

# uniteWORKS

November/December 2012  
The magazine for Unite members

## for Ireland

OCT20

## STORMONT WARNING



Unite members joined with thousands of trade union members in the private and public sectors to demonstrate against the Con-Dem and Stormont-imposed austerity measures.

The demonstration, on Saturday, Oct 20, organised by the Irish Congress of Trade Unions was superbly supported by Unite members who took the lead at the front of the march.

The organisers said the protest was not just about sending a message to the coalition government in Westminster, it was also about decisions taken at Stormont. Politicians in Northern Ireland were issued a stark warning from Unite regional co-ordinator and ICTU president, **Eugene McGlone**, when he spoke at the Belfast rally.

Stormont ministers were told they needed to tackle the jobs crisis, child poverty and boost the local economy. "The message from this rally to local politicians at Stormont is this – are you watching? If you're watching...are you listening? If you're listening...are you going to pay attention to what we are saying?"

"If you don't...then I think you will find a reaction against you when we next go to the polls."

The ICTU's Northern Ireland Committee represents over 250,000 members in 36 trade unions across Northern Ireland. In October, the Stormont Assembly voted in favour of the Welfare Reform Bill, supporting the biggest shake up of social security benefits in decades.

The changes will impact on thousands of people in Northern Ireland, affecting those in receipt of payments such as disability living allowance, housing benefit and employment support allowance.

### Unite blasts welfare cuts

As Stormont decides to impose welfare austerity measures, Unite said that almost 15 per cent of children regularly go without a hot meal and food banks are on the increase.

Unite Ireland regional secretary, **Jimmy Kelly** said, "Chancellor George Osborne's repetition of 'we are all in this together' is an insult to millions of families struggling to make ends meet and meaningless to the one in seven children who regularly go without a hot meal. His cuts will turn decent people into desperate people."

Mr Kelly then attacked the Stormont supporters of the austerity measures. "Their endless support for cutting Corporation Tax would take possibly £700m out of the Northern Ireland budget.

"The supporters of welfare cuts are showing their true colours when it comes to helping those most disadvantaged in society. They are happy to giveaway massive tax benefits to the richest, yet savage the working poor."

January 2009 – Hundreds of workers occupy Waterford Crystal in pensions fight



Tommy Clancy

# Pensions win step closer

Irish workers could be drawing close to a major breakthrough in the way that pensions are handled in the event of a company becoming insolvent. A group of 10 former workers at the Waterford Crystal plant, supported by Unite, have been forced to trawl through first the Irish and now the European courts to ensure that Ireland implements an EU pension protection directive.

The Court of Justice of the European Union (CJEU) is now considering its decision in the case taken by the 10 individuals on behalf of 1,500 affected when the company ceased trading in 2009. In total seven questions on points of European law were referred from the Commercial Court Division of the High Court to the CJEU in July 2011.

“This was a case that needed to be fought for our members and for every working person in Ireland,” said Unite Regional Secretary **Jimmy Kelly**. “The government could and should have recognised it was in the wrong years ago but did not.

“This gave rise to a situation where workers from the same company in Ireland were entitled to less than half the pension settlement of workers that happened to be employed in Britain.”

The Commercial Court action is effectively on hold until the CJEU delivers its judgement. Once the judgement is delivered, the case will resume before the Irish Commercial Court.

The case centres on the 1980 Insolvency Directive, amended by Directive 2008/94/EC “on the protection of employees in the event of the insolvency of their

employer” – following the Robins Judgement.

The Robins Judgement involved circumstances where UK employees lost the bulk of their retirement savings when their employer became insolvent. The UK government implemented a method of protecting employees in 2005 after the Robins case was initiated but before the European Court delivered its judgement in 2007.

The Irish government unsuccessfully intervened in the Robins case. The CJEU held in the Robins case that the level of protection afforded to Mrs Robins (where only 49 per cent of her pension entitlements were protected) was inadequate. The 10 Waterford Crystal Employees are receiving well below 49 per cent of their pension entitlements, with the range of their anticipated recovery from the pension funds estimated between 17 to 28 per cent.

Counsel for the European Commission agreed with the position taken by the former Waterford Crystal employees on all points. The CJEU is expected to deliver its judgement before Christmas. It’s now 3½ years since the insolvency of Waterford Crystal Limited – and it could be another year before the case is finalised by the Commercial Court in Ireland.

The decision will affect over 1,500 members of the Waterford Crystal Pension Schemes and proceedings have issued in Irish High Court in the past weeks in the names of over 1,000 Waterford Crystal Pension Schemes members to further protect their positions.

# Standing up to government

Unite has delivered a pre-budget submission to government which highlights a workable funded alternative strategy of growth and job creation.

We have lost 400,000 jobs under austerity. One million people are experiencing some degree of deprivation including many children and we deserve better of ourselves in a modern society. Hope has emigrated along with our young people once again.

The government's lazy mantra throughout five years has been that there is no alternative. Unite has published seven ways in which the

alternative which has always been there can be implemented in December's budget.

People's patience with failed policy is reaching the end of the line. Figures this week of people living on less than €100 show that additional cuts on those who can't afford to pay will fail and could break apart of society.

Teachers are marching on the Dáil and they will be the first of many unless we turn back.

We have put forward concrete proposals that will boost jobs, increase the productive capacity of the economy and raise living standards for those that will notice to levels that remove people

from poverty and allow them to live with hope rather than despair.

We are calling on all trade unions and working people to stand up to the government's failures, to fight back with real ideas that can create a better society and to back the alternative which exists and which we have handed over today.



**Jimmy Kelly**  
*Unite regional secretary*

## Unite reps have Wrights stuff



Senior shop steward Jim Wright with Valerie Marks – the first female trained coach-builder at Wright Bus.

“There's more to roads than just cars...” That's the message Unite must take on board, insists senior shop steward **Jim Wright**. The stewards team at Wrightbus have repeatedly said that while the car industry plays a big part in this union, the leadership should not forget that bus and coach building membership also has an integral part to play.

Jim and his steward colleagues have done some sterling work maintaining and growing union membership – a fact which is fully recognised in the Ireland region.

“On the shopfloor and those working on the hourly rate, we have 733 members – with a union penetration of more than 90 per cent. It's been a long hard road but it has been very worthwhile.”

With a facilities arrangement in place with Wrightbus, Unite has the right to speak to new recruits and apprentices.

“This year, Wrightbus took on 30 apprentices and in 2011 it was 52. This is fantastic news as very few companies in Northern Ireland are taking on apprentices.

“The take-up for the union of the young recruits in the last two years has been 99 per cent. This is a quite staggering figure and something which the reps are all proud of.”

# Len's NI visit



Unveiled – new Unite community offices launch with (l-r) Ireland regional secretary Jimmy Kelly, GS Len McCluskey and Stormont First Minister Peter Robinson

Paula Geraghty

Unite general secretary **Len McCluskey** paid a two-day visit to Northern Ireland in September. He was accompanied by Tony Woodhouse chair of the Executive, and they held meetings with activists and officials in Belfast, Ballymena and Derry.

During his first day in Northern Ireland, Len jointly with Stormont First Minister **Peter Robinson**, opened up the union's new Community office, in the Lower Newtownards Road, Belfast, on Monday, September 24.

He then visited Stormont and met with the SDLP and Ulster Unionist

Party MLAs before having private meetings with the Deputy First Minister **Martin McGuinness** and Finance Minister **Sammy Wilson**.

Later that day he met with activists and officials. During the debate concern was expressed about the increasing use of agency workers.

Len told the meeting that workers should tell management that they are refusing to work with agency workers and that that part-time staff who are willing to work on a flexible status should be given variable contracts by those companies. This would bring

workers into the mainstream fold of the company and fully under the wing of the union.

He also told the meeting in a bid to increase Community membership, that after opening the office in East Belfast Unite would strive to open one in West Belfast too.

The next day along with Irish Regional Secretary, Len visited the Ballymena office where they met activists and union reps from Wrightbus. This was followed by a visit to Derry where Len official opened the refurbished offices in the city.

PRINT

## Communis jobs go

Unite said there was a "deep reluctance to accept" a Lisburn print company's decision to relocate its business with the loss of 46 jobs. **Joanne McWilliams**, Unite Regional Organiser, said that cheque-making company, Communis, had lost 50 per cent of its business.

"Unite has investigated alternative work as had the company. We have gone round the houses on this but to no avail. The union is now looking to secure the best redundancy deal for our members." The company plan to relocate its business to its factory in Crewe, England.

Need help? Contact Unite Ireland, Belfast Regional Office 26-34 Antrim Road, Belfast, BT15 2AA. Tel: 02890 020418 or 15 Merrion Square, Dublin 2 Tel: 01 6611063

NHS

## Pay freeze bid slammed

The proposal floated by NHS Employers that pay for health service employees in Northern Ireland should be frozen for a third year running was branded as "a disgraceful attack on hard working staff" by Unite.

Unite regional industrial organiser in Northern Ireland, **Kevin McAdam** said, "NHS bosses are wildly out of touch with staff. Managers have already instituted massive cuts to staffing levels, which are currently adversely impacting on patient care. NHS staff are at breaking point.

"NHS staff have borne the brunt of the government's policy of making the public sector staff pay for the gross mistakes of the financial elite – Unite will be strongly opposing this policy of blatant unfairness.

"The NHS Employers appear to be trying to launch a pre-emptive attack on the independent Pay Body Review (PBR) process."