



Comhairle Cathrach Chorcaí Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mr. Tom Fitzgerald,
Regional Co-ordinating Officer,
Unite House,
55/56 Middle Abbey Street,
Dublin 1. D01 X002

27th July, 2023

RE- Strike Action on 2nd, 3rd & 4th August 2023

Dear Mr. Fitzgerald,

I refer your recent correspondence advising of the intention of Unite members to engage in further industrial action on the 2nd 3rd and 4th of August. This follows the recent water services strike action on the 30th June and the 13th & 14th July by members of the Unite union.

As you will be aware, such industrial action has significant impact on the public in respect of breaks in water supply to individual customers, together with the requirement to issue boil water notices to water services customers.

In addition, your action has a significant impact on your own members who are at a loss of income, and on other staff members who are reluctant to pass the pickets of your members and, consequently, are at a loss of income even though they are not part of the Unite dispute.

It is incumbent on me as Chief Executive to request clarification from you on the reasons you have proffered as to why Unite decided to engage in industrial action with consequent impact on key public services. I do so in order to gain some understanding as to the reasoning of Unite, as I will be obliged to inform the public and my employees of why this industrial action is proceeding.

My understanding from public communications by Unite is that the following reasons have been put forward by Unite for the dispute and I would appreciate if you would respond in respect of the clarifications sought.

1. Failure of the LGMA to engage with Unite

My understanding is that the LGMA has offered on numerous occasions to meet Unite as part of the ICTU Group of Water Services Unions.



We are Cork.

This reflects the fact that Unite have been part of the ICTU group of Water Unions since 2013, have been involved at all meetings, and were in attendance at the WRC discussions that led to the *Framework for Future Delivery of Water Services*.

It is difficult to understand why Unite, as a member of ICTU, has difficulty in engaging with your fellow trade unions in such a meeting, when you have sought the support of the members of these unions in your industrial action, and where these individuals have had consequent loss of wages in giving such support.

As Unite's industrial action is based on a demand that the other unions are excluded from any engagement with the LGMA, can you explain the reasoning behind this demand?

2. Referendum and Public Service Status

The Minister has given written commitment to hold a referendum on public ownership of water, and he has stated this is government policy. Uisce Eireann is currently a public utility and it is clear from all public statements that Government has no proposal to change this. Therefore, it is difficult to understand the issue for which Unite are in dispute.

Your members have a choice at present to join a public utility or to continue their employment, with protected terms and conditions, in this local authority. The conditions of employment and the status of employees - both those who move to Uisce Eireann and those who remain in local authority - are therefore protected.

Can you provide detail of what exactly is the issue in dispute from Unite's perspective?

3. Voluntary Severance Package

As I understand it, you wish to renegotiate the national voluntary severance package that applies across all sectors and State activities in order to create a new scheme specific to the Uisce Eireann transfer.

As an experienced union official you will be well aware that such a change will require engagement by all public sector unions on a collective basis with the Department of Public Expenditure and Reform. This is a process that you are familiar with and you are, therefore, aware that this issues cannot be progressed through a dispute with local authorities.

On this basis, can you explain why Unite are not seeking to progress this in the course of the public sector agreement talks due to commence shortly instead of having your members engage in industrial action at local level with no possibility of resolution on this issue?

4. The Framework Agreement

As stated previously, the overall transition to Irish Water has been negotiated through collective engagement with the Congress group of unions under the aegis of ICTU and has involved discussions between ICTU, the LGMA, Irish Water and the Department of Housing, Local Government and Heritage.

The Framework protects workers' terms and conditions, presents each individual with a choice on transferring or not, and provides for a compensation payment for transfer and/or severance. It is an exceptionally favourable package.

As I understand it, Unite represents fewer than 120 workers from the 3,000 local authority employees affected by the transfer to Irish Water.

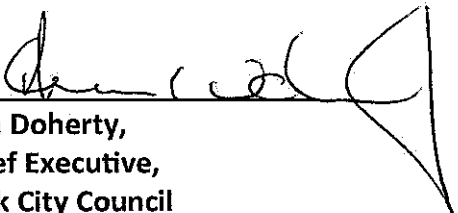
Is it Unite's position that Unite is entitled to renegotiate the Framework on behalf of 3% of employees involved?

I find the actions of Unite unnecessary and unreasonable, relative to the impact on ordinary citizens, and on other workers who are being asked to lose wages at a time of cost-of-living pressure when you have been invited to engage on numerous occasions with your fellow unions.

While I absolutely accept the right of workers to withdraw labour where there are legitimate concerns for the terms and conditions of employment, this is simply not the case in the current Unite dispute.

I would appreciate if you would provide me with the clarifications sought above to better inform me of why Unite has engaged in this action. At this point I do not understand the basis or logic behind your current industrial action with its impacts on the public, and the staff of Cork City Council - both your members and members of other unions who are at a loss of income. I believe that they are entitled to have this fully explained to them and I hope that you can provide clarity.

Yours sincerely,


Ann Doherty,
Chief Executive,
Cork City Council