

**Trade Union Submission on Superannuation Bill for
Assembly Finance and Personnel meeting on 4th July 2012**

1. When the trade unions addressed the meeting of the Committee on 27th March 2012 we made the case against the adoption of the Superannuation Bill. The thrust of the trade union case was that in the current environment there was no necessity to introduce the Bill.
2. The main purpose of the Bill is to remove the trade union “veto” over any changes to the redundancy compensation provisions which involved a detriment. This follows the introduction of equivalent legislation in Britain following a legal ruling that detrimental changes to the compensation arrangements could not be made without the agreement of the trade unions. The Coalition Government decided to legislate to remove this legal impediment.
3. Effectively this Northern Ireland Superannuation Bill seeks to achieve the same objective i.e. to provide for a worsening of the compensation provisions without the trouble of having to secure trade union agreement.
4. At the meeting of the Committee on the 27th March the trade unions argued that in the current economic climate and the difficult employment situation in Northern Ireland any attempt to diminish the redundancy provisions was unacceptable and unfair.
5. In response to the argument that the same arrangements that pertained in Great Britain should apply to civil servants in Northern Ireland the trade unions made the following points:-
 - (a) That strict parity in pay and other terms and conditions did not actually apply as pay, for example, was negotiated in Northern Ireland following a previous UK government decision to dismantle the national civil service centralised pay and terms and conditions system and delegate powers of pay determination to individual government departments. In this context the NI Civil Service was treated as a separate department for the purposes of pay determination.
 - (b) There was a special case in the context of redundancy compensation for the NI Civil Service to recognise that employees who were made redundant should be treated as generously as possible. The point was also made that decent voluntary redundancy compensation provisions could attract sufficient volunteers thus avoiding recourse to compulsory redundancies.
 - (c) That expensive redundancy provisions actually constituted a disincentive to making redundancies.

- (d) That in light of the future potential for redundancies and the uncertain future for many staff now was not the appropriate time to introduce detrimental changes to the redundancy compensation provisions.
6. In making the case for no change the trade unions did suggest that as an alternative to introducing the Superannuation Bill they would be prepared to enter into negotiations with the Management Side of the NI Civil Service on the redundancy compensation provisions. At a meeting of the NI Civil Service Pensions Forum the trade unions made the offer of negotiations on the terms of any new compensation scheme but DFP officials advised that their position was that the Great Britain changes to the Compensation Scheme should apply in the NI Civil Service and in order to give effect to these changes the removal for the trade union “veto” was necessary and thus the Superannuation Bill was required to be adopted.
 7. This is despite the terms of the proposed new provision at Article 4 Clause 2 which only provides for consultation with a view to reaching agreement and for a report to be placed before the Assembly providing information on the consultation that has taken place.
 8. The trade union experience of the quality of consultation over many years has in many instances raised our concerns about the meaningfulness of those consultations. The disregard by public bodies of views received as a result of public consultation exercises does not give us any confidence that our views will be taken into account in any real way.
 9. The Assembly Research paper provided is very helpful but it does highlight the different approaches to the meaning of “*consultation*”. The trade union view is that changes to negotiated terms and conditions of employment should be the subject of negotiation not just consultation. In the current overarching political climate where “*Labour*” has for decades been under attack from the neo-liberal, market oriented interests both inside and outside government. “*Labour*”, and working people generally, has been conducting a defensive campaign to protect workers’ rights and terms and conditions of employment. Detrimental changes to redundancy compensation represent a further attack on workers and their families.
 10. If the Bill is passed into legislation there will be no negotiations and the detrimental changes will take effect. That is why we are asking that the Bill be withdrawn and for our offer to negotiate to be taken on board by the Department of Finance and Personnel.