fitness & interview)
- 2.3.10 Presently, no shows and applicants who failed the fitness have been recalled to conduct a retest after 6 weeks (Jan/Feb 2018).



2.3.11 Predictions based on applicant behaviour to date would indicate that approximately 286 applicants will remain after fitness/interview based of 9.7% panel resilience.



2.3.12 Total spend on targeted advertising for this campaign was €60,840.72.

2.3.13 Thus, the total spend on recruitment in 2017, amounted to €250,000 on interactive game, €116,550 on targeted advertisement (campaign 1) and a further 60,840.72 (campaign 2).

2.4 RECRUIT PROFILE

2.4.1 The current age profile of candidates is 18-25 years old. Male or Female. Physically fit, medically fit. No formal educational standard is required, however, candidates must pass Psychometric Testing. Personnel applying for membership of the Naval Service have an upper age limit of 26.

2.4.2 The candidates being sought are broadly similar to those being sought in other areas of the public sector, i.e.: An Garda Síochána, Fire Service and Prison Service; insofar, as age profile, medical profile and Garda vetting is concerned.

2.4.3 The candidates must pass Garda vetting and be willing to undergo inoculation, for overseas service.



2.5 RECRUIT TRAINING/ 3* TRAINING

- 2.5.1 The Recruit Training Syllabus is designed to produce a physically fit, disciplined and motivated Two Star Infantry Soldier with basic military skills. Recruit training is foundation military training. It is seventeen weeks in duration.
- 2.5.2 The foregoing is followed by 3 Star training, which is of 12 weeks' duration and at a later stage by Trained Soldier Specialist Training courses.
- 2.5.3 Recruits may be required to complete their training in any Defence Forces location and following their training, may be posted to any Defence Forces location subject to Defence Forces requirements.
- 2.5.4 **Career Progression** Newly qualified Private Soldiers are encouraged to put themselves forward for further courses in the Army. These courses may enable the soldier to specialise in certain areas of the Army or qualify the soldier for overseas service.
- 2.5.5 Moreover, currently, a significant number of personnel are selected from General Service to undertake specialist training/ apprenticeships.

2.6 ATTRITION RATES

- 2.6.1 Following enlistment, the rates of attrition for recruits can also be quite high. It should be noted that these rates are amongst volunteers who have entered freely.
- 2.6.2 The table hereunder shows attrition rates for personnel during recruit training for the years 2013- 2016

2.6.3 Rates of Attrition Among New Entrant Staff, 2013-2016 ⁸

<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>
404	506	406	690
353	443	307	590
Discharges 77	107	62	128
As % 21.8%	24.2%	20.2%	21.6%

⁸ These rates are consistent with crisis rates for NATO Countries. For fuller consideration of this issue see the "Recruitment and Retention of Military Personnel" Final Report of Research Task Group HFM- 107, NATO 2007.



2.7 TRAINING COSTS

The figures set out hereunder in Table 5 have been obtained from financial management section Department of Defence.

A3 Pay		
Recruit	5,977.37	
2*	4,547.28	
		10,524.65
A14 Ordnance		
Rations	1,278.90	
Clothing Initial	465.31	
Clothing Secondary	880.17	
Soft Ordnance	1,230.42	
Ammunition & Pyros	200	
		4,054.80
A18 Medical		
Vaccines		70
Total		€14,649.45

Table 5.

2.7.1 These costs are “bare” costs and do not factor in the time value loss of instructing personnel and administrators, or wear and tear on infrastructure.



OBSERVATIONS/ RECOMMENDATIONS

1. Since the closure of the Army Apprentice School in the late 1990's the Defence Forces has relied, with some exceptions, on the upskilling of personnel to fill technical positions within the Army. Other considerations apply to the Air Corps. While PDFORRA welcomes the opportunity for personnel to further their education, the recruitment of technical personnel from an ever decreasing pool does give rise to problems - as the personnel recruited have enlisted for general service only.
2. The foregoing, in the context of recruitment of staff to the Defence Forces, must be addressed in a targeted manner. Although, potentially, the amendment of Defence Forces Regulations to ensure that candidates are not dis-incentivised from undertaking training courses through *inter alia* 1. Reductions in pay, 2. Reduction in allowances 3. Onerous amendments to contracts, which could see personnel discharged and not returned to the line in the event of being unsuccessful in their studies.
3. During the course of initial training recruits and personnel undergoing 3* training are required to pay for their rations. This equates to approximately €40 per week. This amount is deducted from the line pay of personnel (current rates of pay can be found on page 23). Cadets undergoing training are exempted from this charge. PDFORRA believe that the deduction of ration charges from the relatively low pay of recruits induces a feeling of cynicism as it pertains to the work/reward relationship. Moreover, PDFORRA believes that the foregoing practice, as it pertains to personnel undergoing the 3* course is indirectly discriminatory. Lastly, PDFORRA has a favourable outstanding adjudication in the foregoing regard. Thus, PDFORRA recommend the abolishment of ration charges for personnel undergoing recruit/3* training.
4. Previously, personnel undergoing recruit/ 3* training had enjoyed the provision of free travel warrants to their home addresses. This practice was deemed to be contrary to tax laws and as such the provision was amended in 2014. PDFORRA believe that a lower rate of MSA should be introduced for recruits/ 3* based on the foregoing previous entitlement and the liability to undergo training anywhere in the State. Travel costs have increased significantly, and the Defence Forces have largely consolidated to urban centers in the past few years. The cost associated with travel could be seen as prohibitive and leads to feelings of isolation from family amongst recruits potentially resulting in early exit. The MSA rate PDFORRA would propose could be set at half the lowest rate for the duration of training.
5. During the course of recruit/ 3* training, significant costs are incurred in cleaning, laundering, and uniform maintenance. In the foregoing respect, PDFORRA would advocate for the consideration of a completion bonus at the end of 3* training to compensate personnel for out of pocket expenses. PDFORRA advocates for a sum of €200. This completion bonus would encourage completion of training and act as compensation for expenses incurred for which there is no current tax relief.



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CURRENT CONDITIONS OF SERVICE



1. CURRENT CONDITIONS OF SERVICE

Any discussion on the current levels of recruitment and retention within the Defence Forces must be juxtaposed with the last comprehensive review of pay and conditions within the Defence Forces, especially if a true picture of the difficulties associated with recruitment and retention is to be addressed.

The opportunity to make this submission on pay and conditions, for the purposes of addressing problems associated with recruitment and retention in the Defence Forces, represents the first time since the Report of the Commission on Remuneration and Conditions of Service in the Defence Forces (Gleeson Commission) in 1990 that the representative bodies of serving personnel have had to highlight the radical changes which have taken place in the interim. Additionally, it provides one of the first opportunities to highlight how intervening changes have impacted on the ability to recruit and retain personnel.

The aforementioned Gleeson Commission was established in 1990, with the following terms of reference:

“To carry out a major review of the remuneration and conditions of service of the Defence Organisation having regard to their separate and distinct role and organisation and to make recommendations”

It was remarked by the Commission at the time of commissioning the report that the Defence Forces were distinguishable from most other European armies by their high level of involvement in internal security tasks, which in other countries are commonly undertaken by paramilitary or gendarme type police forces.

To a large extent, the observations made by the Gleeson Commission at that time remain extant and may increase, as any diminution which has occurred over the past few years, consequential upon the peace process may be reversed as a result of Brexit.

This would place considerable strain on the Defence Organisation, and its resources.

Moreover, as can be seen for the Department of Defence Annual Report 2016/17, the operational outputs contain significant work practices which, in the normal course of events, would continue to be seen as more akin to internal security.

The underlying responsibilities and disadvantages associated with membership of the Defence Forces, which were identified within the aforementioned report, remain extant. In fact, in some cases, these can be further expanded upon due to changes in contract and law.



The primary responsibilities and obligations of members of the Defence Forces are:

1. Constant liability to Military Law
2. Liability to be exposed to danger by virtue of his/her military service.
3. Subject to frequent moves, which can be of short (week) to long-term (6-12 months), for operational and training purposes. The foregoing gives rise to significant disruption to family and social life.
4. Liability at all times to render military service- Defence Forces Regulation A.11 – Para 4 refers.
5. Limitations on the ability to avail of leave.
6. Liability to undertake 24 Hour duties- See section on Working Time Directive.
7. Liability/obligation to serve overseas on Peacekeeping and Peace enforcing missions- O'Donnell v. The State (1984 HC)/ Defence Force Regulations A.10.
8. Onerous fitness and medical criteria for retention in service purposes, which are beyond that required in the wider public, or private sectors.
9. A requirement to live in Bks – DFR A.11, Para 502 Admin Instruction refers. Additionally, members endure significant periods of standby at home.
10. Forced retirement at an age below all other public servants - A.10 refers.
11. A requirement to endure cramped and uncomfortable living conditions.
12. Exposure to traumatic events/death and associated impact on health and wellbeing.
13. Liability to use lethal force in isolation of command when compatible with regulations.
14. Limited application of Working Time Directive.
15. Prohibition on membership of Trade Unions or Affiliation to ICTU.
16. Restrictions on outside employment
17. The unpredictability of duty requirements.



3.1 CURRENT RATES OF PAY/ALLOWANCES AND MILITARY SERVICE ALLOWANCE

3.1.1 The current rates of pay and military Service Allowances are set out hereunder. The variation in rates is attributable to differentials in pension contributions and savings agreed under the Haddington Rd Agreement.

WEEKLY RATES OF PAY OF ENLISTED PERSONNEL

Personnel who enlisted in the Defence Forces Post 01 January 2013

The following Pay Scales - with effect from 01 January 2018 - apply to Apprentices, Privates and Privates promoted to the rank of Corporal / Sergeant recruited into the Defence Forces Post 01 January 2013:

Apprentice	Point	Basic Pay	MSA	Total
On enlistment	1	€286.18	€0.00	€286.18
After 1 Years Service	2	€340.47	€0.00	€340.47
After 2 Years Service	3	€445.50	€0.00	€445.50
After 3 Years Service	4	€519.71	€0.00	€519.71
Private – Recruit	17 Weeks	€394.22	€0.00	€394.22
Private – 2 Star	12 Weeks	€461.61	€0.00	€461.61
Private - 3 Star	1	€478.62	€43.76	€522.38
	2	€478.62	€43.76	€522.38
	3	€478.62	€43.76	€522.38
	4	€502.34	€121.50	€623.84
	5	€524.19	€121.50	€645.69
	6	€542.22	€121.50	€663.72
	7	€556.01	€121.50	€677.51
	8	€569.75	€121.50	€691.25
	9	€608.12	€121.50	€729.62



Corporal / Leading Seaman	1	€624.24	€121.50	€745.74
	2	€637.55	€121.50	€759.05
	3	€651.00	€121.50	€772.50
	4	€664.38	€121.50	€785.88
Sergeant / Petty Officer	1	€683.14	€121.50	€804.64
	2	€699.25	€121.50	€820.75
	3	€715.24	€121.50	€836.74
	4	€731.41	€121.50	€852.91

Integrated Pay Scales - Personnel who enlisted in the Defence Forces Pre 01 January 2013

The following Integrated Pay Scales - with effect from 01 January 2018 - apply to Privates and Non-Commissioned Officers (NCO's) recruited into the Defence Forces prior to 01 January 2013:

Rank	Point	Basic Pay	MSA	Total
Private - 3 Star / Seaman				
0 – 3 Years Service	1	€483.64	€41.57	€525.21
Over 3 Years Service	2	€489.67	€115.43	€605.10
Over 4 Years Service	3	€503.76	€115.43	€619.19
Over 5 Years Service	4	€521.06	€115.43	€636.49
Over 6 Years Service	5	€534.29	€115.43	€649.72
	6	€547.47	€115.43	€662.90
	7	€584.29	€115.43	€699.72
Corporal / Leading Seaman	1	€599.76	€115.43	€715.19
	2	€612.53	€115.43	€727.96
	3	€619.44	€115.43	€734.87
	4	€632.14	€115.43	€747.57
Sergeant / Petty Officer	1	€649.97	€115.43	€765.40
	2	€665.27	€115.43	€780.70
	3	€680.46	€115.43	€795.89
	4	€695.82	€115.43	€811.25



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CQMS / Senior Petty Officer	1	€749.24	€122.87	€872.11
	2	€768.28	€122.87	€891.15
	3	€787.25	€122.87	€910.12
	4	€806.17	€122.87	€929.04
Company Sergeant / Chief Petty Officer	1	€762.86	€122.87	€885.73
	2	€781.81	€122.87	€904.68
	3	€800.78	€122.87	€923.65
	4	€819.74	€122.87	€942.61
BQMS / Senior Chief Petty Officer	1	€827.88	€122.87	€950.75
	2	€849.63	€122.87	€972.50
	3	€871.23	€122.87	€994.10
	4	€892.87	€122.87	€1,015.74
Sergeant-Major / Warrant Officer	1	€849.63	€122.87	€972.50
	2	€871.23	€122.87	€994.10
	3	€892.87	€122.87	€1,015.74
	4	€914.59	€122.87	€1,037.46



3.1.2 MILITARY SERVICE ALLOWANCE

(MSA) was introduced in 1979 to compensate Permanent Defence Forces personnel for the disadvantages of associated with military service. The unique conditions of military service, which sets it apart from other occupations were advanced in the submission by the Military Authorities for the payment of MSA. These were as follows:

The liability for duty 24 hours a day, 7 days a week

- The requirement to serve for a fixed engagement which cannot be terminated at will.
- Being subject to a code of discipline, involving restrictions on personal liberty, which has no counterpart in any civilian employment.
- Being subject to transfers, both permanent and temporary, involving disruption of home life.
- Exposure to danger
- A requirement to endure bad and uncomfortable conditions, and
- Responsibility at all levels involving personal decisions in isolation with grave implications extending at times to the highest level

3.1.3 The unique disadvantages of military service were said to be further aggravated by the very long hours of duty.

3.1.4 **Gleeson Commission Recommendations** - The Gleeson Commission confirmed the view that MSA compensated for the net disadvantages of military service relative to employment generally following consideration of the advantages of military service.

3.1.5 It recommended that MSA should be a flat rated allowance rather than rank related allowance. This was based on the fact that a number of factors but particularly the restrictions of military discipline and the liability for long and unsocial hours impact more significantly on the lower rank. A MSA rate of £32.50 was set for all Privates with greater than 3 years' service and NCOs. On this figure MSA represented 13.2% of the total pay of a Private on the maximum point of the scale.

3.1.6 **The Program for Competitiveness and Work** - In the context of the PCW a review of the allowances, including MSA, payable to the ranks represented by



PDFORRA was undertaken. Conciliation Council Report No 106 provided for an increased rate of MSA of £55.28 payable to NCOs and Privates with 3 or more years' service. This agreed change saw MSA increase to represent 17.2% of the total pay of a Private on the maximum point of the scale.

- 3.1.7 **Public Sector Benchmarking Body Report, 2002** - In Para 6.6 of its report the PSBB outlined that it treated MSA as part of basic pay and recommended that MSA would be increased in line with the recommended increase for particular ranks. All ranks up to Sergeant received a 4% increase and Senior NCOs received a 10.75% in MSA.

The current rates of MSA are as follows⁹.

- 3.1.8 Rates of MSA were cut by 5% as part of the FEMPI No. 2 legislation in 2009. This cut is scheduled to be restored consequential upon the repeal of Section 2(3) of the FEMPI No.2 Act 2009, by the Public Pay and Pensions Act 2017.
- 3.1.9 PDFORRA have made recommendations regarding this element of pay further in this report.

Rank

Senior NCOs	€122. 87
Sergeant, Corporal and Private	€115.43
Private (less than 3 years' service)	€ 41.57

⁹ These rates are for personnel who enlisted prior to the 1st January 2013



3.1.10 OTHER ALLOWANCES

The rates of allowances set out hereunder have been subject to two distinct types of cuts and the imposition of a flat rating provision during negotiations on the Haddington Road Agreement (HRA) in 2013.

All allowances, save overseas allowances, were reduced by 5% as part of the FEMPI No.2 Act 2009. This reduction is scheduled to be lifted in Oct 2020, as part of the Public Service Pay and Pensions Act 2017, Section 23 refers.

In 2013, as part of the saving measures agreed under the HRA, the primary duty allowances, including Overseas Allowances, were reduced a further 10%. Additionally, Saturday and Sunday premiums were abolished and flat rated to comply with the 10% reduction. These allowances included Border Duty Allowance, Army Ranger Wing Allowance, and Explosive Ordnance Duty Allowance. No agreement has been reached, despite protracted efforts, to conclude an agreement on the return of this 10% as part of the restoration process. This is despite correspondence giving assurances that the modality of return would be addressed.

A full exploration of the rationale behind each allowance is set out in the “Retention” section of this submission.

Flying Pay – NCO - Daily

High Rate	€6.14
Low Rate	€5.91
Single Rate (Commenced flying after 1st March 2005)	€5.91

Naval Pay – Daily €2.76

Technician Pay - Weekly

Group 1	€8.08
Group 2	€26.90
Group 3	€40.42
Group 4	€53.93
Group 5	€80.75
Group 6	€134.69

Fire Protection Pay – Daily €4.55

Instructors Allowance – Weekly €23.28

Specialised Instructors Allowance €85.70

Isolated Outpost Allow – Daily €13.76



Patrol Duty Allowance - Daily	
Chief Petty Officer – Seaman	€48.00
In-Charge Allowances NS - Daily	€12.45
Asst. Stores Controller - Weekly	€51.86
Mast Rigger/Erector - Annual	€275.78
NCO Account Holder - Weekly	€65.80
Half AHA – Weekly	€32.90
Aid to the Civil Authority Allowance	
Weekdays	€44.78
Saturday (no working day as a rest)	€44.78
Sundays and Defence Forces Holidays	€44.78
Fish Monitoring Centre N. S. – Weekly	€8.03
Foreign Language Proficiency Allowance	
Rate 1	€52.67
Rate 2	€39.51
Rate 3	€17.54
Border Duty Allowance - Weekly	€86.61
Security Duty Allowance - Daily	
(i) Duties which commence and finish within normal working hours	NIL
(ii.) Mon-Sat less than 24 hours	€23.81
Mon-Sat 24 hours	47.59
Sundays / Defence Force Holidays (Less than 24 hours)	€23.81
Sundays / Defence Force Holidays (24 hours)	€47.59



Saturdays 24 hour duty
(No working day as rest day) €47.59

(iii) Daily Rates of £14.57 (Mon-Sat) €23.81
and £29.14 (Sundays / DF holidays) €23.81

Security Duty Allowance - Daily
Portlaoise Prison €71.42

Army Ranger Wing Allowance - Weekly €134.97

**Explosive Ordnance Disposal
Duty Allowance – Daily** €83.31

Maintenance of Essential Services Allowance
Weekdays €44.78

Saturday (no working day as a rest) €44.78

Sundays and Defence Forces Holidays €44.78

Diving Allowance N.S. – Daily €45.35

On-Call Allowance N.S. Divers
Sat/Sun & DF Holidays €22.68

On-Call Allowance Portlaoise Hospital Guard
Daily €23.81

Sundays & Defence Force Holidays €23.81

Irish Language Teaching Allowance
Daily €2.96
€2.63
€2.26

Band Allowance
Leading Instrumentalist -
Army School of Music – Daily €2.26



Overseas Peace Support Allowance – Daily

Sergeant and higher	€59.07
Corporal	€57.10
Private	€55.14

O/Seas Armed Peace Support Allowance –

Daily	€21.22
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(Paid in addition to Overseas Peace Support Allowance)

NCO Drivers 17 Bn Longford - Weekly) €7.80

Editors (Connect & An Cosantoir) - Weekly €30.86

Election Gratuity €201.70



3.2 Working Time Directive

- 3.2.1 The European Working Time Directive (93/104/EC, as modified by 2000/34/EC), which came into force on 22 November 1996, grants, *inter alia*, workers within the EU the right to various rest periods and rest breaks, including a right to a minimum of 4 weeks "paid" annual leave.
- 3.2.2 The foregoing Directive has been transposed into Irish Law by the enactment of the Organisation of the Working Time Act 1997. This Act explicitly excludes members of An Garda Siochana and Members of the Defence Forces from the protections afforded by the Directive.
- 3.2.3 It has been recognised by successive Irish Governments that the blanket exclusion of the aforementioned services is unlawful and contrary to the Directive.
- 3.2.4 Consequentially, members of the Defence Forces are presently and have for a considerable period of time, undertaken long and onerous hours in the absence of the application of the Directive.
- 3.2.5 PDFORRA believe that the application of the Directive, and Act, to members of the Defence Forces, will be provided for shortly; however, the enabling legislation will no doubt exempt the Defence Forces in certain areas.
- 3.2.6 As evidenced in the recently published Climate Survey Report, members of the Defence Forces do not feel adequately compensated for additional hours worked beyond the normal working hours.
- 3.2.7 It should be considered that the Organisation of Working Time Act 1990, provides for the payment of a premium for working Sundays.
- 3.2.8 PDFORRA consider it appropriate that some element of pay must be increased to compensate members for the consequential exclusion of members from the protections of the Directive in times of emergency.
- 3.2.9 Additionally, PDFORRA believe that as a consequence of the necessity to now recognise time worked, which had not been previously considered "working time", now requires the creation of a special allowance (for having to present at work, yet not being required to undertake armed duties). Examples of situations necessitating the creation of this allowance include- personnel being placed on standby in Bks during Storm Ophelia, State visits etc. These personnel receive no additional remuneration despite being required to be present in Bks. The relevance of On- Call Working Time is relevant in this context.
- 3.2.10 The failure to apply the provisions of this Directive has impacted on the conditions of service of members- i.e. significant periods of lost leave, for which no compensation can be given under the Directive.



- 3.2.11 Additionally, as discussed further in the retention section of this submission, members feel that they are not properly remunerated for additional hours worked.
- 3.2.12 While it was stated in the Gleeson Commission Report 1990, that the provision of overtime was an anathema to military service, many members look at their European counterparts who receive additional remuneration, on an hourly rate, for work undertaken over and above contracted hours. The Armed forces of Sweden, Germany, and Belgium are examples of where these practices are in place.
- 3.2.13 The quantum of lost leave by members of the Defence forces is set out in tabular format hereunder and has been supplied in recent correspondence by the Department of Defence:

Table 6.

<u>Year</u>	<u>Days Lost</u>	<u>Average Days Lost</u>
2016	26,941	3.34
2015	22,307	2.77
2014	21,086	2.68
2013	24,881	3.06
2012	24,614	3.03
2011	25,409	2.86

- 3.2.14 Based upon average wage figures, and calculated over a 7/7 day or 5/7 day basis, the aforementioned value to the State of these lost days represents a value of between €17 and €22 Million Euro.



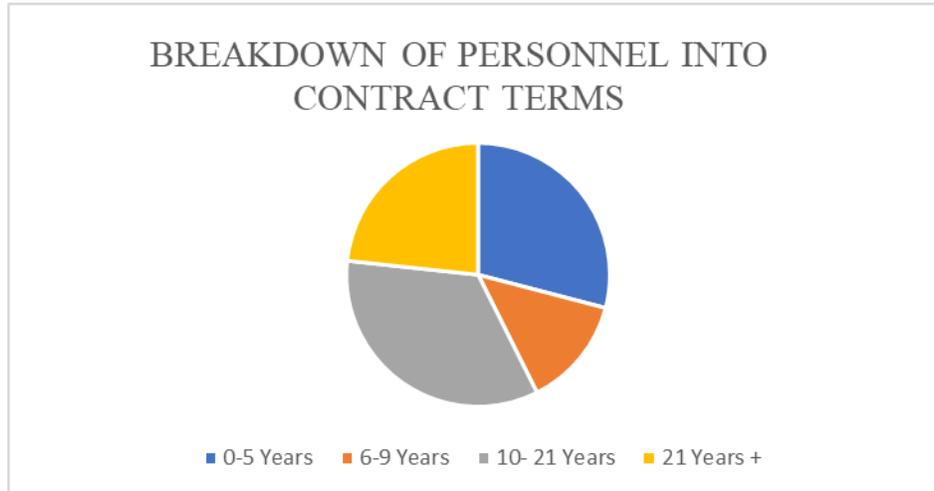
3.3 Contract Terms – Duration

- 3.3.1 Prior to 1994 enlistment in the Defence Forces contracts could have been viewed as contracts of indefinite duration, subject to upper service limits of 60 years of age for all enlisted personnel.
- 3.3.2 Contracts could, in the normal course of events, have been terminated for the transgression of military law, or based on failed medical or fitness criteria.
- 3.3.3 With effect from the 1st of April 1994, new contract criteria were introduced into the Defence Forces, which is far more onerous than that which had existed previously.
- 3.3.4 The basis for these contracts is set out hereunder. As can be seen, they are broken down into terms with benchmark medical, fitness and contractual requirements to be achieved in the intervening period.
- 3.3.5 In the foregoing respect the Defence Forces is unique within the wider public service, as there are regular benchmarks to be achieved to renew one's contract. Aspects of these benchmarks can be outside of the control of the individual, such as medical criteria. Additionally, onerous fitness tests and medical examinations on an annualised basis act as a screening process to ensure fitness for service.
- 3.3.6 Additionally, PDFORRA would argue, an element of fortune is required to complete contract terms, as personnel may be unable to gain promotion within certain locations due to high incidence of suitably qualified personnel existing within one's unit/establishment. Thus, some personnel could be disenfranchised from attaining the necessary courses/qualifications to progress their careers.
- 3.3.7 The terms of the contract for personnel who enlisted post-1994 are: 0-5 years - the initial term of enlistment. 5-9 years Extension in Service. This is followed by a further Extension in Service period between 9- 12 years. Thereafter, a period known as Re-Engagement in Service exists between 12 and 21 years. Continuance in Service contracts is offered on a two-yearly basis once 21 years in Service has been completed.



3.3.8 The current number of personnel on each form of contract is set out hereunder:

Table 7.



3.3.9 Hereunder you will find, in tabular format, the criteria for Extension of Service, Re-engagement and Continuance in Service of personnel who enlisted in the Defence Forces since 1994.

3.3.10 Within the criteria set out hereunder exists a layer of sub- criteria which have had to develop over the intervening period since 1994, to take due cognizance of institutional circumstance and legal norms.

3.3.11 The foregoing has, in PDFORRA’s estimation, resulted in a patchwork of criteria that has resulted in significant job insecurity and a lowering of service value amongst potential applicants for the Defence Forces and serving personnel.

3.3.12 For the purposes of clarity- You will find within the Medical Classification Code (MCC). This code reading is - YY=DOB - Constitution / Military Fitness - Vision / Colour Vision / Hearing



3.3.13 The provisions set out hereunder are discussed in greater detail in following sections of this submission.

Table 8

Subject Area	Personnel who enlisted in PDF after 01 Jan 1994 and before 17 Feb 2006.		
	(a) Extension of Service NCOs and Ptes	(b) Re-Engagement NCOs and Ptes	(c) Continuance in Service NCOs
Conduct Assessment	An assessment of military conduct Not lower than 'Good' as defined in paragraph 38 of DFR A8		
Physical Fitness	A standard as defined in TI 05/2007 (Amendment No.4 – 24 May 2012) of:		
	Not lower than Grade 4 in current year	Not lower than Grade 3 in current year	Not lower than Grade 4 in current year
Medical Classification	Medical classification code NOT lower than indicated below, as defined in DFR A12		
	YY-12-324 for pers enlisted after 01 Jan 1994 and before 31 Dec 1995. YY-12-322 for pers enlisted after 31 Dec 1995	YY-12-424 for pers enlisted after 01 Jan 1994 and before 31 Dec 1995. For pers enlisted after 31 Dec 1995: YY-12-422 Under 40 YY-22-422 Over 40	YY-23-524
	Notwithstanding the above, the D MC may recommend, for a period, or periods, not exceeding 6 months at any one time, personnel whose medical classification code: (a) include a 'T' grade provided the Brigade/ Formation Medical Officer/ Senior Medical Officer DFTC certifies that in his/ her opinion, the reclassification of the individual to the required standard may be expected within a period of six (6) months, or		



(b) is below the required standard solely due to pregnancy			
Military Courses of Instruction	<p>Successfully completed and passed all courses to qualify for rank of Pte 3* (or equivalent NS/AC rank). AND Any 3 PDF courses from Annex PP of this instruction OR Sea Survival Course or a Damage Ctl & Fire fighting Course. OR Any two (2) PDF courses from Annex PP of this instruction AND an overseas tour.</p>	<p>For pers enlisted after 31 Dec 1995 must have successfully completed any two (2) PDF courses in the previous seven (7) years Annex PP of this instruction</p>	<p>Successfully completed and passed all courses to qualify to the rank of Sgt (or equivalent NS rank), be serving in that or higher rank AND <i>MUST have successfully completed any two (2) PDF courses in the previous nine (9) years from Annex PP of this instruction</i></p>
Overseas Service	<p>Linked to Military Courses above (see last line)</p>	<p>Must undertake an overseas tour in each 3-year period from 12 to 21 years service. In respect of those enlisted after 01 Oct 1996 have undertaken a</p>	<p>Have undertaken a tour of duty with an overseas Mission in the previous 3 years AND Must also undertake an overseas tour in each 2 combined consecutive periods of Continuance in Service</p>



		<p>tour of duty with an overseas mission in the previous three (3) years or have undertaken at least two (2) tours of duty with overseas missions in the previous twelve (12) years</p>	
<p>Recommended by Commanding Officer</p>	<p>A requirement</p>	<p>A requirement (same as heretofore)</p>	<p>A requirement (same as heretofore)</p>
<p>Selection Board</p>	<p>A requirement</p>		
<p>Service</p>		<p>12 – 21Years</p>	<p>Sgt's (or equivalent NS rank) to age 50. All higher Ranks to age 56</p>

Table 2: Personnel who enlisted in PDF after 01 Jan 1994 and before 17 Feb 2006 and have served for a period of 21 years and are permitted to apply for Continuance in Service prior to the expiry of the next two (2) promotion panels following the Report of the Adjudication under the Conciliation and Arbitration Scheme for Members of the Permanent Defence Forces dated 12 Feb 2015.

Table 9

<p>Subject Area</p>	<p>Personnel who enlisted in PDF after 01 Jan 1994 and before 17 Feb 2006, and have served for a period of 21 years and are permitted to apply for Continuance in Service prior to the expiry of the next two (2) promotion panels following the Report of the Adjudication under the Conciliation and Arbitration Scheme for Members of the Permanent Defence Forces dated 12 Feb 2015.</p>
	<p>(c) Continuance in Service NCOs and Ptes Tech Grades 1 & 2, 3 and above</p>



Conduct Assessment	An assessment of military conduct Not lower than 'Good' as defined in paragraph 38 of DFR A8
Physical Fitness	A standard as defined in TI 05/2007 of: Not lower than Grade 4 in current year
Medical Classification	Medical classification code NOT lower than YY-23-524, as defined in DFR A12
	Notwithstanding the above, the D MC may recommend, for a period, or periods, not exceeding 6 months at any one time, personnel whose medical classification code: (a) include a 'T' grade provided the Brigade/ Formation Medical Officer/ Senior Medical Officer DFTC certifies that in his/ her opinion, the reclassification of the individual to the required standard may be expected within a period of six (6) months, or (b) is below the required standard solely due to pregnancy
Military Courses of Instruction	Nil
Overseas Service	Nil
Recommended by Commanding Officer	A requirement (same as heretofore).
Selection Board	A Requirement
Service	<ul style="list-style-type: none"> (a) Pte Technical Grade 1 and 2 on expiry of subsequent two (2) promotion panels following the Report of the Adjudication under the Conciliation and Arbitration Scheme for Members of the Permanent Defence Forces dated 12 Feb 2015. Thereafter at 21 yrs service. (b) Pte Technical Grade 3 and above to age 50. (a) Cpl Line & Cpl Technical Grade 1 and 2 on expiry of subsequent two (2) promotion panels following the Report of the Adjudication
	<ul style="list-style-type: none"> under the Conciliation and Arbitration Scheme for Members of the Permanent Defence Forces dated 12 Feb 2015. Thereafter at 21 yrs service. (b) Cpl Technical Grade 3 and above to age 50.

Table 10 - Personnel who enlisted in PDF after 17 Feb 2006.



Subject Area	Personnel who enlisted in PDF after 17 Feb 2006.		
	(a) Extension of Service NCOs and Ptes	(b) Re-Engagement NCOs and Ptes	(c) Continuance in Service NCOs
Conduct Assessment	An assessment of military conduct Not lower than 'Good' as defined in paragraph 38 of DFR A8		
Physical Fitness	A standard as defined in TI 05/2007 of:		
	Not lower than Grade 4 in current year	Not lower than Grade 3 in current year	Not lower than Grade 4 in current year
Medical Classification	Medical classification code NOT lower than indicated below, as defined in DFR A12		
	YY-12-322	YY-12-422 Under 40 YY-22-422 Over 40	YY-23-524
	Notwithstanding the above, the D MC may recommend, for a period, or periods, not exceeding 6 months at any one time, personnel whose medical classification code: (a) include a 'T' grade provided the Brigade/ Formation Medical Officer/ Senior Medical Officer DFTC certifies that in his/ her opinion, the reclassification of the individual to the required standard may be expected within a period of six (6) months, or (b) is below the required standard solely due to pregnancy		
Military Courses of Instruction	In the first 5 years must have successfully completed and passed all courses to qualify for rank of Pte 3* (or equivalent NS/AC rank) AND	Successfully completed and passed all courses to qualify to the rank of Cpl (or equivalent NS rank) or be a grade 3 or higher technician AND <i>MUST have</i>	Successfully completed and passed all courses to qualify to the rank of Sgt (or equivalent NS rank), be serving in that or higher rank AND MUST have successfully completed



	have successfully completed any 2 PDF	<i>successfully completed</i>	
	courses from Annex PP of this instruction. For Extension of Service from 9 years to 12 years must have successfully completed any further two (2) PDF courses from Annex PP of this instruction	<i>any 2 PDF courses in the previous 3 years from Annex PP of this instruction</i>	any 2 PDF courses in the previous nine (9) years from Annex PP of this instruction ..
Overseas Service	Have undertaken a tour of duty with an overseas Mission in each of the three following periods of service i.e. 0 – 5 yrs 5 – 9 yrs 9 – 12 yrs	Have undertaken a tour of duty with an overseas Mission in the previous 3 years AND Must also undertake an overseas tour in each 3 year period from 12 to 21 years service	Have undertaken a tour of duty with an overseas Mission in the previous 3 years AND Must also undertake an overseas tour in each 2 combined consecutive periods of Continuance in Service
Recommended by Commanding	A requirement (same as	A requirement (same as	A requirement (same as heretofore)



Officer	heretofore)	heretofore)	
Selection Board	A requirement (same as heretofore)		
Service		12 – 21Years	Sgt's (or equivalent NS rank) to age 50. All higher Ranks to age 56

c. Extension of Service. Re-Engagement in Service & Continuance in Service: Personnel who enlisted in the PDF after the 01 Jan 1994 under the Provisions of DFR A10 Para 8 (1) (aa) Criteria.

Personnel enlisted in the Permanent Defence Force after the 01 Jan 1994 under the provisions of DFR A10 Para 8 (1) (aa) will NOT be eligible for consideration for Extension in Service, Re-Engagement in Service or Continuance in Service unless they meet the criteria as laid in the following table:

Table 11.

Extension of Service. Re-Engagement in Service & Continuance in Service: Personnel who enlisted in the PDF after the 01 Jan 1994 under the Provisions of DFR A10 Para 8 (1) (aa)			
Criteria	Extension of Service	Re-Engage in Service	Continue in Service
Conduct Assessment	An assessment of military conduct not lower than GOOD as defined in Para 38 of DFR A8	An assessment of military conduct not lower than GOOD as defined in Para 38 of DFR A8	An assessment of military conduct not lower than GOOD as defined in Para 38 of DFR A8
Physical Fitness	A standard as defined in TI 5/2007 of not lower than Grade 4 in current year.	A standard as defined in TI 5/2007 of not lower than Grade 4 in current year.	A standard as defined in TI 5/2007 of not lower than Grade 4 in current year.
Medical Classification	A Medical classification code not lower than	A Medical classification code not lower than	A Medical classification code not lower than



	YY-12-324 as defined in DFR A12.	YY-12-424 as defined in DFR A12.	YY-23-524 as defined in DFR A12.
Military Courses of Instruction	Successfully completed and passed all courses to qualify for the rank of Bandsman in the DFSM. Must have successfully completed any two (2) PDF courses from Annex PP to this instruction	Must have successfully completed any two (2) PDF courses from Annex PP to this instruction	Must have successfully completed any two (2) PDF courses from Annex PP to this instruction. Successfully completed and passed all courses to qualify to the rank of Sgt as per Annex XYZ of this Instruction
Recommendation	Must be recommended by OC DFSM.	Must be recommended by OC DFSM.	Must be recommended by OC DFSM.



3.4 Medical/Fitness /Discipline– Impact on Security of Tenure

- 3.4.1 As can be seen from the tables set out above, the criteria for retention in service, under its various regulatory names is quite onerous.
- 3.4.2 The requirement to maintain a medical standard of level 1, during the entirety of a career can be extremely difficult, if not impossible. Additionally, it must be factored into consideration that some illnesses/conditions are hereditary in nature, or can be acquired through simple misfortune.
- 3.4.3 Personnel face discharge for conditions which, in the wider public service, are inconsequential to the nature of their work, or the operation of the sector.
- 3.4.4 Moreover, personnel face the prospect of “Medical Boarding” during their career, should their medical classification warrant an “x” grade. This grade can be allotted to personnel outside of those benchmark periods where the retention of the person is incompatible with military service.
- 3.4.5 Similar considerations arise in respect of fitness levels.
- 3.4.6 The nature of military service is unique, insofar as, personnel are routinely subjected to arduous conditions in order to test resilience and stamina. This places unique stressors on the person. Additionally, it generates a higher degree of probability of injury, which can impact on the ability of personnel to reach the benchmark standards of military fitness necessary to remain in service.
- 3.4.7 Military service is by its nature a highly regulated and disciplined lifestyle. Members of the Defence Forces are regularly subjected to random drug tests (RDT).
- 3.4.8 Over the past number of years significant numbers of personnel have been subjected to RDT, with the attendant dismissal for personnel who have been found to knowingly participate in the taking of drugs.
- 3.4.9 However, other personnel, who have been found to have unknowingly ingested drugs, have, appropriately, been subjected to significant investigation periods and where appropriate re-instatement to full duties.
- 3.4.10 Additionally, members of the Defence Forces face the prospect of summary disposal of offences by Subordinate/Commanding officers, or by Courts Martial, for breaches of military discipline.
- 3.4.11 Personnel can, where warranted, be discharged from the Defence Forces by the Military Judge.



3.4.12 Moreover, personnel can face the prospect of discharge for a number of minor infractions of military discipline during intervening contract periods, or be “NOT Recommended” by their Commanding Officer.

3.4.13 Hereunder you will find in tabular format the total number of personnel who have discharged from the Defence Forces in the past 4 years.

3.4.14 Entries written in “red” primarily denote personnel who have been discharged on medical grounds.

3.4.15 Entries written in “blue” can denote personnel who were discharged where no other regulatory reason could be given for discharge.

Table 12.

REASON	SGT MAJ	BQMS	CS	CQMS	SGT	CPL	PTE 3*	PTE 2*	REC	TOTAL
AT HIS OWN REQUEST AFTER 12 YRS SERVICE						14	20			36
AT HIS/HER OWN REQUEST			1		7		3		1	12
AT HIS/HER OWN REQUEST ON COMPASSIONATE GROUNDS						1		1		2
BELOW DEFENCE FORCES MEDICAL STANDARDS				1	11	16	95	3		126
DEATH	1		3	2	8	9	21	1		45
DETERMINATION OF SERVICE BY THE MINISTER FOR DEFENCE					1	1	54	1		57
DISCHARGE BY PURCHASE					3	29	336	95	543	1,006
EXPIRY OF P.D.F SERVICE						1	4			5
HIS SERVICES BEING NO LONGER REQUIRED							31	5	5	41
NOT HAVING BEEN FINALLY APPROVED									35	35
ON PENSION AFTER 21 YRS SERVICE	7	10	99	75	318	235	405			1,149
ON TERMINATION OF ENGAGEMENT	13	10	20	23	77	52	152		1	348
TOTAL	21	20	123	101	425	358	1,121	106	585	2,860



3.4.16 Security of Tenure- Contract

- 3.4.17 This section deals with issues surrounding the legal status of Enlisted Personnel, *Vis a Vis*, their relationship with the State in an employment context.
- 3.4.18 Soldiers become members of the Defence Forces through attestation. The legal status of soldiers is that of “office holder”. This position was set out in the Supreme Court case of *State (Gleeson) v Minister for Defence*¹⁰. Soldiers are bound by the provisions of the Defence Act 1954 (as amended) and associated Defence Force Regulations (DFR’s).
- 3.4.19 Principle amongst the aforementioned Regulations is DFR A.10 and its attendant Administrative Instruction, which provides regulation for the enlistment, promotion, transfer, and discharge of personnel of the Defence Forces. Additional provisions are contained within DFR A.12 regarding the discharge of personnel on medical grounds.
- 3.4.20 Traditionally, members of the Defence Forces enjoyed the prospect of serving the State until such time as they decided to seek their own discharge, reached the upper service of 60 years of age, became medically unfit for further service, or faced the prospect of discharge on grounds of misconduct.
- 3.4.21 However, in 1994, the then Government introduced the concept of service on a five-year contractual basis. Subject to meeting certain criteria this contract could be extended. This provision was extended to all personnel enlisting in the Defence Forces post the 1st of April 1994.
- 3.4.22 The nature of this contract has been the subject of on-going negotiations between PDFORRA and the Department of Defence for many years and was amended in 2006 to provide for service up to 21 years for personnel below the rank of Sergeant.
- 3.4.23 Subsequently, in 2015, PDFORRA sought and were granted, the opportunity to have the contractual terms of personnel in the Defence Forces who enlisted post the 1st of April 1994, made the subject of adjudication.
- 3.4.24 The Recommendations of the Adjudicator remain the subject of on-going discussions at C&A.

¹⁰ [1976] IR 280



3.4.25 Thus, the current contractual entitlements of personnel of the Defence Forces can be summarised as:

- Personnel who enlisted in the Defence Forces prior to the 1st of April 1994 enjoy contracts of indefinite duration subject to medical approval and a maximum service limit of 60 years of age.
- Personnel who enlisted in the Defence Forces post 1994 and before the 1st Jan 2013, have contracts which permit service to a maximum upper limit of 21 years where they do not attain the rank of Corporal or higher, or have Technical Pay (the maximum upper limit is subject to on-going discussions). All of the foregoing contracts are subject to meeting high medical, fitness and contractual terms relating to overseas service and commitment to CPD.
- Personnel who enlisted in the Defence Forces after the 1st of Jan 2013, who do not meet the aforementioned criteria have maximum service limits of 15 years. Again, the foregoing is subject to strict medical, fitness and contractual terms as described above.

3.4.26 During the term of a soldiers enlistment they are required to reach the foregoing benchmarks at set time periods- although serving personnel can be discharged in between these benchmark periods where medical, fitness or conduct falls below that normally required of serving members, as previously discussed.

3.4.27 These timeframe periods are 0-5 years general enlistment period 5-9 & 9-12 years extension of service periods and 12-21 Re-engagement in Service; thereafter, the interval contract periods are 2 years rolling- Continuance in Service.

3.4.28 PDFORRA noted with interest the observations made by the Public Service Pay Commission in its latest report; wherein, it was remarked that Security of Tenure does have a value. This Association understands that the object of the foregoing observation made has been made as a contrast to private sector employment.

3.4.29 However, while it is appreciated that membership of the Defence Forces is not subjected to wider economic vagaries, membership does subject personnel to greater lack of security of tenure than that enjoyed by the wider public service. This, together with the other unique aspects of service should, in PDFORRA's considered opinion, give rise to a greater premium than that currently provided.



3.5 Life in the Defence Forces – Benefits of Service- Medical Care – Leave- Pension

3.5.1 Benefits associated with service in the Defence Forces have been said to include, limited medical care, provision of uniforms and subsidised meals.¹¹

3.5.1 In the intervening period, since the last review of conditions of service within the Defence Forces, the level of medical care provided “in house” has reduced radically. Previously, members of the Defence Forces enjoyed the prospect of convalescing in one of the three hospitals within the Defence Forces located in Dublin, Cork and the Curragh. All three hospitals no longer provide an in-patient service.

3.5.2 Recently, services such as x-ray and ultra sound have been outsourced to the public system, which can result in longer than what had been expected waiting periods. This can adverse consequences for personnel attempting to meet contract terms.

3.5.3 While uniforms are provided to members of the Defence Forces a Flat Rate Expense is not provided to members of the Defence Forces that is comparable to equivalent public and private sector workers. The current Flat Rate Expense, which is set out below, is provided to Defence Force members is for No.1 (Dress) Service Uniform. No consideration has been given for Working Dress uniforms, as is the norm in the wider public service. The following Flat Rate Expenses apply in other comparable sectors:

Defence Forces Personnel				
(All enlisted personnel not in receipt of Uniform Replenishment Allowance)	150	150	150	
Firefighters Full-time	272	272	272	272
NURSES (c) where obliged to launder the uniforms supplied	353	353	353	353
(d) where uniforms are supplied and laundered by hospital	258	258	258	258

Shipping

(b) Cargo-vessels, tankers, ferries					
Master	318	318	318	318	318
Chief officer, chief engineer, other officers, including pursers	318	318	318	318	318
Chief steward	318	318	318	318	318
Assistant steward	244	244	244	244	244
Carpenter	194	194	194	194	194
Other ranks	148	148	148	148	148

¹¹ Gleeson Commission para 3.7.19



- 3.5.4 The issuance of uniforms is tightly controlled and members have complained about delays in attaining clothing.
- 3.5.5 While meals are provided for personnel undertaking duties, this provision is not included when calculating holiday pay entitlements. Thus, while the provision of meals on a remunerative basis appears beneficial, the affect is to lower the remuneration of personnel through measures, which in other sectors gives rise to financial benefit.
- 3.5.6 Currently, Enlisted Personnel enjoy the following leave entitlements:
- (1) Other ranks (excluding NS personnel serving afloat and Instrumentalists Defence Forces School of Music) 28 days. However, additional annual leave day after 5 years' service, and a further 1 additional annual leave day after 12 years service.is granted to other ranks, excluding members of the Naval Service and Instrumentalists.
 - (2) Instrumentalists Defence Forces School of Music 31
 - (3) Other Ranks (NS, serving afloat) 43
- 3.5.7 Leave for personnel of the Defence Forces is based upon a seven-day liability to duty.
- 3.5.9 Recent figures supplied by the Defence Forces show that enlisted personnel lost 146 Thousand days leave in the past five years.
- 3.5.10 The value of the foregoing loss to the state is in the order of 17 to 22 Million Euro.
- 3.5.11 The recently published "Your say" Climate Survey Report gave examples of personnel being dissatisfied with being unable to avail of leave entitlements.
- 3.5.12 The pre-April 2004 pension scheme that applies to Enlisted Personnel provides for the payment of an immediate pension and gratuity on completion of twenty-one years' reckonable service. In addition, the pension and gratuity payments increased annually over ten increments up to thirty-one years' service. The payment of a pension and gratuity after 21 years' service is and was a very effective incentive to retain Enlisted Personnel in service – and particularly so for the period from twelve years' service up to twenty-one years' service.
- 3.5.13 The pension schemes introduced in 2004, 1st April 2004 New Scheme, and 2013, the Single Public Service Pension Scheme, provide for the payment of immediate pensions and gratuities at fifty years of age and which are significantly smaller



- than the pre-April 2004 scheme. The distance out to fifty years of age and the significantly smaller size has completely negated any retention effect and certainly accounts for part of the retention problems being experienced by the Permanent Defence Force. PDFORRA notes that it is the most commonly raised source of dissatisfaction with Enlisted Personnel of all ranks who have joined since April-2004 and who have greater than five years' service.
- 3.5.14 Prior to the 1st January 1994 extension of service gratuities were paid to Enlisted Personnel of the Permanent Defence Force who extended in service after completion of three, six and nine years' service. The Department of Defence unilaterally abolished extension of service gratuities for new entrants with effect from 1st January 1994 without negotiating with PDFORRA.
- 3.5.15 The Gleeson Commission considered extension of service gratuities and noted that their payment alongside exit gratuities was contradictory in manpower policy terms. However, it did not recommend abolition of extension of service gratuities and only recommended that no increase in the rate of extension of service gratuity was warranted. Rather than re-introducing extension of service gratuities a better approach would be to introduce long service increments.
- 3.5.16 This dissatisfaction is compounded by the lack of clarity around the introduction of severance payments under both the April 2004 and 2013 pension schemes. The severance payments form part of both pension schemes in principle but remain to be negotiated in practice.
- 3.5.17 The immediate introduction of the severance payments in respect of both pension schemes will deliver clarity in relation to the full entitlements to Enlisted Personnel and, if significant enough, promote the retention of Enlisted Personnel. Moreover, because of the significant retention difficulties severance payments should be extended to the remaining members of the pre-2004 pension scheme.
- 3.5.18 Finally, the level of exit gratuity paid to members of the pre-2004 pension scheme who joined the Defence Forces after 1st January 1994 is in dispute. The Department of Defence has acknowledged that an issue exists with the level of exit gratuity for this cohort. An agreed meaningful increase in the exit gratuity for this group would make a contribution towards retention.



3.6 Overseas Service

- 3.6.1 Service as an enlisted member of the Defence Forces brings with it an obligation to serve overseas in order to fulfil one's contractual obligations. Irish personnel are currently serving on overseas or humanitarian missions in 19 countries, with the UN, EU, NATO/PfP and OSCE and one maritime mission in the Mediterranean. There appears to be a consistent level of demand for the services of Irish personnel from various agencies and eventually, there may be a requirement to refuse many requests simply because they cannot be met within the limits of the available resources.
- 3.6.2 Service overseas is essential for the operational and professional development of personnel. Since 1994, overseas has been one of the criteria for the fulfilment of contractual obligations. Since the introduction of the new promotional system in 2013, an indicated willingness to serve overseas has been added to the criteria for selection for promotion.
- 3.6.3 There are generally sufficient volunteers to fill all overseas appointments on an on-going basis. However, all personnel who enlisted since 1994 are liable, on a mandatory selection basis, to serve overseas where sufficient volunteers are not available. Military management select and post the required number of the ranks and professionally qualified personnel needed. Since 2012 there have been a rising number of instances of "Mandatory Selection" to fill technical and specialist vacancies- such as Engineers and Mowag drivers. The reduced numbers at various ranks have taken away the "capacity" for voluntary participation.
- 3.6.4 Most recent figures from the 2016 Department of Defence Annual Report show that approximately 1038 personnel served overseas. Based on an Establishment figure of 9500, this would represent 10.92% of all Defence Forces personnel. However, based on WTE figures this is more likely to be 13- 15%. As a percentage of certain units and in respect to certain ranks, the percentages are even higher.
- 3.6.5 Overseas service places very significant demands on the family of enlisted personnel and can often strain relationships. The absence of a spouse/parent for prolonged periods means that the burdens of raising a family and running a home fall for the period on the remaining partner. If the mission is operationally tense or difficult, as many overseas or humanitarian missions are by definition, it is a time of stress and worries for the family. In the course of a career, enlisted personnel will be absent for significant family occasions such as birthdays, first communions and national examinations, due to being on overseas service. The temporary removal of one parent from the family environment can also increase the childcare costs accrued by the family as the other parent may have their own independent career.



3.7 Comparison with other Public Service areas of employment – Clerical Officers- Garda – Firefighters

Any discussion on the pay of members of the Defence Forces must commence with an acceptance of the unique nature of military service. The unique contractual features attaching to military service currently include the specific requirements of the Defence Forces as an employer, the employment and retention policy of the organisation, security of tenure for the prospective employee, the impact of retention policy on pension entitlements and the impact of pension abatement post-retirement.

Most areas of the wider public service, save uniformed branches, have an employment framework which dovetails into the social welfare regime of the state. Uniformed branches of service have, in the main, a policy of recognition of the uniqueness of service through the application of fast accrual pension schemes. These schemes, through payments made, had assisted personnel in service to retire earlier without significant monetary impact on quality of life.

However, recent changes to superannuation schemes have resulted in lower pension entitlements, without apparent consideration of the imposed earnings gap which arises consequential upon the imposition of lower retirement ages- in accordance with Government policy.

The aforementioned factors impact on the attractiveness of the Defence Forces as a prospective employment prospect, and impact on the retention of personnel at various stages of the employment relationship.

For illustrative purposes, the following positions are listed for pay and functionality comparison.

3.7.1 Comparison with Clerical Officer Grade

At a basic level, a comparison can be made between the Clerical Officer and Higher Clerical Officer Grade of the Public Service and Privates of the Defence Forces, as both represent basic entry grades to their respective fields.

The principal duties of Clerical Officers are:

- To assist Senior Officers/Managers with clerical work in a government department. Clerical Officers work in all departments in Ireland and provide vital input to their team through a range of general office duties. Clerical Officers usually need a good general standard of education and a customer focused attitude.



- The duties may be varied depending on the nature of work carried out by the employing government department.
- General clerical work e.g. filing, photocopying, answering/making telephone calls, dealing with emails, reception desk duties, etc. under the supervision of a designated manager;
- Supporting line-managers and colleagues;
- Working as part of a team in delivering services;
- Communicating and dealing with the public/customers e.g. responding to queries and providing information face-to-face, by telephone or via email¹²

The current salary range for Clerical Officer is:

Clerical Officer
23,565 – 36,515²

And for Higher Clerical Officer

Clerical Officer Higher Scale
24,618 – 37,267

This can be contrasted with a salary range of 27,136 – 37,940 for Privates in the Defence Forces. **These figures include Military Service Allowance.**

Consequentially, if the aforementioned limitations on service, service requirements, earnings gap for personnel who do not reach pensionable age before discharge and those responsibilities associated with service¹³, are considered it can be adduced that the premium associated with Military Service is eroded at the upper end of the scale to a point of negligible value.

3.7.2 Comparison with members of An Garda Síochána

While the Gleeson Commission cautioned against direct comparison between the Defence Forces and members of the Gardaí, given that, as employers, both the Department of Justice and Defence are seeking expressions of interest from candidates with similar skillsets a comparison is made at the time of enlistment and during service.

¹² Source: Public Appointments Service

¹³ Infra p. 18



The current basic salary range for Gardaí is:

Gardaí enlisted Post 2013

29,405 – 51,448 (20 increments)

On a comparative basis, over 9 increments, as **Ptes in the Defence Forces have a nine point incremental scale**, the difference is 27,163 to 37,940 for a Private; whereas, a Garda over the same period progresses from 29,405 - **45,818**

Additionally, it must be considered that the aforementioned rates of pay are exclusive of overtime and allowances, which add considerably to the earning potential of members of the force.

Moreover, it must be considered that members of the Gardaí, are employed on a rostered basis and daily work in excess of 8 Hrs is paid at overtime rates.

Similar to members of the Defence Forces, members of the Gardaí are also excluded from the scope of the Working Time Directive and subject to extreme danger in the course of their employment.

3.7.3 Comparison with members of the Fire service

The reason for the use of the Fire Service as a comparator can be realised when one considers that a significant number of personnel have transferred from the Defence Forces to the Fire Service in recent years. Additionally, the Defence Forces have two permanent fire crews, one in the Curragh Camp and another in Baldonnel.

The selection process for firefighters is broadly similar to that of the Defence Forces and is set out Dublin City Council – Firefighters advertisement¹⁴

Candidates for the fire service are required to take tests that are designed to identify their potential to fulfill a Firefighter role.

The selection methods used to select successful candidates for positions include:

- Completion of an online Questionnaire;

¹⁴ Public Jobs, Nov 2015



- Online and / or paper-based and / or video-based assessment test(s);
- Interview(s);
- Medical/fitness examinations
- Any other tests/exercises deemed appropriate.

The basic duties associated with the role of firefighter are those that are undertaken within the Defence Forces at locations in the Curragh Camp and within Baldonnell Aerodrome.

Additionally, members of the Defence Forces have been placed on standby to undertake the role of firefighter in locations where industrial disputes exist.

The most recent basic rates of pay available for the Dublin Fire Brigade show a salary scale ranging from **22,339**(recruit) to **42,308** after 9 years. This scale would appear to be that which existed when the dispute regarding the reinstatement of rent allowance was being negotiated.

Again, provision exists for the payment of overtime for works worked in excess of those rostered and premium payments for Sat/Sun duties.

Members of the Fire Service are afforded the protections of the Working Time Directive and other basic employment legislation.

Even the most cursory analysis of the salary scales shows that the premium that had been applied in the form of Military Service Allowance has been eroded over time. PDFORRA considers that adequate reasons exist for serious consideration to be given for a review of the quantum, and factors for consideration, in arriving at an appropriate rate of MSA.



3.8 Current Economic Climate

3.8.1 Evidence compiled by the ESRI has resulted in the prediction of strong economic growth and declining unemployment forecast for 2017 and 2018¹⁵.

3.8.2 The figures supplied within the ESRI, Winter 2017 report show:

- GDP growth forecast at 5.0 per cent in 2017 and 4.2 per cent in 2018¹⁶.
- Growth continues to come from domestic sources with a strong forecast for household spending.
- Robust expansion of labour market will continue with unemployment expected to average 6.2 per cent in 2017 and 5.4 per cent through 2018.
- Revised government surplus for 2018 given improved tax revenue collection and under spending.

3.8.3 The report goes on to state that:

“The Irish labour market continues to perform strongly. Current levels of underemployment are now close to those that pertained in the pre-crisis period. The unemployment rate is forecast to average 5.4 per cent in 2018. The tightening of the labour market and projections for inflation are also likely to result in moderate rises in wages over the period. As the labour market approaches full employment levels, wage growth has intensified, rising four times faster in the period between Q2 2016 and Q2 2017 compared to the same period in the previous year.”

3.8.4 Additionally, the report contains the following observation:

“Redmond and Whelan (2017) examine the Irish labour market from a micro-level perspective. They identify the potential to better use the skills of existing employees as the economy continues to improve and the labour market tightens. However, Redmond and Whelan (2017) also show that it is unlikely that there are enough people amongst those currently unemployed to meet future Irish labour demand.”¹⁷

3.8.5 The foregoing prediction will have an impact on the recruitment of personnel into the Defence Forces, especially when one considers the following observation:

¹⁵ December 13, 2017 Irish Economy News

¹⁶ The Central Bank Quarterly Report revised this figure upwards to 4.4% on the 26th Jan 2018

¹⁷ ESRI, Quarterly Economic Report – Winter 2017



“As the economy recovers and the level of employment improves, it becomes more important to consider the quality of employment and the pace of wage growth.” Kelly and Barrett (2017)¹⁸

- 3.8.6 As can be seen from the recently published Defence Forces Climate Survey Report, the impact of poor quality employment, i.e., employment with lack of security of tenure, failure to apply basic employment legislation, harshness of conditions, coupled with the current wage levels- lowest average pay of all public servants, and the underutilization of existing skill sets through limited ability to utilize skill set attained in-house is having a demoralizing impact on personnel currently employed within the Defence Forces.
- 3.8.7 The Defence Forces, in its current manifestation, is, in PDFORRA’s estimation, likely to experience ever increasing difficulty in recruiting and retaining currently serving personnel.
- 3.8.8 Previously, the attractiveness of the Defence Forces as a career was underpinned by – reasonable wages, security of tenure, a medical service that ensured treatment and a fast accrual pension scheme that coincided with the potential retirement of personnel involved. Harsh living conditions, strict regime and exposure to danger etc., were offset by the foregoing advantages of service.
- 3.8.9 The 2007 *“Recruitment and Retention of Military Personnel”* Final Report of Research Task Group HFM- 107, NATO, made the following observation:

“The recruiting and retention (R&R) problem faced by many of the North Atlantic Treaty Organisation (NATO) countries can be attributed to a variety of factors including:

- ***Low unemployment rates.*** • ***Incongruence between prevailing social values and the Military organizational culture.***
- ***Military operational and personnel tempo.*** • ***Relatively higher private sector wages.***
- ***Geographical location of military jobs.*** • ***Promotions systems based on seniority vice merit.***
- ***Mismatch between individual interests and job assignments.*** • ***The management of the major processes of recruitment, selection and classification, turnover and retention.***
- ***Shrinking of 18 – 24 year old target demographic ”***¹⁹.

3.8.10 All of the operative reasons for the compilation of the aforementioned report are extant at this time in Ireland.

¹⁸ Kelly, E. and A. Barrett (2017). ‘Recent Developments in the Irish Labour Market: Is it All Good News?’ Institute of Labour Economics, IZA Discussion Paper Series No. 10541.

¹⁹ Infra 6



Observations

1. Within the Public service generally, members of the Defence Forces are required on a continuous basis to meet extremely high medical, fitness and CPD requirements.
2. Members can face the prospect of discharge from the Defence Forces for minor medical ailments/conditions, which in the normal course of employment would not give rise to the termination of the employment contract.
3. The current service limits inhibit the prospect of a long-term career and impact on retention issues, which are addressed in the next section of this report.
4. From PDFORRA's perspective, the uncertainty arising from the lack of security of tenure impacts on morale, has an adverse impact on the perception of the personal value of the person and has never been adequately compensated through premium payment.
5. Those ancillary benefits previously associated with service within the Defence Forces have been eroded over time.
6. Contractual requirements are extremely onerous and unique insofar as they can be compared with other areas of the public service. These can be summarised in medical, fitness, disciplinary and overseas obligations.
7. Any premium attaching to military service in the form of MSA has been eroded over time, resulting in pay differential which does not adequately reflect the unique nature of military service.
8. Current economic conditions are giving rise to greater opportunities amongst that cohort of the population from which the Defence Forces recruit, which is leading to increased pressures on recruitment and retention.
9. Revenue benefits, such as Flat Rate Expenses, have not been extended to members of the Defence Forces on a comparative basis to other sectors of society.
10. The current economic climate, together with the incongruence between prevailing social values and military culture, is creating a perfect storm in terms recruitment to the Armed forces generally.
11. Recommendations regarding the aforementioned are contained in the section on Retention.



PDFORRA Submission to the Public Service Pay Commission



RETENTION



4. Retention

- 4.1.1 The Gleeson Commission, in undertaking its study of the Defence Forces made the following observation regarding the recruitment and retention of personnel to the Defence Forces:

“If the recommendations of the Commission are to be fair to the public, one factor which must be taken into account is the need to arrive at rates of pay which are sufficient to enable the Defence Forces to recruit and retain personnel of the proper quality”

- 4.1.2 Further, it was noted that:

“To ignore identifiable problems of recruitment would be to run the risk that the Defence Forces would be unable to secure the services of sufficient numbers of suitable personnel. To ignore clear evidence of retention difficulties would lead to outflows of skilled personnel.”

- 4.1.3 It went on to state that “more personnel are now extending on beyond their initial engagement period 80% as compared to a previous figure of 57%.”

- 4.1.4 As can be seen from the figures published by the Public Service Pay Commission in its initial report, a number in excess of 20% leave during recruit training alone. The ratio of expressions of interest, as compared to *bona fide* applicants has been discussed previously.

- 4.1.5 Additionally, it must be considered that personnel, on enlistment, have a career prospect of 21 years at a minimum. Thus, from PDFORRA’s perspective, personnel who depart the organisation before that date must be considered early leavers. Personnel who enlisted before 1994, have a potential career until 60 years of age. Personnel from this cohort who leave before 60 must be considered early leavers.

- 4.1.6 Currently, the Defence Forces have a Whole Time Equivalent (WTE) figure of 9,000-9,100 personnel. This can be contrasted with an establishment figure of 9,500 personnel. Recent figures show a differential between 94.73 to 95.78% of Establishment *versus* Strength figures.

- 4.1.7 The Employment Control Framework numbers (ECF) for the Defence Forces has not been reached in the past number of years, despite significant levels of recruitment. Thus, from PDFORRA’s perspective, any declaration that the Defence Forces does not have a recruitment or retention problem is erroneous as it fails to consider the foregoing realities.

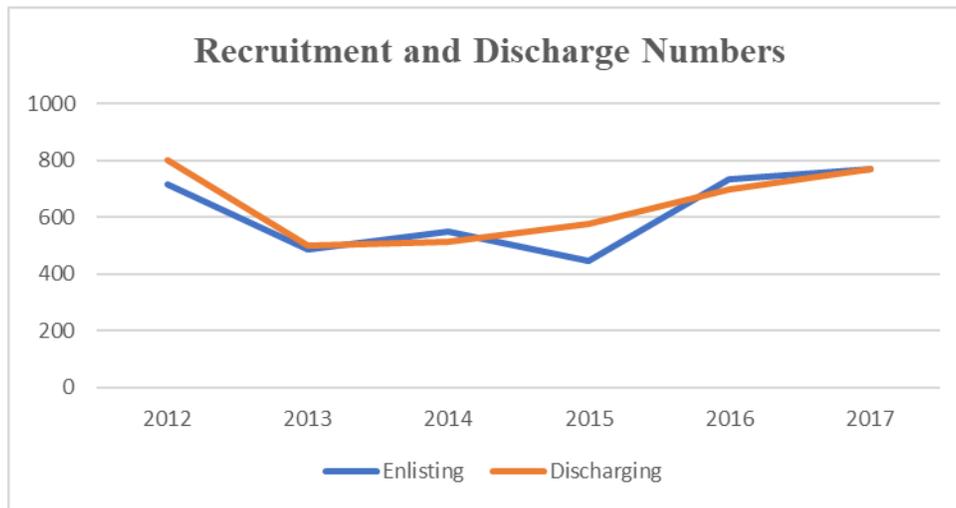


4.1.8 This section highlights the retention difficulties being experienced in the case of enlisted personnel. It describes the very large retention problems the Defence Forces has in respect of enlisted personnel generally and further specific problems in certain areas.

4.1.9 The Defence Forces recruits enlisted personnel from the marketplace in competition with other public and private sector employers. It is at a disadvantage compared to other employers because enlisted personnel must be over 18 and under 25 (28 Naval Service) years of age on recruitment which reduces the pool from which the Defence Forces can attract new recruits.

4.1.10 The number of enlisted personnel who departed the Defence Forces between 2012 and 2016, as contrasted with the number recruited into the Defence Forces between 2012 and 2016 is outlined in **Table 13**.

Table 13 - Number of Enlisted Personnel Leaving the Defence Forces



4.1.11 These figures demonstrate that in just six years a number of personnel equivalent to 50% of establishment figures, and 50-60% of strength figures based on WTE of the total number of enlisted personnel currently serving have left the Defence Forces. This level of turnover places a very large demand on training resources and reduces the number of enlisted personnel available for deployment due to personnel leaving and their replacements being trained. New recruits are not immediately available for work on entry and must receive training for at least 6 months before being available to perform basic Defence Forces duties.

4.1.12 The figures outlined in **Table 13** above point to a very large retention difficulty, which the organisation is finding very difficult to overcome. It should also be noted that of the 2,860 enlisted personnel who left between 2012 and 2017, minimal numbers left on absolute age grounds.



4.1.13 The figures set out in **Table 12** show the total number of enlisted personnel leaving the Defence Forces and the reasons for same. In the foregoing context, it is important to remember that the total number of enlisted personnel in the Defence Forces is 8,267 personnel with a mean average of 7,768. Thus, the figures set out represent a turnover of >50% over 5 years.

4.1.14 In the context of security of tenure, the numbers discharging from the Defence Forces for the following reasons: -

- Medical,
- Determination of service,
- Not having been finally approved, and
- Termination of Engagement

Equate to 562 compulsorily discharged personnel. This number represents 562 personnel who have effectively lost their jobs over the past 5 years.

4.1.15 The numbers of personnel “purchasing their discharge” is astounding to the representative association. This represents a significant number of personnel who would rather leave and pay money to do so than to stay in the Defence Forces.

4.1.16 Retention problems also exist in specific areas such as certain categories of technicians. For example, Engine Room Artificers (ERAs) of the Naval Service have experienced significant difficulties retaining qualified personnel. Between 2012 and 2015, three separate Direct Entry competitions were held for ERA appointments. In 2012, 47 personnel applied of which 7 commenced training. In 2013, 67 applied of which 9 undertook training, and finally, in 2015 a competition was held with 72 persons applied of which 5 commenced training. Sanction for 10 placements had been granted for each competition. Over the intervening period, 22 ERA’s have departed the Naval Service with 4 personnel due to retire on age grounds in 2019.

4.1.17 Similar considerations apply in respect of mechanics, who are in high demand presently, Air Traffic Controllers, Engineers and associated trades and Ordnance personnel who have underlying mechanical engineering trades. For a fuller exploration of this issue see the section on Technician Pay.

4.1.18 The Defence Forces has a significant problem in retaining enlisted personnel generally. As a direct result of this retention difficulty, there is a requirement to place additional resources into the ongoing training of new recruits, these resources are drawn from existing strength and place a strain on the achievement of Defence Forces goals, objectives and plans. The extent of the problem is likely to exceed anything experienced in comparable employment in the Private Sector.



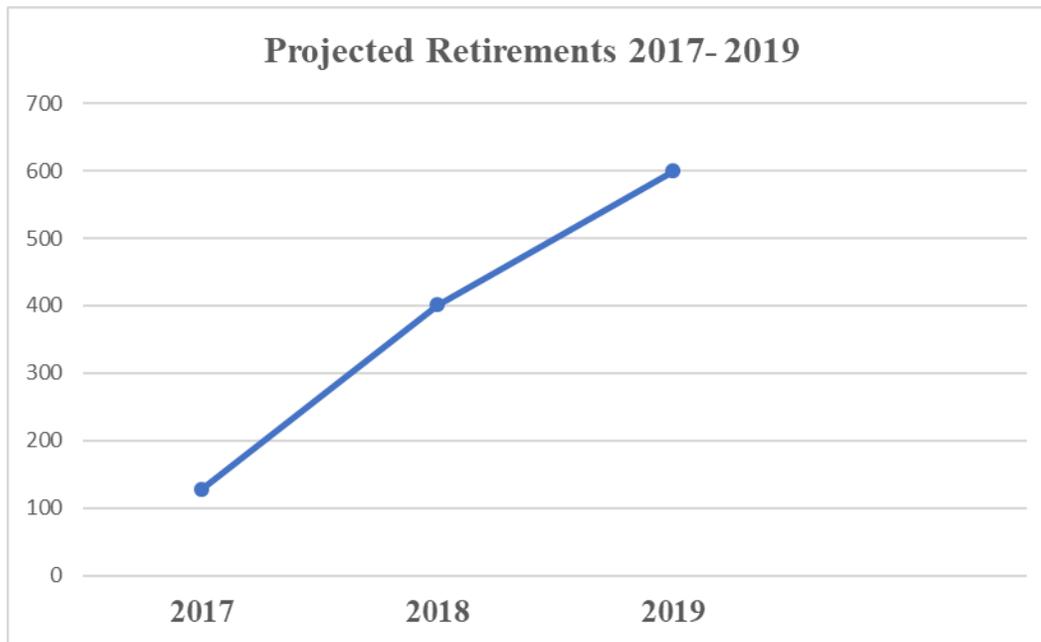
- 4.1.19 There are significant associated costs with the recruitment and subsequent discharge of personnel over short periods of time. Moreover, this cycle of recruitment and discharge increases the wider public perception of the Defence Forces not being an attractive working environment, which leads to increased advertising costs to seek new recruits. In a European context, this has resulted in the contemplated re-introduction of conscription in other European countries.
- 4.1.20 The 2007 NATO report on recruitment and retention of personnel highlighted, *inter alia*, that Life/Personal factors are the best predictor of re-enlistment. It went on to note that:
- “The more satisfaction personnel have with such personal factors as marital/intimate relationships, relationships with children, personal development, health, and standard of living, the more likely are people to re-enlist.”*
- 4.1.21 Thus, *“Military personnel policy should support family relationships, especially as it relates to OPSTEMPO. 8) Military personnel policy should support personal development, health and an adequate standard of living. Military personnel policy should support leisure and recreation, income and standard of living aspects of military life for spouses and family.”*
- 4.1.22 The foregoing observations have been borne out by the findings of the “Your Say Climate Survey Report 2015”.
- 4.1.23 In the absence of addressing the underlying pay and resourcing issues outlined above, as described in the Climate Survey report the Defence Forces will *“continue to lose highly qualified and skilled members”*



4.2 **PROJECTED DEPARTURE NUMBERS**

The number of retirements in the system for the years 2017 -2019, based on age and contract forecasts and not including voluntary retirements, is set out below:

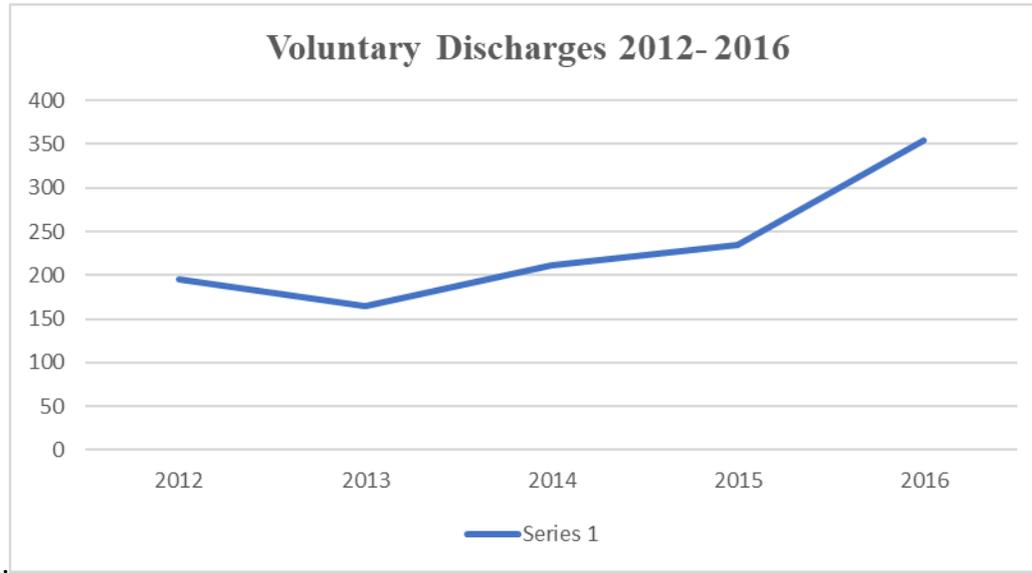
Table 14.



- 4.2.1 PDFORRA believes that the figures set out above is, of itself, unsustainable, in the short to medium term, and will impact negatively on the ability of the Defence Forces to undertake its assigned role by Government.
- 4.2.2 Moreover, PDFORRA believe that the consequential effect on morale of those remaining in service will give rise to accelerated voluntary departure levels amongst personnel in service.
- 4.2.3 Trends in personnel seeking to purchase their discharge –Average of 250 year on year since 2014, coupled with the aforementioned figures will give rise to turn over levels amongst enlisted members of the Defence Forces of 12% -14% year on year. If current trends are not arrested the Defence Forces will, potentially, see voluntary departure numbers meet compulsory retirement numbers and match, if not exceed them.
- 4.2.4 Additionally, it must be considered that with the specialisation of skill sets amongst members of the Defence Forces, the operational impact of potentially a 100% turnover in extremely short periods of time must be considered.



Table 15



- 4.2.5 For example, the Cyber security section of the CIS Corps may have three (3) members. In circumstances where accelerated turnover is the accepted norm valuable corporate/ operational knowledge could be lost and would cost a significant sum to replace. The foregoing is true of a significant number of Corps units.
- 4.2.6 The recent British Armed Services Pay Review Body defined “Pinch Points” as a branch specialisation or area of expertise where the shortfall in trained strength is such that it has a potentially detrimental impact on operational effectiveness.
- 4.2.7 This definition is, in PDFORRA’s estimation, extremely relevant in the context of the Irish Defence Forces where the size of the Defence Forces is already small by comparison to other nations.
- 4.2.8 A further consideration is the impact on the resources of the organisation, the aforementioned levels of attrition would require excessive levels of resources including personnel, training programmes and infrastructure to be devoted to recruit training, which would then detract from the capacity of the overall organisation to maintain all of its essential military capabilities through higher level and advanced training programmes.
- 4.2.9 Moreover, training to qualify recruits as 3 star privates available for service requires a 27 week training course. If training resources have to be expanded to increase trainee recruitment, then this detracts from the training resources available to train other staff to undertake higher duties at command and technical level.



- 4.2.10 The current contractual figures set out on page 30 of this report illustrate the numbers of personnel at various stages of the contractual cycle. Consideration needs to be given to the current age profile of personnel as an indicator of future needs. Currently, between 10% - 15% of enlisted strength is aged over 50 years of age. As of the 15th of January 969 members of the Defence Forces are over 50 years old. The vast majority of these personnel are currently entitled to receive an immediate gratuity and pension. The foregoing number is equal to 11.9% of enlisted strength of the Defence Forces.
- 4.2.11 Defence Force policy and Establishment figures (CS 4) provide for 43 Battalion Sgt Majors and 43 Battalion Quartermaster Sergeants. A further 246 Company Sergeants and 196 Company Quartermaster Sergeants, which equates to approximately 6.51% of the current enlisted personnel serving within the Defence Forces. This percentile represents the total number over 50 years of age who would be allowed to serve past 50 years of age into the future.



4.3 CURRENT CONTRACTUAL ENTITLEMENTS – Service Limits

- 4.3.1 In 1994 the then Government introduced a policy of short terms contracts for personnel who enlisted Post the 1st of April 1994.
- 4.3.2 Since the introduction of the new upper service limit contract, various amendments have been made, which have increased the upper service limits to a maximum of 21 years for Privates and Corporals²⁰, 50 years of Age for Sergeants and personnel in receipt of Tech Group 3 Pay. Lastly, an upper service limit of 56 exists for Company Sergeants and above.
- 4.3.3 It is PDFORRA's contention that the findings of the Adjudicator need to be revisited as a full statistical analysis shows the negligible impact of allowing personnel of Private and Corporal Rank to remain in service past 21 years.
- 4.3.4 In fact, PDFORRA believes that the amendment of current regulations to permit personnel serve until 50 is an organisational necessity.
- 4.3.5 A matter for further consideration in this respect is the potential loss of highly qualified, competent and experienced personnel from specialist units, such as the ARW. The current contractual structure is too rigid and will place considerable expense on the Exchequer through inability to retain specialist personnel beyond current parameters.
- 4.3.6 PDFORRA's position paper in respect of Post 1994 personnel is appended to this submission as Annex 2

²⁰ The Findings of an adjudication hearing from 2015 remain outstanding- This provided for short term respite for Pte's on Tech Group 1 pay and above and Corporals.



4.4 **SECURITY OF TENURE** – Medical Services (impact of injury or illness)

4.4.1 The current situation, as it pertains to the Medical Classification Code (MCC) needs to be reviewed urgently.

4.4.2 PDFORRA believe that the discharge of personnel from the Defence Forces for minor illnesses or conditions is untenable.

4.4.3 PDFORRA fully appreciates the necessity to have an MCC for members of the Defence Forces, and the need for such a classification to give rise to actionable reviews. However, PDFORRA considers the current Extension, Re-Engagement and Continuance criteria, too onerous and consequentially acts as a barrier to recruitment and retention of personnel.

4.4.4 PDFORRA believes that current policy is detrimental to the interests of the State, as personnel are being discharged at an increasing rate with minor ailments/conditions which is needlessly adding to the pension's bill.

4.4.5 Additionally, the impact on the reputation of the Defence Forces cannot be underestimated where personnel are compulsorily discharged with minor ailments/conditions during periods of service.

4.4.6 It is the Associations belief that a home service classification code be introduced. This code should identify the inability, for legitimate medical reasons, of the person concerned to serve overseas, yet confirms their ability to fully serve in their home unit.

4.4.7 No unit should have a number of personnel exceeding 5% with home service classification. This would provide latitude to military management to retain personnel who, for no reason other than circumstance, remain in service.

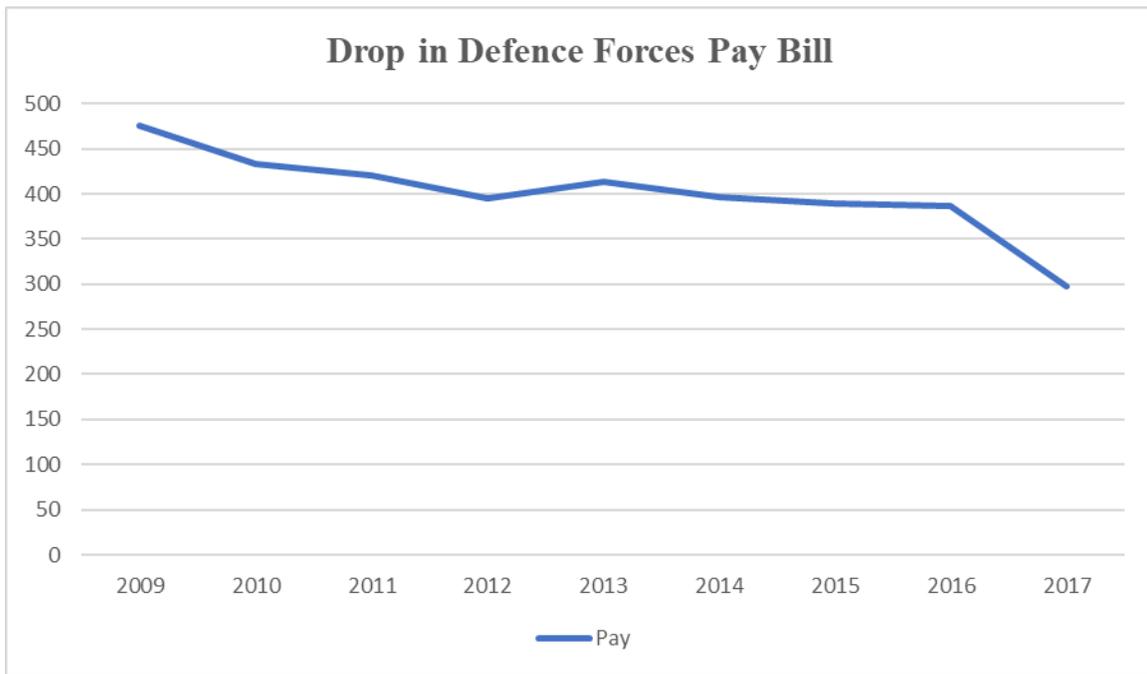
4.4.8 The foregoing considerations are cost- neutral measures which could enhance the potential recruitment of personnel to the Defence Forces



4.5 PAY – MSA- ALLOWANCES

4.5.1 In response to a recent Dail question, the Minister with responsibility for Defence, Mr Paul Kehoe, gave the following details regarding pay and allowances expenditure within the Defence Forces. As can be seen from the chart hereunder, the Defence Forces pay bill has reduced from 475 Million in 2009 to 297 million at the end of September 2017.

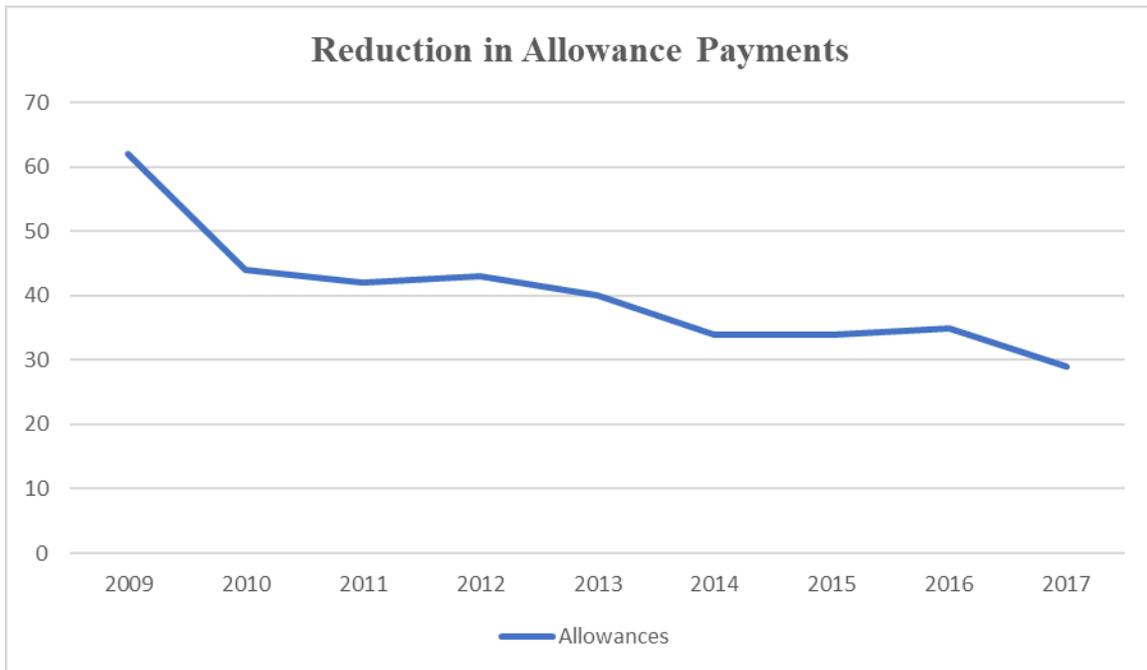
Table 16.



4.5.2 Allowances have also dropped from a high of 62 Million in 2009 to 29 Million at the end of September 2017. In the foregoing respect it is important to note that the establishment figures for the Defence Forces, as set by the Employment Control Framework (ECF), has only dropped from 10,000 personnel in 2010 to 9,500 in 2013. However, in truth, the numbers of personnel in service has been below the ECF figure since 2012.



Table 17.



- 4.5.3 PDFORRA contest that enlisted personnel in the Defence Forces (who make up over 90% of the Force) have seen their pay parity with other public sector employees eroded.
- 4.5.4 However, PDFORRA acknowledges that it has always been the case that pay and terms and conditions are not the only factors in attracting and retaining military service personnel.
- 4.5.5 PDFORRA believe that in addition to pay, the historical conditions of service such as security of tenure and accelerated pension provisions, which would have been seen as a positive to recruitment & retention, have changed both as a result of internal policy drivers as well restructuring of public sector pay policy. Specifically, in relation to pension provision for post 2013 entrants, there is a specific issue in relation to fast accrual groups such as members of the Defence Forces in the context of the integration of the State Pension Scheme which require significant engagement with the Department of Public Expenditure and Reform.
- 4.5.6 The consequences of the aforementioned changes, coupled with the growth in the economy is having serious implications for recruitment and retention. This belief is reflected in evidence supplied within the recruitment and panel resilience figures outlined previously. PDFORRA, in its submission to the Department seeking changes to current contractual terms stated that the attractiveness of both



joining the Defence Forces and having a continuing career as a soldier may be lessened as a consequence of these pension related changes.

4.5.7 Since 2010 the following changes have occurred in the basic salary and Allowances paid to members of the Defence Forces:

1st January 2010

Salary/ MSA (Military Service Allowance)

A reduction of 5% up to €30,000, plus a 5% cut in MSA.

Additionally, salaries up to €40,000 cut by 7.5%, in addition to a 5% reduction on MSA.

On the next €55,000, a further cut of 10% plus a 5% reduction in MSA.

All allowances, save overseas allowances cut by 5%.

1st January 2011

New entrants: minus 10% on both salary and MSA.

1st July 2013

Introduction of a new pay scale which had the net effect of further reducing pay levels for new entrants.

1st January 2016

Under the Lansdowne Road Agreement, the following pay increases applied from 1 January 2016:

- Annualised salaries up to €24,000 were increased by 2.5%.
- Annualised salaries from €24,001 up to €31,000 were increased by 1%

1st April 2017

Provision was made for an adjustment to the pay rates for certain civil and public servants to include an additional payment of €1000. This payment date was brought forward from April to August 2017, inclusive for those earning up to €65,000.

Following *ad hoc* discussions at the WRC it was agreed that only those savings which were agreed would be applied to the salary scale of new post 2013 entrants. The revised pay scale was to be applied retrospectively to 1st July 2016.



Military Service Allowance

- 4.5.8 Military Service Allowance was introduced in 1979 to compensate for the disadvantages associated with military service. While the underlying principles associated with its introduction have not changed, and are unlikely to, PDFORRA considers that certain aspects associated with military life should be included in a re-calculation of the rate.
- 4.5.9 These should include an aspect recognising the general urban nature of the location of barracks since the various barrack closures and Re-Organisation of the Defence Forces in 2012, which gives rise to increased costs associated with rent, housing purchase together with increases in transport costs, insurance costs and the lack of security of tenure.
- 4.5.10 The security of tenure aspect of service within the public service has specifically been recognised by the Public Service Pay Commission as having a value generally in the wider public service. PDFORRA contest that the tenuous nature of Defence Force contracts and the stringent medical and fitness criteria applied to these contracts that may result in early termination of contracts has not attracted any premium for Defence Force members in central negotiations on pay within the wider Public Service pay talks.
- 4.5.11 The provision of some form of allowance/element of pay for military service is becoming increasingly common. The Australian Defence Forces pay a service allowance amounting to \$13,991 Aus., which equals approximately €8,500, dependant on currency movements.
- 4.5.12 Within the British Armed Forces pay model, an x-factor payment is included in pay. This element of pay is calculated by considering factors such as: Turbulence, Danger, Travel to work, Impact on spouse, etc. A full explanation of the terms and definitions is included in **Annex 3**
- 4.5.13 Alternative arrangements exist in other Armed Forces, for example, US and Canadian Armed forces have extensive allowance arrangements for travel, housing, etc.
- 4.5.14 Recent ICTU negotiation guidelines recommended by the Nevin Institute highlighted that childcare and travel costs should be factors to be considered when negotiating pay increases within the private sector.²¹ Potentially, any increases of this level will impact on the ability of the Defence Forces to attract and retain employees.

²¹ IRN 04 Jan 2018, p24 “Private sector pay: ICTU’s “minimum” 3.1% claim on top of social costs”



ALLOWANCES

- 4.5.15 Figures supplied by the Department of Defence show the decrease in the principal duty allowances, which are paid in lieu of overtime payments to members of the Defence Forces.
- 4.5.16 The figures set out hereunder include Technical Pay Group 1, which is currently being phased out amongst certain clerical and driver appointments.
- 4.5.17 The main duty allowances were the subject of two separate cuts. The first cut occurred as part of the FEMPI Act 2009 No.2. The second cut of 10% cut over and above normal reductions under a cost saving agreement as part of the Haddington Road Agreement. The reversal of this measure is currently the subject of negotiations between the Department of Defence and PDFORRA.
- 4.5.18 The Public Pay and Finance Act 2017, provides for the reinstatement of the 5% cut post October 2020.
- 4.5.19 Given the nature of Defence Force pay arrangements i.e. No overtime and Time off in Lieu arrangements, PDFORRA view the restoration of the value of these allowances as central to the retention of personnel within the Defence Forces.

Table 18.

	2013	2014	2015	2016	2017 (to end Aug)
BDA	€ 3,498,555	€ 3,009,196	€ 2,840,600	€ 2,574,156	€ 1,588,749
SDA	€ 9,786,533	€ 8,066,193	€ 7,745,441	€ 8,247,039	€ 5,506,763
PDA	€ 3,164,749	€ 2,518,774	€ 2,171,055	€ 2,222,023	€ 1,797,978
O/Seas	€15,327,343	€12,732,580	€13,675,758	€14,485,024	€12,554,929
Tech 1	€ 495,601	€ 451,072	€ 407,319	€ 351,355	€ 276,791
EOD	Included in SDA above				
Total Allowances Above	€32,272,781	€26,777,815	€26,840,173	€27,869,597	€21,725,210
Overall	€40,074,181	€34,337,302	€34,285,996	€35,389,129	€26,489,434



4.5.20 The principal security duties are set out hereunder with the basis upon which they are granted to personnel and the rate that is currently applied:

4.5.21 **Security Duty Allowance**

Daily	
(i) Duties which commence and finish within normal working hours	NIL
(ii.) Mon-Sat less than 24 hours	€23.81
Mon-Sat 24 hours	€47.59
Sundays / Defence Force Holidays (Less than 24 hours)	€23.81
Sundays / Defence Force Holidays (24 hours)	€47.59
Saturdays 24 hour duty	
(No working day as rest day)	€47.59
(iii) Daily Rates of £14.57 (Mon-Sat)	€23.81
and £29.14 (Sundays / DF holidays)	€23.81

Security Duty Allowance (SDA), Army Ranger Wing Allowance, Border Duty Allowance (BDA) and Explosive Ordnance Duty Allowance are among a group of allowances that were introduced in the 1970's.

The primary purpose of introduction of these allowances appears to have been to attract personnel into the Defence Forces and to compensate to some degree personnel for hours worked exceeding normal working hours.

At the time of introduction of SDA, it would have been stated that the provision of "overtime" was an anathema to military service as soldiers were always on duty. However, recent recognition by the ECJ, that members of armed forces were no less deserving of protections afforded under legislation have given rise to a belief that a proper system of recognition/remuneration for time and attendance.



At the time of preparation, the rates of pay for SDA are correct.

The rates set out above and hereunder are supposed to compensate personnel for additional hours worked above and beyond normal routine, which is 08:30 to 16:30 Monday to Friday. Duties undertaken within these hours are not compensated for by any additional payment.

The current rates are a product of reductions that occurred as part of the original Fempil legislation in 2009, which reduced the SDA rates by 5%, and during negotiations on the Haddington Road Agreement in 2013, the rates were reduced by a further 10%. Additionally, a premium had existed for duties undertaken on Saturdays and Sundays. This premium was abolished and a flat rate applied, although an additional day in lieu was granted for duties undertaken on Sundays and Defence Force holidays.

PDFORRA fervently believe that the current rates of SDA must be increased to reflect the additional hours worked by personnel over and above normal routine.

Moreover, PDFORRA believe that an additional day in lieu must be granted to personnel who undertake Saturday duties, where the appropriate weekly resting period, as provided for under the Working Time Directive, is not given.

Increases in this allowance would assist in the retention of frontline personnel who feel that current rates do not appropriately compensate them for the additional hours worked above normal routine²².

Army Ranger Wing Allowance

Weekly	€134.97
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Army Ranger Wing Allowance was introduced in 1979, at a rate of £14.

Since its inception it has been subjected to various increases; however, in 2010, following the submission of a claim through the C&A process which ultimately was successful, the findings of the adjudicator have not been implemented.

The findings of the adjudicator in 2010 were that: ARW Allowance should be increased to 200 Euro per week, which was to be backdated to 2006. To date this Finding has not been implemented, in fact, the allowance has been subjected to cuts and reductions in line with the other duty associated allowances resulting in its current rate.

PDFORRA believes that the current allowance should be increased in line with the findings of the adjudicator and increased, as:

²² Climate Survey Report.



PDFORRA Submission to the Public Service Pay Commission

1. Since 2014 the claim could be deemed cost determining, as the appropriate rate of pay has not been given- this is mentioned in the original adjudication hearing.
2. Any claim would have to be without prejudice to earlier claim.
3. Additional issues that affect the integrity of the current rate of the allowance:
 - a. Holiday pay since 2015 has reduced the differential in value.
 - b. Changes to personnel selection schemes.
 - c. A scheduled upward review in 2014 never occurred.
 - d. Consideration of additional disadvantages which were not considered or referenced as part of the decision making process in 2010. – Loss of Allowance after 28 days sick – Loss of Allowance when members travel overseas in individual capacity thus reducing value of overseas service in this capacity.
 - e. Skill set remains extant despite role performed overseas.
 - f. Significant disadvantage when compared to personnel in receipt of Technician Pay for similar skill sets – Naval Divers- Pensionable allowance.
 - g. ARW Allowance is non pensionable for pre 2004 personnel and for post 2004 personnel specific criteria, which appear onerous.
 - h. Absence of potential to undertake additional duties that attract additional pay – (Border Units undertake Portlaoise prison) this results in higher earnings.
 - i. Lack of payment of Instructors Allowance despite significant instruction given to foreign students and in-house training of candidates.
 - j. Expansion of role to augment Military Intelligence capacity.
 - k. Closing of transfer window to specific times due to current promotion competition.
 - l. Increased training demands due to White Paper Commitment to increase unit size.
 - m. Lack of inducement element as personnel lose Technician pay from specialist areas medics, signals, Ordnance, Engineers – most of these have Technical pay which would be lost when entering the “wing” and subsequent loss of pension ability of this element of pay.



This allowance has been the subject of two “cuts”. The first cut arose consequential upon the 2009 Fempí Act No. 2, in 2009. The second cuts arose as a result of the cost saving measures in 2013, under the Haddington Rd Agreement.

These measure have resulted in a significant reduction in the value of the allowance relative to other aspects of service.

The most recent figures available show that over 29 personnel have departed this unit in the past five years. It is not possible in an open source document to detail the % loss to the unit; however, the consequential loss is significant.

Border Duty Allowance

Weekly	€86.61
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Border Duty Allowance (BDA) was introduced in 1972. It is payable on a continuous basis to members of Border units who enlisted prior to 2009. Security Duty Allowance (SDA) is not paid concurrently with BDA.

The basic premise for the payment of BDA was:

1. Arduous hours of duty over and above normal expectations.
2. Accommodation at border posts was not comparable to other units.
3. Considerable disruption to family life associated with Border duties.

While the payment of BDA has come under scrutiny, as references to a Border, pre-Brexit, appeared somewhat disingenuous, PDFORRA suggest that the payment of BDA is more than warranted when one considers the significant upheaval endured by personnel when the re-organisation of the Defence Forces occurred in 2012.

Additionally, it must be remembered that this allowance underwent considerable scrutiny at adjudication in 2009

Moreover, members of this unit continue to undertake duties within the border region and are transported to the Dublin area to assist in the undertaking of duties in that region.

This allowance is one that was reduced by 5% in 2010 and by a further 10% as part of the Haddington Rd Agreement in 2013. PDFORRA believe that this allowance should be restored in line with all other duty-based allowances.



Explosive Ordnance Disposal Duty Allowance

Daily	€83.31
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In 1990 the Gleeson Commission recommended that Ordnance Corps Officers and Non-Commissioned Officers be paid an allowance of £35 per day in respect of days (24 Hr duty on immediate call to respond in Aid to the Civil Power (ATCP) for a range of explosive threats) spent on EOD duty following a submission on behalf of the Ordnance Corps. In 2008 the EOD daily duty allowance was €99.15, in 2010 it was €94.19.

In 2013 the allowance was decreased to €84.77 which remains the current payment before the full range tax is applied. Significantly there has been a considerable increase in the hazardous nature of EOD duties as a consequence of teams being deployed to a wider range of incidents type.

In essence, EOD duty allowance was introduced to attract, retain and compensate specialist technical officers for certain hazardous, demanding and technical jobs. Since the 9/11 attacks and the increase in asymmetrical terrorist threats on top of a more sinister criminal activity the Ordnance Corps has rightly evolved to mitigate this risk.

Portlaoise Prison Security Duty Allowance

Daily	€71.42
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A Prison Allowance was introduced in 1975. This Allowance is paid to personnel performing security duties at Portlaoise Prison.

Personnel from Army Formations are mobilised into a special company for the duration of their tour of duty. Personnel normally spend up to three months on this tour, with payment only being made for those days on duty in the prison, which normally amounts to one month.

This payment was one which was reduced by the requisite amounts- 5% in 2010, and a further reduction of 10% in 2013.

This duty is one which is particularly onerous and would be one which PDFORRA believes will be the subject of a derogation under the Working Time Directive.

PDFORRA believes that the rate should be increased to take cognizance of the application, or lack thereof, of the Working Time Directive.

PDFORRA believes that a regimented time off arrangement should be put in place which ensures that personnel get appropriate rest upon completion of the full tour of duty.



Aid to the Civil Authority Allowance

Weekdays	€44.78
Saturday (no working day as a rest)	€44.78
Sundays and Defence Forces Holidays	€44.78

The conditions necessary for payment of this allowance is broadly similar to that for the payment of MESA. For payment to be made under this heading a request for assistance needs to be processed to the local commander from a civil authority, such as, the local authority, Garda Síochána or Customs and Excise.

There is a continuing need for the availability of Defence Forces' personnel to support An Garda Síochána in undertaking security tasks. Currently, these tasks include the provision of Army troops for prisoner escorts, explosive escorts, specialist search operations, explosive ordnance disposal, military guards at vital installations, and the provision of specialist troops and equipment for counter terrorism operations.

An Garda Síochána is a predominantly unarmed police force and as a result the Defence Forces provide, on request, supports in aid to the civil power (ATCP) of an ongoing and contingent nature. Historically, the provision of this support has been of critical importance in maintaining the security of the State. The defence contribution to security also encompasses defence inputs to domestic security, in particular in support of An Garda Síochána who has primary responsibility for protecting the internal security of the State.

Maintenance of Essential Services Allowance (MESA)

Weekdays	€44.78
Saturday (no working day as a rest)	€44.78
Sundays and Defence Forces Holidays	€44.78

This allowance is paid to members of the Defence Forces where they provide essential service during times of industrial dispute. Tasking for this role is assigned by government on a needs basis.

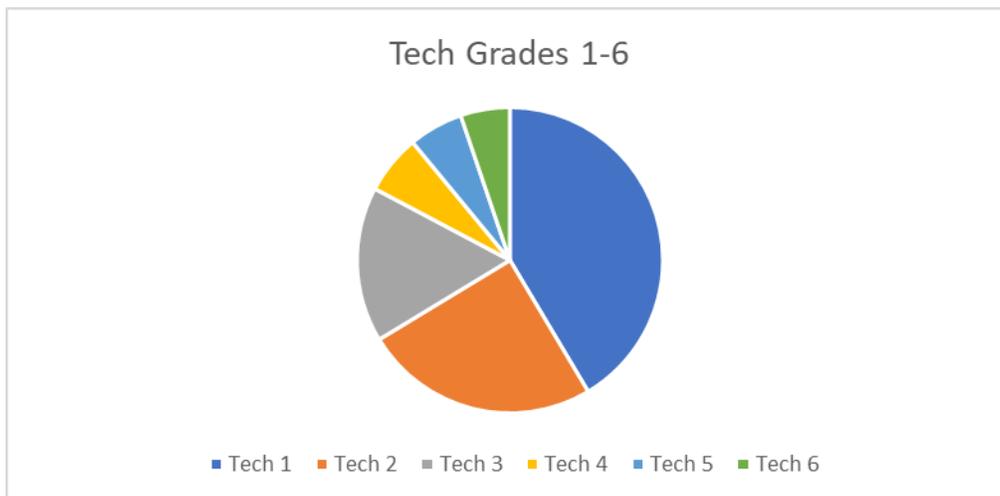


4.6 TECHNICIAN PAY

Technician Pay - Weekly	
Group 1	€8.08
Group 2	€26.90
Group 3	€40.42
Group 4	€53.93
Group 5	€80.75
Group 6	€134.69

- 4.6.1 Defence Force Regulation, C.S 4, provides for a total of 3555 technical vacancies across all Formations of the Defence Forces. Currently, there are 3754 personnel in receipt of Technician Pay across the Defence Forces.
- 4.6.2 Technician Pay is payable to personnel for a cross variety of qualifications and/or areas of employment, ranging from Barbers, Drivers, clerks, Flight attendants etc. on Tech 1, to Air Traffic Controllers, Electrical Artificiers, CIS (IT) Personnel, Aircraft Inspectors and Laboratory Technicians on Technician Pay 6.
- 4.6.3 Until 1988 Technicians in the Defence Forces were divided into three classes. However, following the report of the interdepartmental group this was changed to six groupings. The current numbers of Technician positions within the Defence Forces is set out in the chart below. This can be contrasted with the number of positions which are currently being filled.

Table 19.





4.6.4 A following is a summary of some of the difficulties being experienced in some units throughout the Defence Forces. These figures could be said to be indicative of difficulties being experienced across a wide spectrum of Formations/ Corps:

Air Corps Technicians Establishment v Strength Figures

Rank	No.1	No.3	No.4	ACC
Sgt- Est	12	18	28	9
<i>Sgt Strength %</i>	<i>12 – 100%</i>	<i>12 – 66%</i>	<i>27 – 96.42%</i>	<i>7 -77.77%</i>
Corporal Est	20	23	30	9
<i>Corporal Str</i>	<i>17 – 85%</i>	<i>14 – 60.86%</i>	<i>19 – 63%</i>	<i>7- 77.77%</i>
Airman Est	32	47	40	15
<i>Airman Str</i>	<i>16 – 50%</i>	<i>12 – 25%</i>	<i>26 - 65%</i>	<i>11 -73.33%</i>

Ordnance Corps

	STRENGTH	ESTABLISHMENT	VACANCIES
CORPS	321 (80.04%)	401	80
ENLISTED (TECH)*	161 (75.58%)	213	52
ENLISTED (LINE)	127 (96.21%)	132	5

Deficiencies by Trade as a percentage

TRADE	STRENGTH	ESTABLISHMENT	VACANCIES
AAI	24 (75%)	32	8
AA	27(79%)	34	7
ARM	58(71%)	81	23
AE	21(65%)	32	11
TENT REPAIRER	10	10	0
TAILOR	2	3	1



Losses over the past five years

UNIT	<21years	>21	>31	AGE	MEDICAL	TRANSFER
1 BDE	1	7	4	1	2	0
2 BDE	0	4	1	1	1	2
DFTC	2	7	8	1	2	1
DFHQ	0	1	0	0	0	0
TOTAL	3	19	13	3	5	3

Engineer Corps

Ranks	RSM	BQMS	CS	CQMS	SGT	CPL	PTE	Total
Establishment	1	2	2	4	11	16	49	97
Strength	1	2	1	2	6	15	41	75
	100%	100%	50%	50%	54.5%	93.75%	83.6%	77.3%

- 4.6.5 Following completion of the current promotion competition the aforementioned Engineer unit will still have 1 x CQMS (G3), 4 x SGT's (G3) and 2 x CPL's (G3) vacancies and a further 3 x CPL's vacancies before end of July 2018 due to discharges on age grounds.
- 4.6.6 Following discussions conducted as part of the Hadington Road Agreement 2013-2016, a review was undertaken by the military authorities of the current technical Pay structure. This review was accepted by military management and subsequently passed to the Department for consideration. PDFORRA requested a copy of this report, however a working report has not, to date, been presented to the Association for consideration.
- 4.6.7 However, PDFORRA believe that the report commissioned by the military authorities represents a relatively fair basis for discussions between this Association and the Department of Defence.



4.6.8 The absence of implementation of the most basic findings of the report is having an effect on the ability of the Defence Forces to retain qualified technicians. For example, the following are the losses endured by the Defence Forces in the past 4 years within certain Technical Corps.

<u>Formation</u>	<u>Number of personnel Discharging</u>	<u>Average Service</u>
<i>Navy</i>	37	31.34 Years
<i>Air Corps</i>	54	32.65 Years
<i>Engineers</i>	25	33.50 Years
<i>Ordnance</i>	27	33.43 Years
<i>CIS</i>	6	30.35 Years

4.6.9 Based on an average age of enlistment of 18-20 years, the foregoing personnel are retiring between the ages of 50- 52 Years old. These personnel will be in receipt of a pension upon discharge; thus, the State is liable for increased pension costs and training cost due to the premature departure of these personnel and the requirement to replace these staff.

4.6.10 A joint military/civilian report undertaken in 2014, prior to the adjudication hearing in 2015 on Post '94 personnel, gave examples of the cost of training personnel from various corps and the projected impact on the Defence Forces following the loss of such personnel. This report illustrated, for example, that the basic cost of training a line soldier to technician grade 3 within the Engineer Corps was €50,000 (salary not included). A period of 6 years was necessary to qualify personnel to Engineer Specialist Search Team level.

4.6.11 Within The Ordnance Corps, training costs, including salary, was estimated to be approximately €187,800. A further €28,000 is expended on refresher training and upskilling to attain Explosive Ordnance Disposal qualification. Estimated duration to full qualification level was in excess of 6 years.

4.6.12 The Transport Corps quantified the cost of training Heavy Vehicle Mechanics at €140,000

4.6.13 The cost associated with the training of personnel within the signal Corps mirror those of the Ordnance Corps when salaries are taken into consideration

4.6.14 Lastly, PDFORRA believes that current staffing numbers, as it pertains to technicians is too low. The recent Re-organisation of the Defence Forces has resulted in critical levels of technicians in units, such as Transport, Engineer,



Signal and Ordnance Units. For example, Transport units outside of Base Workshops are staffed by a Corporal as the most senior Technician. This practice is, in PDFORRA's estimation, leading to burnout of staff and cannot be sustained.

- 4.6.15 In the foregoing respect, the Irish Air Corps, Safety System Management Review dated the 14th of November under Section 9.9 headed Management of Change stated that *“personnel policies relating to pay, retention, promotion etc. are creating a large morale problem that could greatly affect safety if not put in check”*. The observations set out at that time remain truisms in respect of the life and work of technicians within the Defence Forces generally.
- 4.6.16 In summary, significant resources are invested in technicians within the Defence Forces. The skill sets attained within the Defence Organisation are valuable to prospective employers, and have added value to the Defence Forces due to the nuanced nature of post qualification training.
- 4.6.17 Loss of these valuable personnel will, in PDFORRA's estimation, have operational consequences and result in reduction in capabilities.



Flying Pay – NCO - Daily

High Rate	€6.14
Low Rate	€5.91
Single Rate (Commenced flying after 1st March 2005)	€5.91

Flying pay is an allowance paid to members of the Air-Corps engaged in flying duties and has been a regular feature of Air Corps pay since 1924.

Most modern armed forces provide some similar type of allowance in recognition of the additional dangers and stresses associated with regular flight, especially in a military context.

Given the increased incidence of air traffic, and in some instances the rationale behind the payment of flying pay to certain cohorts of personnel, this payment acts to some degree as a retention type payment, much similar to Naval Pay.

In order to receive these allowance personnel are required to undertake specialist courses, such as Air Crewman’s Course, for helicopters and Loadmasters course for fixed wing aircraft.

The last review undertaken of flying pay concurred that a common rate should apply to all personnel as it was believed that the inherent dangers associated with both types of flight had balanced out.

Naval Pay

Daily	€2.76
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Naval Pay is paid as an incentive to potential Defence Force recruits to opt for service in the Naval Service, recognizing the special features of such enlistment.

These special features include a liability for sea going duties. Additionally, the requirement to serve in a single location within the state- Haulbowline Naval Base, Cork.

At its initial rate the amount represented 20% of basic pay. Over time this premium has reduced significantly to a point where it represents a cursory sum.



In 1975 this payment represented 8.15% of basic pay. In 1989 it only represented 4.53% of basic pay.

Presently, the rate represents 3.73% of the basic pay of an Able Seaman at point 1 of the incremental scale and 1.91% of the pay of a Warrant Officer at the top of the scale.

Fire Protection Pay

Daily	€4.55
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Defence Force Regulation S.3 provides for the payment of Fire protection pay. This pay is made to a non-commissioned officer or private employed on fire protection duties in Government Buildings, Dublin, and filling a vacancy in Establishments for such occupation may, with the concurrence of An Rúnaí, be paid, in respect of the period of such employment, fire protection pay at the aforementioned rate.

Where a non-commissioned officer or private is absent on sick leave or in hospital for an aggregate period of thirty days in any period of twelve consecutive months, any payment to which he may be entitled under the provisions of this paragraph shall cease until he/she resumes duty.

The number in receipt of this pay is quite small.

Specialised Instructors' Allowance

Weekly	€85.70
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Specialised Instructors Allowance was introduced in 2005 as a result of recommendations from findings of the Independent Monitoring Group (IMG) (Doyle Report) which recommended the creation of a newly defined Defence Force Instructor. The IMG recommended that to qualify for an instructors appointment in any of the institutions in question, personnel would have to successfully complete a “Specialised `Instructors Course” and should serve in such appointment for a limited period.

The role played by Specialised Instructors in forming and conditioning personnel for military life is well known. The role is an onerous one that requires intimate knowledge of up to date teaching methodology.



The appointments are ring-fenced to specific locations where training syllabus timings are fluid and student outcome focused. This introduces a significant degree of insecurity to timings and necessitates significant flexibility on the part of the instructor.

Instructors Allowance

Weekly	€23.28
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This allowance is paid to instructors within training institutions which are not covered by the protocols attaching to the payment of Specialised Instructors Allowance.

However, considerable merits exist for a review of this allowance on the basis of the need to attract suitable candidates to locations where they are needed. For example, the Defence Forces Training Centre is the main hub for the instruction of students from various Corps, such as, Transport, Ordnance and Engineers etc.

The maintenance of standards of excellence will require that these centers are populated by highly qualified, suitable and experienced instructors from locations which may be outside of the DFTC catchment area.

In order to attract candidates to these locations a reward package will have to be put in place so as to make instruction a viable proposition.

Isolated Outpost Allowance

Daily	€13.76
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Isolated outpost allowance was introduced in the 1930's and was subsequently withdrawn in 1988, but later reinstated for personnel who undertake their normal duties in one of three locations, these are Kilbride Camp, Coolmooney Camp and Kilworth Camp.

This allowance is used as an inducement to retain personnel in small, isolated outposts where the full advantages of service are not enjoyed by personnel.

PDFORRA believe there may be merit in making this payment pensionable so as to ensure that a steady stream of personnel is available to undertake employment in these isolated locations.



Patrol Duty Allowance

Daily

Chief Petty Officer – Seaman	€48.00
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Patrol Duty Allowance is paid to seagoing personnel to compensate them for the rigors of seagoing and to encourage personnel to opt for seagoing appointments within the Naval Service.

Currently, the rates of pay for members of the Naval Service are based upon the basic rates of pay for members of the Defence Forces, with the associated allowances being seen as going some way towards compensating Naval Service personnel for the recognized additional hardships and sacrifices associated with membership.

These recognised hardships include:

1. Ships are programmed for 186 days at sea on an annual basis. This period is broken down into patrol periods of varying duration.
2. Ships companies work long hours on a shift basis.
3. Cramped conditions of service.
4. Constant liability of service during patrols.
5. Non-applicability of Working Time Directive.

PDFORRA has previously sought an increase in the rate of Patrol Duty Allowance in recognition of the aforementioned disadvantages.

A further consideration that is worthy of recognition is the quantum of lost leave being encountered by personnel due to staffing shortages, especially amongst certain trades within the Naval Service. These trades include Chefs, Engine Room Artificiers, Electrical Artificiers and Signal staff.

Recognition of the current recruitment and retention difficulties has resulted in changed work practices, for example, decreasing the numbers of chef appointments on certain ships. This has fostered a deep sense of injustice and resulted in the departure of



In-Charge Allowances NS

Daily	€12.45
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This allowance is not normally paid to enlisted personnel of the Naval Service. The allowance is designed to compensate officers who may be required to undertake command of a ship in the absence of a higher officer.

Asst. Stores Controller

Weekly	€51.86
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The BQMS is the senior logistic supervisor and assists the Logs Officer. The BQMS acts on behalf of the logs officer in his/her absence on all logistical matters, and he/she is the supervisor of all accounts at unit and HQ level, including the proper movement of assets and materials for the unit.

The BQMS is also responsible for the supervision of logs staff at sub unit level to ensure correct procedures and standardisation of sub unit administration. Further, the BQMS has responsibility for Barrack Accountant utilities management and is responsible for reporting all irregularities to the Logs Officer.

The BQMS is also responsible for staff duties in relation to the control of civilian staff, dining complexes and staff employed therein, together with other barrack functions including carrying out the function of logs office manager with control of office routine and staff. Moreover, they act as supervisor of the waste management team and the barrack environmental team and advise the Logs Officer in the selection of logistic staff.

Mast Rigger/Erector

Annual	€275.78
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On October 8 1999, PDFORRA submitted a claim for Group 3 Technician Pay for mast riggers/erectors. The basis of the claim was the additional physical and mental skills involved and the hazardous nature of the work.

In its examination of the claim, the Departmental Side took into consideration that the training and climbing undertaken by mast riggers is in addition to the other technical training and duties carried out by these personnel. Accordingly, the Departmental Side offered, with effect from 1st June 2000, an annual allowance of £150 to those personnel



who are initially certified and are subject to annual recertification by Director/CIS and are engaged as mast riggers/erectors.

This allowance has been the subject of gradual increases, and decreases, since its inception. The restoration of 5% on allowances is scheduled to take place sometime after Oct 2020.

NCO Account Holder / Half AHA

Weekly	€65.80
Weekly	€32.90

At the 46th meeting of Council on 26 February 1998 the Departmental Side proposed the appointment of certain NCOs as account holders by way of a pilot scheme.

On 19 August 1998 the Representative Side submitted a claim for the payment of an allowance equivalent to Assistant Stores Controllers Allowance at the rate of £25.81 for NCOs appointed as Account Holders. The basis of the claim was that NCO Account Holders would be responsible for accounts and would also operate the accounts.

Following discussions, both sides agreed to the appointment on a pilot basis of 14 NCOs as Account Holders and the pilot project proceeded in 1999. The rate of allowance paid to the NCOs on the pilot scheme was that claimed by the Representative Side of £25.81 per week.

The Departmental Side reviewed the pilot project in 2000 and it was recommended that the scheme be formalised and extended to selected appointments within the Defence Forces. The Representative Side submitted proposals on the scheme for consideration by the Departmental Side that included a claim for an allowance of £6.60 per day. This rate was sought on the basis that an allowance equivalent to Assistant Stores Controller does not adequately compensate Account Holders for the additional duties and areas of responsibility. The proposals also included a claim that the allowance should be pensionable at certain rates.

Following further discussions, it was agreed that arrangements for the appointment of NCOs as account holders would be provided for in a D COS (Support) Letter of Instruction. The Departmental Side offered to pay an allowance of £42 per week to those NCOs appointed as Account Holders

Qualifications necessary to be appointed an NCO Account Holder

NCOs who wish to serve as account holders must have the following qualifications:



- i. Have successfully completed a Computer Appreciation Course, Word Processing and Spreadsheet Applications.
- ii. Have successfully completed a CQMS Course.
- iii. Have successfully completed an IMS Course or an AMMS Course in the case of Air Corps appointments, and
- iv. Have a minimum of two (2) years’ experience as an account operator.

The following should also be considered in the context of these appointments:

- a. That the Warrant, which gives the person the authority to run the account is given by the General Officer Commanding the Formation, or Flag Officer Commanding the Naval Service, on a rolling two (2) year basis, and
- b. That the Allowance is pensionable if held for five (5) out of the preceding eight (8) years, and on the last day of service.

The aforementioned allowance was abolished for new entrants in 2012; however, PDFORRA successfully argued at an adjudication hearing in 2016, that the allowance should be restored.

The half rate is paid to personnel who receive two allowances, for example, technical pay and the Accountholders Allowance. PDFORRA do not believe that the current arrangements regarding the payment at half rate is sustainable.

To date the aforementioned adjudication finding remains un-paid to new entrants.

Fish Monitoring Centre –Naval Service.

Weekly	€8.03
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The Irish F.M.C. (Fisheries Monitoring Centre) is manned 24/7. Each 24-hour period is split into two watches- 08:00-20:00 and 20:00-0800. Operators perform 2-day shifts followed by 2 night shifts.

The primary responsibility of the operators is the monitoring vessel traffic within the Irish E.E.Z. (Exclusive Economic Zone).

This includes the movements of Irish vessels and the vessels of other member states (both E.U. and non E.U.)

On an average day, there can be upwards of 450 fishing vessels operating within Irish waters.

Each time a vessel of any nationality intends to land in an Irish port the skipper must enter a P.N.O (Prior Notification of Entry). This information is then manually entered



by the operator into the Lirguard F.I.S. application (Fisheries Information System) which is a closed system that only Defense Force personnel and D.F. installations have access to.

Management of the data base for this particular program also falls to the F.M.C. Operators, registering of new fishing vessels, updating the terminal I.D numbers for these entries (which are required to successfully receive V.M.S. transmissions from vessels) logging sightings, registering new skippers/owners in the system, performing final checks on the boarding entries logged by the Officers of Irish Naval Service patrol vessels and making sure that these boarding entries have the correct sighting, location, infringement and detention data attached.

The F.M.C. operators are also the primary point of contact for both internal and external state agencies including but not limited to; the Irish S.F.P.A. (Sea Fisheries Protection Agency), an Garda Siochana (regarding possible smuggling activities of F.V), the E.F.C.A. (European Fisheries Control Agency) and foreign Fisheries Monitoring Centers

There are several other technical roles that F.M.C. operator's carry out day to day however the ones would be the most prominent.

Foreign Language Proficiency Allowance

Rate 1	€52.67
Rate 2	€39.51
Rate 3	€17.54

The payment of a weekly allowance at a prescribed Foreign Language Proficiency Allowance Rate I of €50.23 was agreed between PDFORRA and the Department of Defence in June 2006. The allowance at the rates set out above are payable to an enlisted person who, as a result of special tests arranged by the Director of Defence Forces Training, is certified as an Interpreter (First or Second Class) in a language contained in the Defence Forces Language Priority List. The minimum-qualifying standard will be STANAG 6001 Level 1

The allowance is payable in arrears (or in proportionate installments in the case of broken quarters), on certification from the Director of Intelligence that the enlisted person is performing the necessary duties.

Payment of the aforementioned allowance prescribed in subject to the following conditions: -

That the duties of the enlisted person to whom the allowance is payable shall be certified by the Director of Intelligence to include the evaluation, collation and translation of



military information as obtained from foreign military journals and other sources in the language in respect of which the allowance is payable;

The allowance shall not be paid to more than 48 PDF personnel in total in the Defence Forces at any one time;

Payment of the allowance as an Interpreter in a prescribed language shall cease to be payable to an individual after five years from the date on which he/she is certified by the Director of Intelligence to be qualified as a First Class or Second Class Interpreter, as the case may be, in such languages unless, within such period, he/she has again been certified by the Director of Intelligence to be so qualified as a result of further special tests arranged by the Director of Defence Forces Training.

Diving Allowance –Naval Service.

Daily	€45.35
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In January 1977, sanction was granted for the payment of a diving allowance by the Department of Finance.

In 1977 there were 9 qualified divers in the Naval Service, mainly engaged in the underwater inspection of ships. This was subsequently increased to 29 and now stands at 33 Divers. Due to the significant number of additional tasks to which they were assigned. These additional duties included: Explosive Ordnance Disposal, Search and Rescue, Hull repairs, Recompression Chamber Operation and the training of additional personnel. Over the last 3 years this section has moved into Mixed Gas Re-Breather Diving, which is a highly specialized area and provides for extended diving times.

It must be remembered that the recompression chamber in the Naval Base is one of only two in the entire country, and its importance cannot be understated due to the increased volume of open water hobby divers. It has been used in the past by members of the public.

To be classified as a naval diver, an individual must complete an 11 week course which has an attrition rate of 83%. This figure, based on results over that past 6 years, ensures the quality and safety of all divers. This statistic is in line with other military diving organisations throughout the world.

Inadequate operational strength of the NS Diving Section, and the increased diving commitments as a result of Service Level Agreements with external agencies, has seen an increase in the incidence of duty for NS Divers.

Current staffing levels are:



Table 20.

Ranks	CPO	PO's	L/H	A/B's	Mechs
Establishment	1	2	4	12	4
Strength	1	1*	2	2	1
Est v Str %	100%	-50%	-50%	-90%	-75%

*1 Petty officer is currently in serving with the Canadian Navy on a Mine Clearance Diving Officer Course for 1 year.

On-Call Allowance Naval Service- Divers

Sat/Sun & DF Hols	€22.68
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This Allowance is paid to members of the Naval Diving Section who are required on short service notice over weekends. These divers are required to be on 1 Hour notice and are subjected to lifestyle restriction over and above what could be considered normal service limitations.

The shortage of staff within the diving section is giving rise to circumstances where the relative value of the allowance has decreased significantly due to the incidence and impact on family life.

**On-Call Allowance Portlaoise Hospital Guard
Sundays & Defence Force Holidays**

Daily	€23.81
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Personnel of the 3rd Infantry Battalion, Kilkenny, are required to provide 1 Sergeant, 1 Corporal, and 6 Privates for Portlaoise Hospital Guard. Personnel are rostered on a weekly basis and perform their normal duties during normal working hours provided they are not required for Hospital Guard or prisoner escorts and are then required to be on-call at home for the remainder of the duty.

Personnel on-call at home are required to be contactable (they are required to provide telephone contact numbers) and are not at liberty to leave their homes or partake in any social activities.

This duty is unique to the personnel based in Kilkenny Barracks due to its close proximity to Portlaoise Prison. Personnel performing the Hospital Guard duties are subject to disciplinary action if, for whatever reason, they are not available or are un-contactable when required.



Irish Language Teaching Allowance

Daily	€2.96
	€2.63
	€2.26

Band Allowance

Leading Instrumentalist -
Army School of Music – Daily €2.26

Overseas Peace Support Allowance

Daily

Sergeant and higher	€59.07
Corporal	€57.10
Private	€55.14

O/Seas Armed Peace Support Allowance –

Daily €21.22
(Paid in addition to Overseas Peace Support Allowance)

NCO Drivers 17 Bn Longford - Weekly) €7.80

Editors (Connect & An Cosantoir) - Weekly €30.86

The main job description of Editor of An Cosantóir/Connect is to produce a monthly magazine/quarterly newsletter as part of the Defence Forces Communications Policy and Public Relations Strategy.

The Info Office has an establishment of 5 other ranks personnel 2 x Sgt, 3 x Cpl with 1 x attached Air Corps Armn/Cpl Photographer. The office is then subdivided by work to An Cosantóir/Connect (2 x Sgt Editors, 1 x Cpl Photo/Journalist and 1 x Cpl AC Photographer) and the Info Office (2 x Cpl Admin) who look after public and DF enquiries etc.

Staff: At present the 2 x Sgts are the Editors of An Cosantóir/Connect with 1 Cpl Journalist/Photographer and 1 x AC Cpl Photographer (Tech 2) all are on Tech 1 Clerk €8.08 (weekly) with the 1 x Sgt (Fitzgerald) in receipt of Editors Allowance €30.86 (weekly) to cover Editorial work.

Election Gratuity €201.70



4.8 Working Time – Lack of Overtime payment – Impact on Holiday Pay

4.8.1 The pay for members of the Defence Forces can be described as a “complex pay arrangement” as described in *Williams and others -Opinion of Advocate General Trstenjak* delivered on 16 June 2011, wherein it was stated at paragraph 68:

“As regards the material component of ‘normal remuneration’ in the case of a complex pay structure such as that forming the subject-matter of the fifth question referred, I take the view that it cannot automatically be inferred from recital 12 in the preamble to Directive 2000/79 that the Member States and management and labour have exclusive competence to determine in individual cases which amounts are to be regarded as forming part of ‘holiday pay’.”

4.8.2 PDFORRA believe that the provision of a paid day off following the undertaking of Security Duty amounts to consideration, and thus the observations in the foregoing opinion are relevant insofar as it was remarked that:

“It is true that there is no definition of the term ‘pay’ either in the Working Time Directives or in Directive 2000/79. EU law does, however, provide a sufficiently clear definition in Article 141(2) EC, and the Court itself has relied on that definition when interpreting directives which – like Directive 93/104 itself, inter alia at issue here – were adopted on the legal basis of Article 118a EC. Moreover, that definition is consistent with the standards of international employment law, its drafting history making it clear that it is based on Article 1(a) of ILO Convention No 100. Against that background, it seems to me that the definitions provided by primary law may also be relied on in this case for the purpose of interpreting Directive 2000/79.”

4.8.3 Thus, consequentially it was remarked that:

“According to the legal definition contained in Article 141(2) EC, pay means ‘the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives directly or indirectly, in respect of his employment, from his employer’. It makes no difference in this regard whether the payment is received under a contract of employment, by virtue of a legislative provision or on a voluntary basis. By and large, that provision has been interpreted extensively in the Court’s case law. For that reason, the meaning of pay as defined in Article 141(2) EC may, in certain circumstances, extend far beyond a national definition of pay. The remunerative nature of any payment must be determined by individual examination.”



- 4.8.4 The pay arrangements for personnel pre-date any recognition of the applicability of the Working Time Directive to members of the Defence Forces.
- 4.8.5 It is PDFORRA's considered opinion that the paid day off may act as a disincentive for personnel to avail of their annual leave, despite its purpose being to "rest personnel" in a similar manner to that provided for in Section 11 of the Organisation of Working Time Act (Daily Rest). The foregoing view finds expression in the Labour Relations Commission -Code of Practice on Compensatory Rest Periods, which provides:
- "Compensatory Rest Timescale (Section 6(1) and 6(2) of the Act)*
Exempted employees who miss out on their statutory rest entitlements should receive equivalent compensatory rest as soon as possible after the statutory rest has been missed out on. It is most important for employers to make rest time available to employees to allow them to recuperate from long periods of work without adequate rest."
- 4.8.6 Consequentially, PDFORRA believes that the paid rest day constitutes "other consideration" as defined by pronouncements from the ECJ. As such that personnel are not being paid on a comparative basis when the value of the paid day off is excluded from the calculation of Holiday pay.
- 4.8.7 Lastly, it must be considered that members of the Defence Forces have no alternative method of payment, or consideration, save that imposed by Regulation and the Department of Defence.
- 4.8.8 PDFORRA understands that the annualised cost of concession of this element of pay equates with the approximately 350 personnel who PDFORRA believe "rest off" on a daily basis, multiplied by the average earning for one of our members, which is a Corporal on technician Pay Gp 2 on a 7/7 basis equalling to 103 Euro per day, approximately. The foregoing sum is divided by 1/8 for leave purposes. This gives a total annualised cost of $103\text{€} \times 350 \text{ Personnel} \times 365 \text{ Days} \div 8\% \text{ (A/L)} = 4 \text{ Million annually.}$
- 4.8.9 PDFORRA believes that recognition of the foregoing as a basis of payment will assist in the retention of personnel as it properly compensates personnel, when compared to other areas of the public service where overtime is paid and calculated in holiday pay.



4.9 COMMUTING DISTANCES – Rent Allowance

4.9.1 Figures provided by the Department of Defence and illustrated hereunder show the total number of accommodation units throughout the country. Those locations highlighted are field training locations and unsuitable for long term habitation.

Table 21.

Location	Total Number of Beds	Non-Standard	Standard	Temporary
Aiken Bks	180	24	56	100
Gormanstown	134	6	88	40
McKee Bks	249	50	136	63
Cathal Brugha Bks	356	137	91	128
Custume Bks	234	33	201	0
Finner Camp	190	4	141	45
DFTC Curragh	970	195	365	410
Sarsfield Bks	133	0	103	30
Renmore Bks	184	1	103	80
Stephens Bks	133	33	7	93
Collins Bks	227	81	48	98
Naval Base Haulbowline	222	36	122	64
Casement Aerodrome	201	149	27	25
St Bricins	12	12		0
Lynch Camp	316			316
Kilbride Camp	149			149
Coolmoney Camp	420			420
Bere Island	150			150
Ballymullen Bks	140			140
Total	4600	761	1488	2351

4.9.2 As a uniformed service the Defence Forces are required to be quartered at public expense.



- 4.9.3 Illustrative from the figures supplied, is the fact that there are not enough units of accommodation to supply enlisted personnel with standard living space as necessary.
- 4.9.4 With ever increasing pressures on recruitment the available bed spaces for personnel with “Living in Status” is decreasing.
- 4.9.5 PDFORRA suggest that the impact of this lack of accommodation, absence of rent allowance and increased urban nature of locations is giving rise to difficulties, which is particularly acute within the Naval Service.
- 4.9.6 Current recruitment levels, coupled with the lack of suitable accommodation, is giving rise to feelings of disillusionment with the Defence forces, especially when one considers those additional factors set out hereunder.
- 4.9.7 Members of the wider Defence Forces have, since 2012, engaged in significant rationalisation through reduction in Barracks and restructuring of Formations. The foregoing has given rise to significant disharmony within the Defence Forces, as evidenced in the findings of the Climate Survey Report.
- 4.9.8 Moreover, it must be considered that members of the Defence Forces were excluded from the transfer limitations contained within both the Croke Park and Haaddington Rd Agreements, which provided for general limitations of 25 & 45 Km movements respectfully (with exceptions), for public servants. However, conditional upon the Defence Act 1954, and its attendant Regulations, members of the Defence Forces enjoyed no such protections as to commuting distances.
- 4.9.9 Additionally, it must be considered that the consolidation of the Defence Forces occurred into urban centres, exposing members to higher rents and purchase costs.
- 4.9.10 Consequentially, and in an effort to retain some degree of parity with other public servants, most notably members of an Garda Síochána, PDFORRA has, through the Conciliation and Arbitration Scheme, claimed the payment of a rent allowance to Enlisted Personnel at the same rate as that paid to Prison Officers, Fire Fighters and Gardaí as a consequence of its restoration to those groups. In practice the current pay of enlisted personnel includes some element of rent allowance.
- 4.9.11 Furthermore, PDFORRA has sought an increase in the value of rent allowance of €500 per annum because of all the above mentioned groups had their rent allowance so increased as part of ‘Side Deal under the Lansdowne Rd Agreement – 2. Under the Agreement, Prison Officers, Fire Fighters, Gardaí and Enlisted



Personnel will all pay a higher rate of Additional Superannuation Contribution (ASC) equivalent to €575 per annum.

- 4.9.12 Impetus for the submission of the aforementioned claim primarily arose from the Government decision to accept Labour Court Ad Hoc Recommendation CD/16321 3 November 2016, as being within the terms of the Lansdowne Rd Agreement. The additional cost element of implementing the recommendations was estimated at €20M though the full cost was said to be €50M. PDFORRA considers it inequitable not to apply the principles and finances involved to the pay of Enlisted Personnel.
- 4.9.13 The foregoing has direct and special relevance for Enlisted Personnel of the Permanent Defence Forces as they, alongside members of An Garda Síochána, were mentioned in the Government Review of Allowances 2012 as two groups in particular whose pay needed to be restructured. The Labour Court Recommendation CD/16/321 and Government's acceptance of same has indicated how the restructuring should proceed. It would be inequitable not to treat the pay of Enlisted Personnel in a comparable manner.
- 4.9.14 PDFORRA contests that the Government decision to accept the Labour Court recommendation CD/16/321 was recognition that old allowances such as those restored to Gardaí under Labour Court Recommendation CD/16/321 will be re-introduced. Rent Allowance formed part of the pay of married Enlisted Personnel until 1970 when it was incorporated into basic pay. It was extended to single Enlisted Personnel in 1977 under the Equal Pay Acts. It has since lost its value through the implementation of various reviews and payments movements. It would be in keeping with the Government's decision to restore rent allowance to Enlisted Personnel.
- 4.9.15 Lastly, and of significant relevance with the terms of reference of the Public Service Pay Commission, it must be considered that Enlisted Personnel are being asked to accept a higher Additional Superannuation Contribution (ASC) towards their fast accrual pensions as part of LRA 2 - as are the Garda, Prison Officers and Fire Fighters. However, all of these other uniformed bodies receive rent allowance and have seen the amount of the allowance paid to each individual increased by €500 per annum. It would be inequitable not to treat Enlisted Personnel equally through the introduction and increase of a pensionable Rent Allowance.



4.10 **Work Life Balance – Specialist Areas - ARW – Naval Service**

- 4.10.1 While the main focus of this report has been placed on the monetary reward associated with service, PDFORRA considers that the work/life quality must be considered in any consideration of recruitment/ retention of staff.
- 4.10.2 Certain aspects of military service will always give rise to negative connotations to prospective candidates for military service, such as, dangerous nature of work, reduction in fundamental freedoms, constant liability of service etc. These aspects should be adequately compensated by a military service allowance. However, in a changing economic environment where quality of employment is not only judged by basic financial reward, ancillary measures, such as work life balance, insofar as it can be accommodated within a military environment, must be considered.
- 4.10.3 This factor has long been recognised by the Irish Defence Forces and was informally recognised through an agreement in 2000 between PDFORRA and military management regarding appropriate sea shore rotation patterns for Naval Service personnel.
- 4.10.4 However, consequential upon recruitment and retention difficulties, especially within specialist areas, the ability of the Naval Service to adhere to the appropriate sea shore rotation times has been severely impacted, if not negated altogether.
- 4.10.5 The foregoing has resulted in ever increasing throughput of personnel with the Naval Service. The foregoing has resulted in 292 discharges over the past 5 years
- 4.10.6 While no specific agreement pertaining to work life balance exists regarding members of the Army Ranger Wing, and is never likely to occur given the speciality role played by these personnel in ensuring the security of the state, PDFORRA considers the payment of the premium recommended by the adjudicator in 2010, more important than ever.
- 4.10.7 The White Paper on Defence has recommended increasing the numbers within this unit by 100%. However, since the publication of the aforementioned document no increase of personnel has been announced, nor have increased numbers been selected for training.
- 4.10.8 PDFORRA envisage that the ability to attract personnel to this unit has been diminished by virtue of the necessity to live within a certain radius of the base, the reduction in allowance value, the failure to pay increases recommended by a third



party independent adjudicator and the exemption from aspects of the Working Time Directive that will apply to personnel from this unit.

4.10.9 The nature of service within this unit will always result in a lessened quality of home life experience. To this end, PDFORRA believe that the current recommendation- that made by the Independent adjudicator in 2010, must be honoured and that the scheduled upward review, which was to take place in 2014, be now undertaken.

4.10.10 The following extract from the 2007 NATO report is relevant in the context of the retention of personnel to serve in the Armed Forces:

“Both recruiting and retention strategies attempt to address the concerns of members who leave the CF. For example, the issue of pay is addressed in a recruiting strategy offering recruiting allowances. The same issue is addressed in a retention effort passing information to members that CF pay is comparable to civilian pay for equivalent work. The recruiting and retention strategies of the CF are fairly recent. Though they’ve shown immediate positive impacts, the long term effects of the strategies will be determined in the future.”²³

4.10.11 It is clear from the statement that some inducement needs to be forthcoming at recruitment stage in order to recruit personnel, be it pay, potential education, work life balance measures etc.

4.10.12 However, what is also apparent from the observations made is that pay rates need to match those of the private sector for similar work if personnel are to be retained in service.

4.10.13 PDFORRA contest that comparable pay would also consider comparable conditions, with military service receiving some premium.

²³ “Recruitment and Retention of Military Personnel” Final Report of Research Task Group HFM- 107, NATO 2007, page 2.B.5



4.11 Work Life Balance Generally - Climate Survey Findings

- 4.11.1 The Qualitative Climate Survey 2017²⁴ results record significant dissatisfaction with working life in the Permanent Defence Force and it further informs the corresponding quantitative study: Wellbeing in the Defence Forces – Report on the Defence Forces ‘Your Say’ Climate Survey 2015. The areas of dissatisfaction that it records are the symptoms of underlying problems and it is these that must be identified and addressed. Accordingly, this report analysis the main findings to identify the underlying problems and suggests a broad approach to solutions. The results have been co-ordinated with PDFORRA claims and policies to arrive at an outcome which considers ‘reality’ rather than ‘perception’.
- 4.11.2 The report assumes that the Department of Defence and the Military Authorities wish to retain and motivate trained and committed personnel within an efficient, effective and capable organisation that will meet the needs of the Irish State.
- 4.11.3 This report concludes that individual Enlisted Personnel feel and in fact are disempowered in relation to work matters in comparison to other public servants - and also that PDFORRA has less power than other public service unions and associations. Consequently, Enlisted Personnel individually are at best treated as a secondary consideration at work and collectively are paid less than comparable or in some cases almost identical public servants. PDFORRA assumes that everyone will agree that where almost identical conditions of service are in place that almost identical pay, pensions etc. should be in place also.
- 4.11.4 The Focus Groups were surveyed in 2017 with the initial survey having been completed in 2015. The background was marked by a decade of austerity with associated pay and earnings cuts; extensive re-organisation and downsizing of the PDF and widespread barrack closures. In addition, considerable occupational pension reform took place and new and increased taxes were introduced.
- 4.11.5 In respect of Pay and Conditions, the report is unequivocal about pay and concludes that it is low for the job and particularly so for Privates for whom it is characterised as unjust. The low pay problem is compounded by commuting and regular postings away from home station. Pay and allowances are seen as inadequate compared to those paid to An Garda Síochána.
- 4.11.6 From PDFORRA’s perspective, the basic pay rates are comparable with other areas of the Public Service - but fail to reflect the true value of MSA and additional payments for additional attendance, unsocial hours, rent etc. Additionally, there is a failure to give formal recognition to time off in lieu.

²⁴ Workplace Climate in the Defence Forces Phase 2: Results of the Focus Group Research



- 4.11.7 Shortages of personnel sees NCOs in particular frustrated at the extent of rotation between activities and locations on a seemingly unplanned basis. The frustration has been intensified by the 2012 DF re-organisation and also by extensive barrack closures. These impact on commuting and associated costs; impairment to training/supervision of Privates; performance appraisal, operational readiness/capabilities and, ultimately, retention problems. Personnel lack confidence in the how this area is being managed by the Military Authorities.
- 4.11.8 PDFORRA believe that in addition to improved pay personnel must be empowered in their work to render it more predictable, to receive adequate notice and, as far as possible, to minimise postings away from home station. Most Defence Force activities are predictable and those carrying them out can be given greater notice of liability for the activity and its associated time off in lieu.
- 4.11.9 The report is emphatic in respect of career development. NCOs believe that there is too much movement between units/locations, separations from families and the associated costs and stresses. However, it is felt that this is compounded by shortages of Officers who do not have time to conduct performance appraisal/give career advice and are more focused with their own careers. This has contributed to strong sense of organisational unfairness/lack of organisation justice – which also applies to matters such as the administration of sick leave; living-out passes; duty allowances; subsistence allowances; all categories of leave and rations.
- 4.11.10 Thus, PDFORRA considers that movement, activities, separation must be the subject of more thoughtful consideration by management at all levels. It is not good enough that management relies on the ability to detail personnel without notice for activities. Personnel should be assigned to planned activities with plenty of notice and with the time off in lieu periods built in. Moreover, planned activities should be linked up to the individual by a process of ‘Forecasting’ activities for the forthcoming year as part of the AF 667. In addition, the administration of pay, leave, rations etc. of Enlisted Personnel must be prioritised and treated as the ‘rights’ that they are.
- 4.11.11 Work - Life balance is identified as a significant problem within the report. The organisation of activities with little or no notice creates problems for family life as well as adding additional costs, uncertainty and, ultimately, stress. The DF re-organisation and barrack closures have compounded this situation.
- 4.11.12 While PDFORRA strongly believe that the aforementioned improvements of pay and conditions of service mentioned in this report must be delivered, PDFORRA earnestly believe that personnel must be empowered in their work to render it more predictable, to receive adequate notice and, as far as possible, to minimise un-necessary postings away from home station. Most Defence Force activities are predictable and those carrying them out can be given greater notice of liability for the activity and its associated time off in lieu.



4.12 Current Domestic and International Opportunities

- 4.12.1 The skills attained by members of the Defence Forces during the course of their career are domestically and internationally recognised. Moreover, the attributes of membership “soft skills” of the armed forces are much appreciated by prospective employers. These range from punctuality, decorum, ability to handle stressful situations, responsiveness to instructions.
- 4.12.2 From a skill set perspective, the vast majority of qualifications attained by personnel in the Defence Forces are recognised through industry/certification through the NFQ’s. The qualifications range from apprentices with City and Guilds qualifications to Chefs with level 7 qualifications to Air Traffic Controllers with internationally recognised qualifications
- 4.12.3 In a growing economy these skills are in high demand. For example, the Irish Restaurants Association (RAI) has highlighted the need to train 5000 new chefs in Ireland each year and has highlighted a shortage in chefs.
- 4.12.4 The Irish Aviation Authority recently announced that Ireland’s air traffic grew by 2.5% over 2016 figures and that it had handled over 1.1 million flights in 2017. Peter Kearney, Chief Executive Designate of the IAA stated that “Ireland as an island nation is hugely dependent upon aviation...and management of air traffic growth is a key driver of our economy”. This growth will increase pressures to attract competent, capable and experienced staff, all of which the Defence Forces possess, albeit in ever decreasing numbers.
- 4.12.5 One of the most basic skill attained by members of the Defence Forces is the driving of heavy vehicles. Members of the Defence Forces attain driving skills, comparable, if not better, than their civilian counterparts.
- 4.12.6 Members of the Defence Forces are trained in the driving of vehicles ranging from jeeps, mini buses, trucks, Armoured Personnel Carriers, large buses and articulated vehicles. These personnel are in increasing demand as the economy grows.
- 4.12.7 As discussed previously in the report, there is growing demand for qualified technicians from all trades. The Construction Industry Federation predict that the Irish construction industry can sustain an additional 112000 jobs up to 2020. They have identified the following needs:
- 15,200 electricians
 - 11,800 plumbers



- 30,800 carpenters
- 13,900 plasterers, and
- 27600 general labourers.

4.12.8 This will increase retention pressures on the Defence Forces as personnel seek higher quality employment, as identified earlier in this report by the ESRI.

4.12.9 In an international context, members of the Defence Forces enjoy considerable prospects of employment with the United Nations Field Service, or alternative grades. The United Nations homepage would provide a significant number of job opportunities on a weekly basis.

4.12.10 The Australian Defence Forces have launched an aggressive recruitment campaign for Army specialists. In this regard it is important to note that the equipment profile amongst both the Irish and Australia armed forces is broadly similar. This opens up the prospect of transfer to another armed force.

4.12.11 Irish citizens are entitled to join the Royal Irish Regiment. Most recent figures show that over 70 Irish citizens joined this regiment in 2013 with a further 70 joining in 2012²⁵.

4.12.12 However, many members have taken up employment in other diverse areas, such as, cruise liners, as engineers, Heavy Vehicle Mechanics in Nigeria. Personnel from the Air Corps have been employed in Dubai to work on helicopters, which are similar to that used by the Irish Air Corps and are being headhunted on a regular basis by employment agencies.

4.12.13 Lastly, the recently published quarterly report published by the Central Bank²⁶ sees Ireland benefiting from improved export performance due to higher than expected demand from its trading partners. Additionally, at home, growth is underpinned by domestic demand based on rising employment levels and steady increase in consumer spending.

4.12.14 The bank predicts an additional 89,000 people will be hired here over the next two years. That would bring employment to 2.3 million, past the peak in 2007.

²⁵ Ralph Riegel, Irish times, 1 Jan 2015.

²⁶ Central Bank Quarterly Report Q1 2018, published 26th Jan 2018



Observations/ Recommendations

1. PDFORRA believes the payment of MSA at a flat rate equal to the rate payable to Senior NCOs to all NCOs and Privates with greater than 3 years' service is needed to ensure the effective recruitment and retention of personnel generally. This is based on the fact that the net disadvantages of military service equally, if not more significantly, impact on the lower ranks. Moreover, this position was the one adopted when the allowance was originally introduced and was confirmed by the Gleeson Commission in its 1990 review of remuneration and conditions of service in the Defence Forces.
2. Moreover, PDFORRA believes that an increase in the current rate of MSA is warranted. An increase in the current rate can be justified on the following grounds:
 - (a) That the value of the allowance has been eroded relative to increases in pay/ overtime rates in competing sectors over time.
 - (b) That relative factors, such as increased urbanisation of the Defence Forces, the exemption from aspects of the Working Time Directive and exclusion from aspects of normative employment legislation etc.
 - (c) Increased training demands, with the associated frequent movement of personnel.
 - (d) Increased pressures on family life and associated childcare costs.
 - (e) Lack of comparable security of tenure when compared to other areas of the public sector.
3. PDFORRA consider that a payment equal to that granted to members of the Australian Defence Forces would be appropriate. Currently, the rate provided to members of the Australian Armed Forces is \$13,991 Aus., or approximately €8,500.
4. PDFORRA believe that an independent review of the foregoing payment should be undertaken every 2-3 years, outside and independent of National pay negotiations, having due cognizance of those unique factors associated with military service.
5. PDFORRA consider that a Recruitment/Retention payment should be introduced similar to that utilised in the Canadian Armed Forces. Under the Canadian system a payment is made to personnel in a unit where the unit strength of a particular grade or class falls below 95% for more than a year.



6. This payment would serve as recognition of the work undertaken by personnel in the absence of full complement of staff.
7. Payment could be made on a graduated basis taking account of the savings achieved through the non-filling of appointments. This would serve as an incentive to the Department to recruit staff as large-scale saving would not be achieved through failure to fill vacancies, which is currently the case. In the foregoing context, 25 Million in payroll savings were achieved last year. These savings were utilised to part pay for a Naval Ship.
8. The benefits of the introduction of such a scheme in this fashion lie in its recognition of all classes/grades of personnel equally, based on additional work undertaken to cover the shortfall. The introduction of this measure would impact on payments to, *inter alia*, Naval Divers, Engine Room Artificers, Technicians from various Formations, Line Corporals and Sgts in depleted units and Chefs etc.
9. However, there exists an obvious need to re-introduce a retention bonus system similar to that which existed prior to 1994. This system would suffice in the absence of a Long Service Increment and would induce personnel to remain in service to meet benchmark periods. This allowance should be re-introduced on a *pro rata* basis to that which existed prior to its phasing out in 1994.
10. The necessity to recruit citizens to the Naval Service has never been more important. The most recent Bord Iascaigh Mhara Report showed that the value of the Seafood industry in 2016 stood at 1.1. Billion Euro, with demand for seafood expected to grow by 50% by 2030. The foregoing report goes on to detail how Ireland is well placed to grow our aquaculture into the future. One of the primary roles of the Naval Service is fishery protection. To undertake this role, the Defence Forces need to attract highly motivated, competent and qualified personnel to an area which is becoming more technology dependent, yet retains the harsh environment associated with life at sea.
11. PDFORRA believes that increases in the value of the allowances associated with Naval Service must be considered. Alternatively, a tax credit measure should be introduced to incentivise the retention of seagoing personnel. This could in some way offset the necessity to increase pay, yet make service within the Navy more attractive.
12. The restoration of premiums previously associated with Saturday and Sunday duties must be undertaken as a matter of urgency, without prejudice to the outcome of future discussions on the impact of the Working Time Directive. The impact of the current reduced rates on morale and retention of personnel cannot be



- underestimated as personnel make direct comparison with premium payments made in the private sector for these days.
13. The main duty Allowances should be increased to reflect the “overtime” nature of these payments, taking due cognizance of the provision of a “days’ resting” and the reduction in consequential Holiday Pay. Additionally, where the nature of the duty is hazardous or involves a particular skill set, increases should reflect these. In the foregoing respect PDFORRA would concur with the submission made by RACO for an increased rate of EOD Allowance at the rate proposed. Moreover, PDFORRA considers, in accordance with the recommendations of the adjudication officer in 2010 that the Army Ranger Wing Allowance should be increased, and perhaps, some conversion of an element of the allowance into Technical is warranted.
 14. Within the Air Corps, certain areas outside of the loss of technicians need to be reviewed, such as the issue of flying pay. A review of the appropriate rate congruent with the responsibilities, dangers and qualifications required to undertake specific roles needs to be undertaken. The current “one size fits all approach” is overly simplistic and can act as a disincentive for personnel to undertake training in specific areas, or alternatively, it may incite an exodus from sections where the risk versus reward system is higher in the private sector.
 15. PDFORRA view the implementation of the military review of technician grades 2- 6 as vital for the short term retention of personnel. Failure to recognise, through appropriate remuneration, the qualifications of personnel is giving rise to an alarming rate of departure amongst this cohort of personnel. These personnel cannot, as exemplified in this report, be replaced easily. Moreover, considerable expense will be incurred by the state in the training of personnel to fill vacancies of voluntary retirements of personnel, which can only be viewed as dysfunctional turnover.
 16. Additionally, a general increase in the current Flat Rate Expense given to members of the Defence Forces should be considered by Government. This increase should be comparable to that of nurses at the rate of €353 per annum. The provision of these credits would have the effect of recognising the hidden costs associated with being a member of a uniformed service. PDFORRA does not recommend that this factor is considered in Military Service Pay.
 17. In an effort to attract and retain personnel in training locations, considerable merits exist for a review of Specialised Instructors Allowance. The premise for this observation lies on the need to attract suitable candidates to locations, where they are required. For example, the Defence Forces Training Centre is the main hub for the instruction of students from various Corps, such as Transport, Ordnance and Engineers etc. The maintenance of standards of excellence will -



require that these centres are populated by highly qualified, suitable and experienced instructors from locations which may be outside of the DFTC catchment area. In order to attract candidates to these locations a reward package will have to be put in place so as to make instruction a viable proposition.

18. The complex pay structure that exists within the Defence Forces contributes to the disenfranchisement of personnel through the provision of time off in lieu, as compared to overtime payments. This complex pay structure, and by extension the failure to adequately compensate personnel, in monetary terms, for additional hours worked within the holiday pay element of their pay must be addressed. Failure to address this issue will result in the loss of candidates and failure to retain personnel who are astute to the conditions of their fellow public servants and workers in the private sector.



Annexed Documents

- 1. Tabular Statement – Strength of Defence Forces 2007- 2017**
- 2. PDFORRA Position Paper on Post 1994 Contract personnel**
- 3. Factors Determining x- Factor in British Army Pay**