

# PEOPLE FOCUS

Chartered Institute of Personnel and Development in Ireland  
Summer 2008 Volume 6: No 2

A photograph showing five individuals. In the center is a man in a dark pinstriped suit and green tie, looking directly at the camera. Surrounding him are four Gardaí in their dark blue uniforms and peaked caps. Two are in the background, one on the left and one on the right, both smiling. In the foreground, a woman on the left looks slightly to the side, and a woman on the right is smiling broadly. A large blue banner with the CIPD logo is visible in the background.

## Gardaí join the ranks

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# PEOPLE FOCUS



The value of CIPD membership as the benchmark of professionalism is growing in significance. In this issue we feature details of a special ceremony in the headquarters of An Garda Síochána, hosted by the Commissioner, Fachtna Murphy, at which Chartered Memberships were presented to a number of Gardai. We also carry a photo of HR professionals at UCD who recently joined the

institute. CIPD will be continuing with

this strategy of providing membership opportunities to people management and development professionals in organisations throughout the country. Chartered membership enhances the professional status of HR practitioners and levels the playing field with colleagues in, for example, finance and engineering.

Last month CIPD organised the biannual conference of the World Federation of Personnel Management Associations (WFPMA) in London. The event was incorporated into the institute's HRD Week and was attended by delegates from almost 30 countries. Much of the discussion at the conference centred on the value of professional standards and many countries are now looking to CIPD to provide a lead in this area. In response CIPD will be exploring the practicalities of expanding internationally and making our professional qualifications, research and other services available to colleagues in other countries. This heralds an exciting new chapter in the ongoing development of CIPD.

Our new Chief Executive Jackie Orme is now onboard and Geoff Armstrong retires next month. Geoff leaves behind an institute in excellent shape to face the challenges of the future. We wish him every happiness in retirement.

**Michael McDonnell**  
Director, CIPD Ireland



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### Editorial enquiries to:

Michael McDonnell, CIPD Ireland, Marine House, Clanwilliam Place, Dublin 2. Tel: 653 0400 Fax: 653 0500 e-mail: info@cipd.ie

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# National agreements face uncertain future

**Speaking after the union had voted overwhelmingly to enter talks on a new national agreement, Siptu general secretary, Joe O’Flynn said these “will probably be the toughest set of negotiations since the current generation of agreements began over 20 years ago.” It is hard to remember anybody ever predicting that the forthcoming talks would be the ‘easiest set of negotiations ever’.**

But O’Flynn may have a point in that a deal will be hammered out against a very difficult background.

The talks or at least the tense endgame following the inevitable breakdown, will never be quite the same again without Taoiseach, **Bertie Ahern’s** dramatic 11th hour intervention.

Praise for Ahern’s role in partnership over the last two decades was fulsome from all sides of the table.

Speaking days after Ahern announced he was to step down, Director of the CIPD, **Michael McDonnell** said that the “resignation of the Taoiseach, Bertie Ahern will be a loss to best practice people management given his contribution to employment relations for over 20 years”.

“Mr Ahern was key to the success of ‘social partnership’ over the past 21 years.” added McDonnell.

“Bertie Ahern has made an enormous contribution to the welfare of this island. His ability to bring people together and to find consensus where there had been none before, is unsurpassed”, said the Director General of IBEC, **Turlough O’Sullivan**.

**Jack O’Connor**, president of Siptu, said that Ahern’s significant contribution to peace in Northern Ireland was “paralleled by the most dramatic enhancement of economic prosperity in our entire history, in which the social partnership process served as a critical catalyst.”

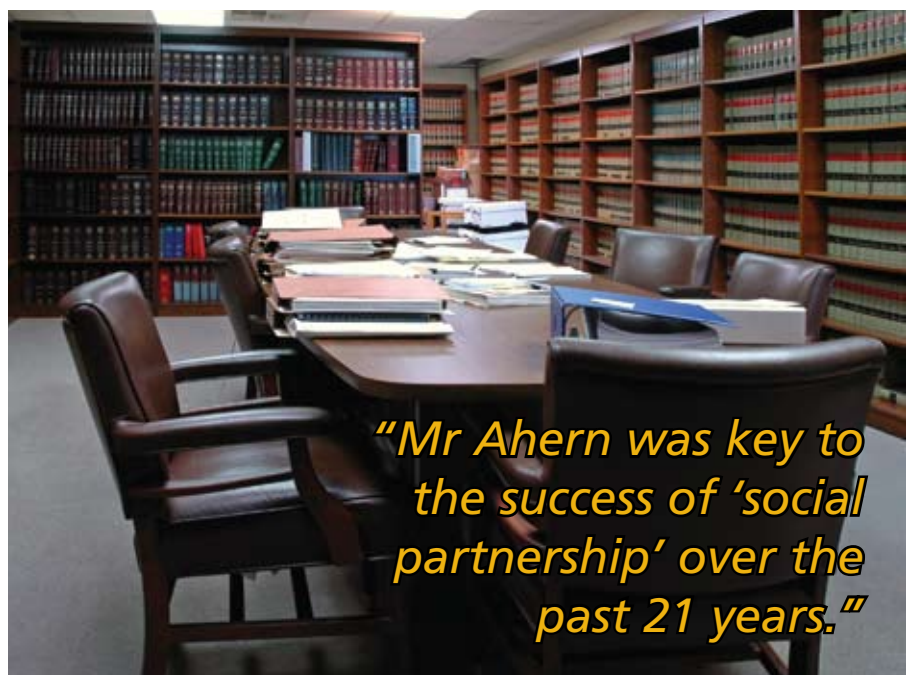
“Although we would differ on the way in which the benefits of this success have been distributed, we cannot deny its value. Nor can history deny Bertie Ahern’s central role in these enormously important and valuable developments” said O’Connor.

Employers and unions alike are wary of the impact Ahern’s departure will have on the prospects of success though most agree that the partnership process has become so ingrained in the national psyche that it can withstand any shock – even the departure of its chief architect.

And Ahern’s successor, **Brian Cowen**, has of course been involved as Minister for Finance in previous talks and since his election as president of Fianna Fail, he has already stated that he is an “advocate of partnership”.

But Cowen may not show the same patience or tolerance if the talks look like dragging on interminably. Cowen is likely to be more matter of fact than Ahern and there is the suspicion that if the talks do hit a wall then Cowen won’t have the same reluctance as Ahern to pull the plug.

This may not be a bad thing and could serve to concentrate the minds of the participants. **At times the sabre rattling and choreographed walkouts have merely engendered cynicism among the public.** Its likely Cowen will preside over a far more workmanlike set of negotiations and it is unlikely he will see any benefit in intervening late to recommend deal that was probably on the table on day one.



*“Mr Ahern was key to the success of ‘social partnership’ over the past 21 years.”*

There was always the suspicion too that both the union and the employers at certain stages played to Ahern's strong desire for a deal. Putting unrealistic pay demands on the table or offering equally unrealistic increases is easy when you know that late in the day the Taoiseach will come riding in with a recommendation which splits the difference.

**In such scenarios, both sides can turn round to their own constituency and say; 'well, we tried our best but in the national interest and so as we should not be seen as the people who brought down partnership, we are almost obliged to accept'. That 'trick' has been pulled many times by both sides and while Cowen will also be well aware of the pressures on unions and employers to look good with their constituents, he may not play that game with the same vigour as Ahern did.**

Of greater importance is the background music to the talks which has changed significantly even in the last 6 months. Inflation hit 5% in March while the number of people signing on leapt up by 12,000 in the same month and now stands at just under 200,000 – the highest level it has been since 1999.

**Ironically, this sharp downturn in the economy, of which Cowen will be more than familiar, may well raise rather than dampen the prospects of another deal.** It has been argued that the first national agreement in 1988 – the Programme for National Recovery – was successful because it proposed to do 'exactly what it said on the tin' namely, rescue the country from the grip of the IMF and through a combination of low wage/tax breaks, put the economy back on the road to recovery.

However, it has been argued that national agreements are best suited to an economic downturn and not to a one growing at the rate experienced in Ireland in the last 15 years.

**Well things have started to turn once again and while there is no indication of a return to the grim days of the 1980s, national partnership may well come into its own once again as**

**means to ride out this down part of the economical cycle.**

On pay, Siptu's **Joe O'Flynn** said that his members want to protect living standards with basic pay increases covering inflation, plus a share of the significant economic growth that had taken place over the past 27 months.

Following ICTU's overwhelming decision to enter talks, **David Begg** warned that the recent rise in inflation would give a serious impact on the talks. Begg said that most workers had been left "seriously adrift" by about 1% to 1.5% over the lifetime of the last pay deal and workers had received nothing of the 11% increase in economic growth over the same period.

**Jimmy Kelly**, regional secretary of the more radical Unite union, formed from the merger of Amicus and Atgwu, said that his union would be seeking increases "substantially above inflation".

**Peter McLoone** of the public sector union, Impact whose members are still getting to grips with the zero increase from benchmarking, criticised business leaders and politicians for double standards on pay. He said they were out of touch with reality if they expected wage restraint from ordinary workers while top earners got huge pay rises.

But **Turlough O'Sullivan**, director general of IBEC, said that a pay deal which chases inflation "would be bad for Ireland, and put more jobs at risk at a time when the Irish economy is facing its biggest economic challenge in twenty years. Irish pay rates have been growing at twice the pace those in other euro area countries".

The union had argued that the 10% increase under the current pay phase of T2016 over the last 27 months had been more than eroded by inflation which the unions estimated at 11.7% for the same period.

But O'Sullivan countered that with tax concessions, average pay has increased by 14.4% over the 27 months and that Irish workers benefit from the second-highest level of take-home pay in the EU. **"Average earnings in 2007 were €45,000 p.a. i.e., 17% above the euro area average",** said O'Sullivan.

Inflation is a problem for all of us, consumers and business alike, said O'Sullivan. "No sensible person would suggest that the more difficult it becomes for Irish companies to do business, the more we should push up costs and further damage our ability to trade and to protect jobs", said the Ibec leader.

Jack O'Connor, however, was in fighting mood. **"We are not afraid to negotiate, but we are not afraid to fight either"** said the Siptu president.

"This time it might be necessary to fight and it is important for people to fight now" he said, raising the old chestnut to the employers that they cannot be taken for granted any more.

**O'Connor's fighting talk came in the same week that official figures from the CSO showed that the rate of union membership in 2007 had fallen to 31.5% including public sector workers i.e. less than one in three of all workers. This continues the steady decline from 2003 when over 37% of the workforce was in unions, the CSO figures noted.**

**An OECD report late in April came down firmly on the employer's side. The Paris-based economic think-tank said, however, that Ireland's economic fundamentals remain strong. A skilled workforce, moderate taxation, a light regulatory touch and a still-sound budgetary position indicates that the Irish economy possesses the capability to enjoy a bright future, noted the OECD.**

But it warns that with weak consumer demand Ireland must turn its attention to the international market to ensure it can handle the period of adjustment over the next few years. And this means ensuring Ireland is competitive which in turn demands wage restraint.

"Unless wage and price inflation are reined in, the export sector will not be able to contribute either to short-term adjustment or the long-term improvement in living standards. Real wage growth needs to be limited to increase in line with productivity or by even less in the short term. Competitiveness problems are exacerbated by rapid increases in non-

wage costs as diverse as electricity prices, insurance premiums, office rents and local authority charges", said the OECD.

**Its likely Cowen will slap that report down on the table during the talks and it will be hard for the unions to dismiss it entirely. And the unions know that.**

Of course this fighting talk to a large extent represents jostling for position on the grid. More importantly from the unions' standpoint, it seems as if concessions on pay will be offered in exchange for progress in other areas including pensions, union recognition and agency workers.

The unions know that with the economy and the public finances on a downturn, they will not be able to extract much on pay. Hence the initial high demands which they can use as legitimate currency to bargain with on the rest of its shopping list.

**And what a list. While it is odds on that we will enter a third decade of partnership agreements, if their are any potential pitfalls in front of a deal, it won't be over pay but any one of the 'non-pay' items which the union see as up for negotiation.**

The union shopping list can be itemised as follows;

- A local bargaining clause;
- A new benchmarking mechanism to 'oil the engine of change' in the public sector;
- A deal of shorter duration incorporating a 'review clause';
- Protecting DB pension schemes, and introducing mandatory pensions for all workers;
- Amend 2004 IR Acts to restore effect of union representation rights;
- Secure a legal position for collective bargaining;
- Modify public sector Performance Verification Group (PVG) provisions;
- Improve conditions of employment: invest in upskilling, shorter working week, increased annual leave, paid parental leave, equal treatment for agency workers;
- Quality of life issues, notably accessible and quality public healthcare, and childcare.

Employers point out, however, that it is the next pay phase of T2016 that is up for negotiation not a review of the entire agreement as seems to be the case from the above list. T2016 - as its name suggests - and all the social and economic agreements contained within, is supposed to last for another eight years and the only clause up for negotiation is the pay deal.

Employers say that T2016 has already delivered NERA, the compliance legislation and the new employment agencies bill and with more legislation in the pipeline. **For example, the unions demand for equal treatment for agency workers was never on the T2016 agenda nor was union representation rights.** While pensions were a feature of T2016 it did not include the unions' demands to introduce "mandatory pensions for all".

Some of the public service unions, still smarting over benchmarking, have been calling for a modernisation pause in the public sector and have also tried to resist the by now standard 'acceptance of ongoing change' clause in the pay deal.

The employers are quite correct - these talks are supposed to be exclusively about pay. But the unions will need something to bring back to the troops even if at their most optimistic they can hardly expect any movement on about half of the list.

Ibec has already ruled out anything on statutory union recognition while mandatory pensions is another that will take some keen negotiating skills and a big bag of money.

On the other hand if the unions do try to press home their shopping list, then they can expect some counter measures.

**Brian Cowen has already repeatedly said that public sector reform, particularly in health, will be a major policy issue for him in his tenure. The OECD report, commissioned by Ahern last year, will be critical in this regard and the unions can expect some tough negotiating.**

That and the shopping list should certainly keep them busy in Government buildings until well into the summer - if not beyond ■

# NERA sets out its stall



**Speaking to HR managers and unions in March the newly established and significantly empowered director of the National Employment Rights Authority, Ger Deering said that the current rate of overall employer non-compliance with employer protection legislation was 18%.**

"This is far too high" Deering told the IRN conference 'After the Goldrush' adding that compliance with the Organisation of Working Time Act was a particular problem area with breaches of that act running at 48%.

Certainly, the figures would come as a surprise to many employers. Smaller enterprises will no doubt argue that the administrative burden placed on them by the ever lengthening list of employment protection legislation means that many of the breaches detected by NERA are more technical than deliberate.

While this may be the case for some, it is hard to dismiss the fact that of 2,659 inspections made under the Working Time Act, 1,276 were found to be in breach. And it is not that the Act is that complicated.

Even a glance at the Labour Courts' list of cases coming in by the week shows that the main culprits are small employers in the services industry paying just around the minimum wage.

Employment standards are not just a one-way street. As well as being important for employers, it is important for employers that other employers are compliant, said the Nera director. And that is the critical point following the publication of the Employment Compliance legislation last month.

**Not only should the vast majority of fair employers have anything to fear from the legislation, they should welcome it as an effective way to level the playing field.**

There is no doubt that in the hectic growth of the last 15 years which brought hundreds of thousands of new jobs, some employers cut corners and achieved a competitive edge over their rivals.

The Employment Compliance should, if properly policed, at the very least curtail that.

**CIPD Ireland strongly welcomed the new legislation** stressing its ability to level the playing field ahead of any fears that employers may have about being legislated out of business,

"Professional people managers welcome the strengthening of the labour compliance legislation which will help prevent unscrupulous employers gain an unfair advantage over the majority who are compliant with wage rates, holidays and overtime requirements," said CIPD-Ireland director **Michael McDonnell**.

"Already well-managed organisations maintain full details of employees recruited, remuneration, holidays, sick-leave, working time and health and safety procedures. They have nothing to

fear from improved monitoring by labour inspectors to deter those who exploit vulnerable employees.'

McDonnell added that 'recent cases at the Rights Commissioners, Employment Appeals Tribunal and investigations by the new National Employment Rights Authority (NERA) have highlighted unacceptable behaviour by a minority of employers.'

'CIPD members want the highest professional standards in helping employees make a full contribution to their organisations by going beyond minimum compliance towards achieving best practice in human resource management,' Mr McDonnell said.

**IBEC was by its nature far more cautious in its response to the legislation**, stressing how such legislation should not impede flexibility. "IBEC will be working with the Department of Enterprise, Trade and Employment to ensure that the contents of the Bill to not extend into areas beyond the agreed commitments under the national agreement, Towards 2016, in ensuring public confidence in our system of employment rights compliance. It is important that employers are fully aware of their obligations and that in framing this legislation that nothing is done to compromise our labour market flexibility."





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Largely as a result of the recent influx of immigrant workers which manifested itself in the high profile disputes at Gama, Irish Ferries and the ESB, the bill does not of itself make any radical changes to the enforcement of the country's labour laws.

Rather it legally strengthen some of the labour inspectors powers, introduces 'joined up Government' in terms of investigations and most importantly from the political viewpoint of the Department of Enterprise, Trade and Employment, establishes NERA as a legally independent agency.

\*The main provision in the bill, according to the Department of Enterprise, Trade and Employment include;

\*Establishment of the National Employment Rights Authority ("NERA") on a statutory basis, including appointment by the Minister of the Director and a tripartite Advisory Board;

\*Strengthening powers in the area of labour inspection including allowing the Director to take evidence on oath, ensuring labour inspectors have greater access to premises, personnel and data and empowering NERA to prosecute summary offences;

\*Empowering labour inspectors in NERA to examine employment permits and to prosecute offences and to conduct investigations jointly with other agencies including Revenue Commissioners, Social Welfare inspectors and An Garda Síochána;

\*Provision for greater penalties for offences arising under employment law – in most cases up to 5,000 and/ or 12 months' imprisonment for summary offences and 250,000 and/ or 3 years' imprisonment for indictable offences;

\*Protection of whistleblowers in the event of breaches of employment law being reported in good faith;

\*Specification of a comprehensive list of documents which must be kept by the employer in respect of the most

### recent three year employment period and must be retained by employers for a further two years after the employment relationship

In addition to the above, the Bill also provides that at his own discretion the regulator, Ger Deering, can publish a list of employers who have breached employment protection legislation.

This 'name and shame' approach is similar to the Revenue Commissioners quarterly list of tax defaulters though it remains to be seen how 'offensive' an employer has to be to get on the list.

Also for the first time in any legislation, the Bill provides that evidence against an employer can be taken via a TV link in the court room from a witness living abroad. This is obviously inserted because of the strong likelihood that many migrant workers who are claiming to be underpaid or refused their annual leave entitlement, will have returned home by the time the case hits the courts.

Video evidence is already accepted and has already been used in our civil courts but it is understood that the above clause was specifically inserted in the Employment Law Compliance Bill to ward off any legal challenge to evidence being given in such a manner.

Speaking at the publication of the Bill, Minister Martin said;

"This is the most significant single piece of legislation introduced in the employment rights area in recent years. It is a comprehensive package and a firm indication of this government's commitment to the principles of social partnership. It is a reminder that, in the drive for greater competitiveness, there is a need to ensure that responsible employers who meet their obligations to employees will have a level playing field. Compliance with all aspects of employment law will be strictly enforced including in the employment permits area, national minimum wage, registered employment agreements and protection of young persons in employment" While it is arguable that the Bill is the "most significant single piece of

legislation introduced in the employment rights area in recent years, it is certainly one of the shrewdest political moves.

The Department and more particularly its employment rights division came in for some severe criticism over its handling of the Gama dispute in particular but also the dispute in the ESB. The inspectorate was seen as ineffectual in rooting out bad practice and the unions accused it of standing idly by as employers short changed immigrant workers at the expense of Irish workers.

Minister Martin was accused by the unions of concentrating on the 'Enterprise' section of his portfolio at the expense of his 'Employment' section.

The inspectorate was accused of adopting a 'civil service' approach to enforcement and when Minister Martin announced he was going to increase the number of inspectors from 30 to 90, the unions wanted to recruit inspectors from the 'outside' who might adopt a more 'hands on' approach to offending employers.

That request fell foul of the public service unions' objections but Martin did recruit former Taxi Regulator, Ger Deering to head up the new authority. **If you can handle taxi drivers, you can handle anything!**

The unions' complaints against the Department were unjustified and they also exaggerated the abuse of migrant workers.

But it was also the case that the large influx of migrant workers in such a short space of time - over 400,000 in four years - had taken the Department by surprise and it was clear that the labour inspectorate was struggling to cope.

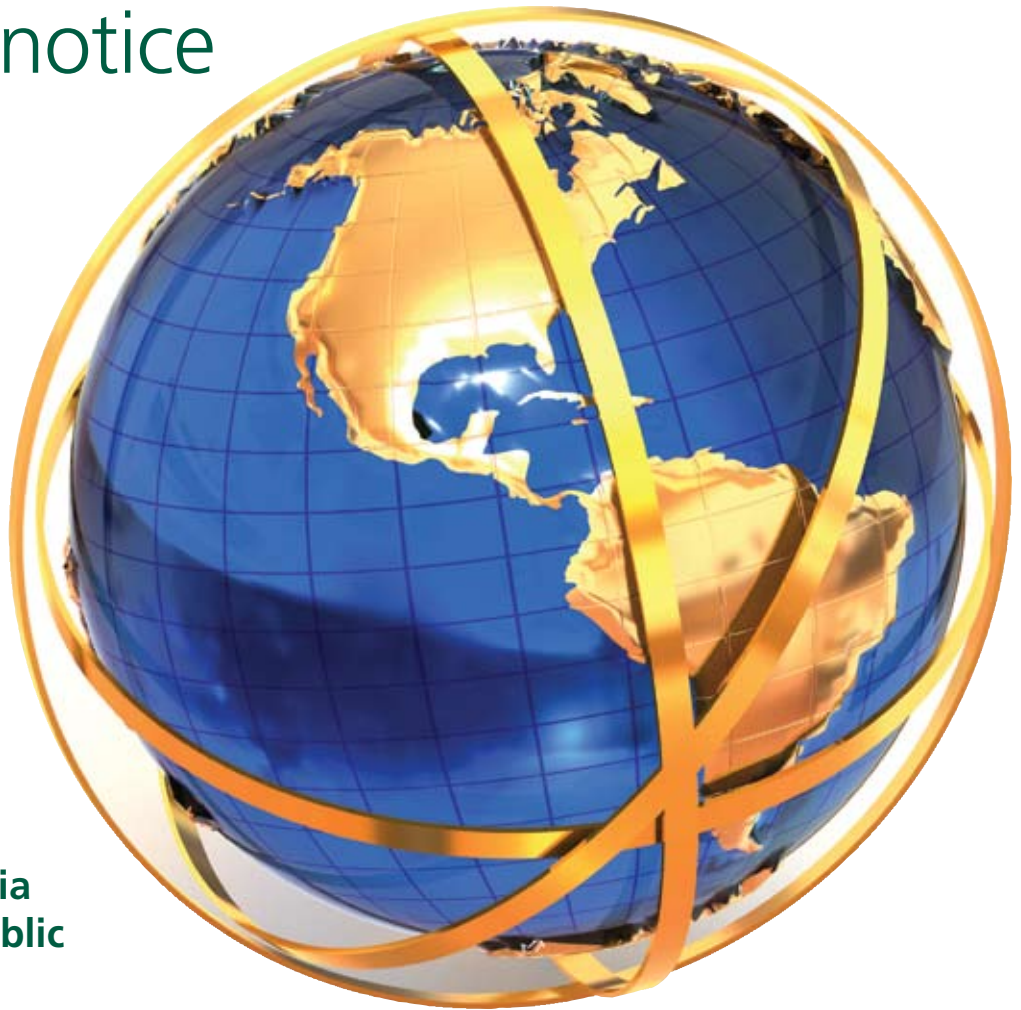
Politically then, Minister Martin's decision to set up Nera as an independent agency with all the attendant publicity including TV and radio ads, was a calculated one along the lines of his predecessor, Health Minister Mary Harney's decision to set up the HSE.

The next major 'migrant abuse' issue will not land at Minister Martin's door but that of the NERA's ■



# Employee notice periods across the world

**Employees in the US, Mexico, Hong Kong, Ireland, Singapore and UK have the shortest statutory notice period for leaving employment, while employees in Switzerland, Slovakia and the Czech Republic have the longest.**



Employees resigning in the US, Mexico, Hong Kong, Ireland, Singapore and UK have the shortest statutory notice period between resigning and leaving their place of work, according to data released by Mercer. The data, from Mercer's Global HR Factbook, outlines the minimum legal requirements for notice periods for employees across 43 countries.

Multinational employers use the **Global HR Factbook** as a comprehensive reference on key human resource issues, topics and trends providing important information they needed to align their HR policies with local, regional and global trends and practices.

Unsurprisingly, practices vary significantly. Employees in Mexico are not legally required to serve notice before leaving their employment. In the US, there is also no statutory requirement, though two or more

weeks' notice is customary. Laws in Hong Kong, Ireland, Singapore and the UK require employees with a year's service to give minimum notice of one week. At the other end of the spectrum, employees in Switzerland, Slovakia and the Czech Republic must give at least two months' notice.

The majority of countries require employees to give a month's notice on resignation.

These periods apply to employees with one year of service. In one in three countries, these periods will change according to an employee's length of service. Also, individual contracts of employment may specify a longer period.

According to **Clive Wright**, principal with Mercer: "In many countries, the actual notice period depends on the terms of the employment contract that

an employee has agreed with his or her employer. It is interesting to note the lack of consistency, however, especially across regions like the EU where it is reasonable to expect more uniformity."

In general, the same statutory notice periods apply to employers, except in a number of countries where employers must give longer notice. For employees with one year of service, longer notice is required in Austria, Belgium, Bolivia, Denmark, Finland, Luxembourg and the Ukraine. In the UK, employees can give only one week's notice where statutory requirements apply, while employers must give a week's notice for every complete year of service, up to a maximum of 12 weeks.

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# Employee Engagement – and the impact on competitive advantage

It comes as no surprise that employee engagement is a mainstay on the HR agenda when you consider that recent research carried out by Towers Perrin (2004) showed that companies with high engagement levels achieved a 17% operating margin advantage over their industry competitors. Another well known study with a sample of over 16,000 employees across 16 diverse organisations showed that 25% of the variance in productivity was accounted for employees level of wellbeing and the perceived commitment of the organisation to the employee group.

What is engagement? Researchers in the Gallup Organisation define employee engagement as ‘the individual’s involvement and satisfaction with as well as enthusiasm for work’ (Harter et al. 2002) Qualitative research carried out by Schaufeli and Bakker (2003) reports that the engaged employee is actively interested in their work, uses their initiative to develop solutions and generates their own feedback. Furthermore, they describe themselves as having similar value-sets as their organisation, feeling a sense of accomplishment when the work is done and even go so far as to describe work as ‘fun’!

The aim of creating an ‘engaged work environment’ where employees experience high levels of well-being and are highly productive is of course a key objective for work place researchers and practitioners. In recent years there has been an impressive body of research generated from the fields of Human Resource Management, Organisational Development and Positive Psychology. John Purcell and his team of researchers from the University of Bath (and funded by the CIPD) have produced a seminal paper on linking employee engagement to productivity and aptly christened this concept ‘the black box’.

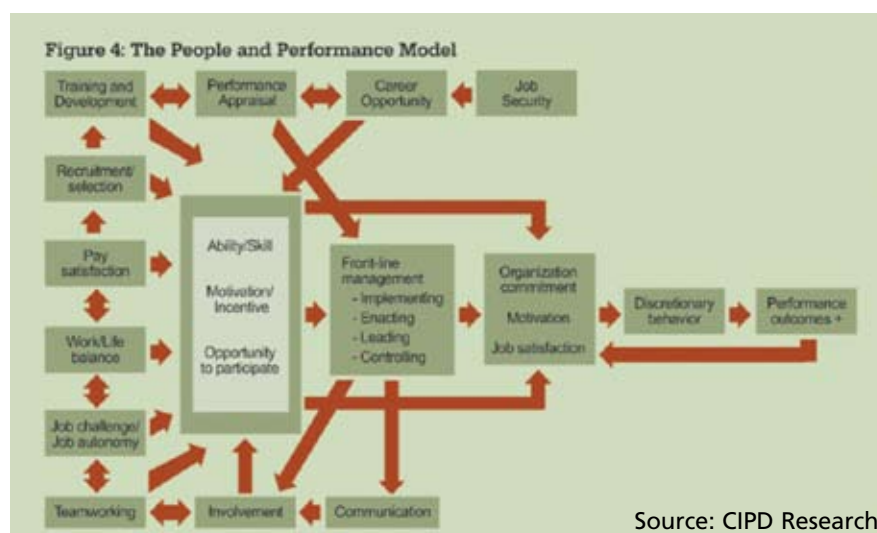
Based on research carried out across 18 organisations, the clear message from this research is that once organisations (and in particular HR and OD practitioners) can fully understand the nature and complexity of these links and why, how and when they occur, we are

some way towards creating and implementing meaningful and efficient engagement policies and initiatives, and producing a win-win scenarios for organisations and their employees. Purcell and his team place a great deal of emphasis on the psychological contract; the notion of Discretionary Behaviour (the choices employees make about how to do a job in term of speed, efficiency and quality); organisation citizenship behavior (OCB - what is it that induces an employee to ‘go the extra mile’) and the concept of Ability, Motivation and Opportunity (AMO – the key building block of any engagement strategy). The role of frontline management and organisational commitment is also highlighted (see figure below) Clearly, incentivising people to enjoy their work more and to perform better is the key challenge for any company, big or small and Purcell outlines the following requirements;

For people to perform better - beyond the minimal requirements of the job - they must:

- Have the ability to do so because they possess the necessary knowledge and skills, including how to work with other people.
- Be motivated to do the work, and do it well.
- Be given the opportunity to deploy their skills, both on the job and more broadly by contributing to work-group and organisational success.

What convinces employees to use their discretion in ‘going the extra mile’. Not surprisingly, the researchers found that this extra effort on the employees was motivated by their sense of commitment to the organisation—if they were proud to tell people where they worked and wanted to work for the firm for the foreseeable c—they were more likely



**to engage in discretionary effort.**

Similarly, if they felt motivated and satisfied with the jobs they were doing, they were likely to put in extra effort.

**Positive Psychology** is a relative newcomer to the field of employee well-being and performance management research, having only been formally launched in the late 1990's by American psychologist **Martin Seligman**. Since that time however, it has made a significant impact on the HR arena and has provided practitioners with strengths, solutions and opportunities based approaches to workplace problem solving instead of the traditional focus on problems, negatives and challenges. In particular, concepts such as 'flow' (M. Csikszentmihalyi); 'appreciative enquiry' (Cooperrider) and 'psychological well-being' (B. Friedickson) and the related initiatives that psychologists have developed are being integrated into mainstream HR and have served to complement initiatives from the strategic HR domain.

Positive Psychology research, presented by psychologist Martin Stairs in the Selection and Development Review (published by the British Psychological Society), outlines the following set of conditions that will naturally create and energise an engaged workforce.

- Organisational Affiliation
- Employer Commitment and Trust
- Leadership Culture
- Meaningful Work
- Inclusive Culture
- Challenge and Development
- Respect for Work-Life Balance
- Positive Relationships
- Positive Reward Culture
- Fun and Humour

As we move into a more constrained economic landscape, with a general

'tighten your belt' mentality becoming more prevalent in Irish industry, employers need to be more resourceful and more creative in juggling that delicate balancing act of employee wellbeing and productivity. Investing in high quality employee engagement programmes would appear to be a very worthwhile investment ■

*Sophie Rowan is a work psychologist and author of 'Happy at Work – Ten Steps to Ultimate Job Satisfaction' published by Prentice Hall €15.95. Sophie is a partner at Pinpoint, a firm of business psychologists specialising in workplace well-being and career management for companies and individuals. For further information see [www.pinpoint.ie](http://www.pinpoint.ie)*

**REFERENCE**

**Understanding the People and Performance Link: Unlocking the black box. CIPD 2003**

# Uncertainty Over Agency Bill

**It wasn't even a 'twinkle in the unions' eye when Towards 2016 was negotiated two years ago but at the current round of national pay talks the issue of equal treatment for agency workers has been termed a 'deal breaker'.**

So how has an issue which barely merited a mention in the last national agreement move to become what Unite's Jerry Shanahan colourfully described as the "elephant in the room"?

Two years ago under T2016, agreement was reached to replace the outdated 40-year old Employment Agency Act with new legislation to reflect the rapidly changing employment agency activity within and beyond Ireland.

**The Employment Agency Bill** will require all agencies to be registered to operate in the state while an agreed code will have to be adhered to in order to secure registration. It also provides that any agency which operates in Ireland will have to be registered even if it is based abroad while the charging of fees to agency workers to secure position will be outlawed.

The new legislation, which is yet to be published, also requires that agency directors have a CIPD type qualification in human resource management - a stipulation designed to weed out the handful of 'fly by night operators'.

But this legislation was promised to regulate Agencies not agency workers.

Of course the issue of equal treatment has been raging across the EU for some time now with a draft EU Directive proposing that equal treatment kick-in after six weeks. But this has been opposed by the UK, Germany and Ireland and now the issues has been left smouldering on the desk of the French presidency which starts on July 1.

But this hardly explains why it has become such an issue now for the trade unions here.



Speaking at a Joint Oireachtas Committee on Enterprise, Trade and Employment meeting in April, Ictu leader **Dave Begg** explained how the unions had fast tracked equal treatment of agency workers up their agenda.

"It can be traced back to the enlargement of the EU when we had a significant increase in the numbers of people from the accession states coming to work here after May 2004. As a result we had quite a significant influx of people to this country. When that happened, it quickly became apparent through a number of high profile cases of which members of the committee will be well aware, including Gama construction and Irish Ferries, that the potential for exploiting conditions of employment were quite significant.

In 2005 Congress became aware that that we would be obliged to petition the Government to put in place a legislative framework to offer the protection necessary to incoming

workers and to members of the indigenous workforce.

Among the measures agreed was the introduction of a Bill to regulate employment agencies. However, it gradually became clear to us that the use of employment agencies as a means to engage people's services was becoming much more prevalent. There are approximately 520 such agencies in the country at present and, in addition, a phenomenal growth in the degree to which employment contracts are mediated through employment agencies.

It eventually dawned on us that the traditional idea of an employment agency providing someone with a means to take up temporary employment in a clerical or nursing post or whatever was changing dramatically. It became apparent that the provisions we had agreed with the Government under Towards 2016 were completely inadequate to deal with the emerging situation. We were obliged therefore to

petition the Government to bring forward further legislation to deal with the problems outstanding. In parallel we petitioned it to agree to the accommodation on the relevant European directive. That, more or less, is the current position. We have not been able to achieve anything on that and it will be a major issue in the forthcoming negotiations", said the ICTU leader.

The Ictu leader went on to say that agency work is "redefining the employment relationship "insofar as some employers are using it to bypass the body of employment protection legislation.

Begg's colleague in Siptu, **Patricia King**, presented examples to the Committee of exploitation of agency workers who, she stressed, are invariably migrant workers.

She instanced a trucking company where 30% of employees were agency workers. The permanent employees were paid €18.50 an hour plus a bonus for long hauls. The agency workers King finally

found out were paid €11.20 per hour while on probation for six months and then €13.20 per hour.

"They received no overtime payments, shift premium, were not covered for sick pay and had no pension entitlements", King told the Oireachtas Committee.

**But while the unions claim the issue of the exploitation of agency workers is now more than anecdotal, they have yet to produce any concrete or hard statistical evidence that this is the case.**

Siptu estimate the number of agency workers at 30,000 which is less than 2% of the entire workforce - a figure also mentioned by Minister for Labour Affairs, Billy Kelleher.

Speaking in the Dail earlier in the year, Kelleher said the Government was "deeply committed to decent employment standards" and pointed out that it has already put in place an extensive range of employment protection legislation.

While there has undoubtedly been an increase in the use of agency workers in the last few years as employment levels shot up, outside of the few cases cited by the unions, there is no evidence of the widespread abuse of agency workers.

**Many workers who are hired through an agency do so through choice either because of the specialist job they do or the desire for flexibility in their own working lives.**

A significant number of nurses, for example, working in the health service are hired through an agency but there is no question of such agency nurses being exploited.

Begg told the Oireachtas Committee that while it would like to have equal treatment of agency workers with their permanent colleagues apply from day one, it is prepared to compromise on six weeks as proposed under the controversial EU Directive.

"The idea of 12 months which has been floated at Government level is crazy, as such a period would be so long as to



eliminate for all practical purposes most realistic working scenarios that would arise" said Begg

A recent survey in the UK by KPMG and CIPD of 1,500 employers showed that while 27% felt agency workers should never qualify for the same rights as permanent employees, 21% said they should be given the same pay and contract of employment conditions from the first day.

Over one-third (35%) of employers in the KPMG/CIPD survey said the same treatment should apply within the first six months and another third said there should be qualifying period of at least 6 months.

### Employer view

**Brendan McGinty**, HR director with IBEC, points out that agency workers already enjoy the same protection as permanent workers under unfair dismissals legislation, holiday pay, minimum wage and working time.

McGinty said that the issues of agency workers is a complex one and cannot be addressed by universal proposals. He said the notion of a six week derogation as proposed by the Portuguese presidency was grossly inadequate.

The employers view is that given the widely differing issues with and level of agency work across the EU, each

member state should be allowed to choose how to apply the non-discrimination according to national practice and labour needs.

While remaining a small part of the workforce nevertheless agency workers fulfil a vital role of enabling companies to carry out work that they might otherwise not be able to do due to a lack of in-house resources or expertise, said McGinty.

When employers presented their case to the Joint Oireachtas Committee on Enterprise, Trade and Employment in April, Ibec accused the unions of simply seeking to "protect sector pay norms established through collective bargaining" than any real concern for temporary workers.

**Isme** described the proposal to give agency workers equal pay and conditions after six weeks as "absolutely crazy"

Isme chief executive **Mark Fielding** said the proposals was "unwarranted, unworkable and unwelcome" and would place an onerous financial and bureaucratic burden on employers.

"It is akin to using a sledgehammer to crack a nut, where 99 per cent of compliant SMEs will be hampered," said Fielding.

Enterprise Minister Michael Martin has already hinted that some compromise on equal treatment can be reached under the Employment Agency bill. But with the issue already highly contentious across the EU and still unresolved, it is unlikely that the Minister will jump the gun in national legislation on the proposals contained in the draft EU directive.

**Accordingly, the 'deal breaker' issue of agency workers is likely to be resolved at EU level first. In the interim and so as not to delay and the national pay talks, some formula of words can be stitched into the Agency bill committing the Government to negotiations on the implementation of the EU directive if /when it is agreed during the French presidency starting in July. ■**

# Information and Consultation Act in Force for Companies with 50+

**Just in case you haven't noticed, and you would be forgiven for such a slip, since March 23rd companies employing fifty employees or more fall within the scope of the Information & Consultation directive.**

Introduced late and after years of bitter wrangling between unions and employers, the Employees (Provision of Information and Consultation) Act, 2006, first applied to companies with at least 150 employees from September 2006.

It was then applied for companies with at least 100 employees from March 2007 and last March for employees with at least 50 employees.

Introduced almost two years ago, virtually nothing has been heard about it since and its impact on the shop floor has been minimal.

**Bar headline agreements in Tesco, SmithKline Beecham, Hewlett Packard and a handful of other employments, there has been little activity or even interest in what was once predicted to fundamentally change the IR landscape in Ireland.**

Part of the reason why the Act has had such little impact here and in the UK, at least to date is the fact that effectively, both unions and employers were unenthusiastic about it to begin with, albeit for different reasons.

The Information & consultation has its roots in the approach to labour relations on continental Europe, particularly France and Germany, where work councils in large firms have been the norm.

But it doesn't graft that easily onto our voluntarist system of industrial relations which relies heavily on agreements which are not binding on either side. The theory is that if an agreement is not binding, it is all the more likely to stick. By and large the carrot approach has worked well in Ireland while the stick has not.

Employers and particularly small employers dreaded the administrative

burden of the Act while larger non-union companies were fearful that the unions would use the Act as a 'Trojan horse' to gain a foothold.

Unions also feared that the Act could undermine their own role, with some employers seeing an opportunity to replace unions with an information and consultation forum. This was quite a legitimate fear as in one sense the I & C structures would do part of the unions job, even though it is information and consultation not information and negotiation.

## 10% Rule

But the major reason why I & C have failed to make such an impact is the '10% rule'. Unless employers and employees have agreed a customised pre-existing agreement, at least 10% of the employees in an undertaking (subject to a minimum of 15 and a maximum of 100) must request an employer to enter into negotiations on an I & C structure. The unions had strongly argued for the EU Directive to kick in automatically but under strong counter arguments from the employers, the Government went for the 'trigger mechanism' instead.

Inevitably this has hampered the spread of the 2006 Act.

"This Act was initially expected to be one of the most important innovations in Irish employment relations this century but its counterpart in the UK has been described as somewhat of a damp squib" said **Melanie Crowley** of solicitors Mason, Hayes Curran following the Directives initial transposition into Irish law.

"Even where an employer comes within the scope of the Act by virtue of the number of employees threshold, the



obligations under the Act will only apply where a written request is made by 10% of employees (but not less than 15 or more than 100 employees) to the employer or to the Labour Court to enter into negotiations to establish information and consultation arrangements. This requirement for employees to mobilize themselves has proved to be a distinct disincentive for employees in the UK", said Crowley.

But Crowley suggests that we may see some heightened activity in the years ahead; "While it remains to be seen whether large numbers of employees will request employers to establish information and consultation procedures in their workplaces, employees' involvement in their employer's business will, as a result of this legislation, become a growing feature of carrying out business in Ireland."

On top of the 2006 Act now applying to undertakings with 50 or more employees, since the turn of the year there has been some activity albeit nothing of seismic nature.

### Code of Practice

On the same day as the Act was extended to small employers, Minister for Labour Affairs, Billy Kelleher, launched the Code of Practice on Information and Consultation.

Drawn up by the **Labour Relations Commission** in consultation with Ibec and Ictu, the Code has been a long time coming mainly down to differences of opinion between the unions and the employers.

"Establishing and developing effective information and consultation arrangements at the level of the workplace leads to a sense of involvement for employees, and a greater understanding on their part of the environment within which their undertaking operates. This in turn can help organisations to anticipate and manage change, facilitate workplace adaptability and develop partnership at the level of the enterprise, all of which are vital in maintaining and improving competitiveness", said Minister for Labour Affairs, Billy Kelleher at the launch of the Code.

"While the legislation provides statutory rights and obligations, the Code of Practice will assist organisations to consider information and consultation as intrinsic elements to good employee/ employer relations, and leading to positive impacts on performance and the workplace.

"I urge, in particular, all employers and employees to carefully read this Code of Practice which will prove to be an invaluable resource. What this Code of Practice does is provide both employer and employee with the means to identify best practice in the area of information and consultation", the Minister concluded.

The **Labour Court** is the port of call for any disputes over IC structures but to date the Labour Court has dealt with just one referral under the 2006 Act and this represents the second activity on Information and Consultation this year.

Last February, the health service unions claimed that the HSE had breached the Agreement on Information and Consultation when it failed to consult with the unions over a recruitment freeze and other cutbacks.

The unions claimed that the HSE had "fallen short of the legal binding commitment it made directly with each of its employees and the employees of associated organisations by ignoring the existence of the agreement". The Agreement was a 'pre-existing arrangement' concluded in advance of the 2006 Act.

In its defence, the HSE said that the temporary pause in the recruitment of staff was not listed as a "significant issue under the scope of the issues falling within the terms of the Agreement" and it did not affect the terms and conditions of employment of existing staff, it said

The HSE added that it is legally obliged under the Health Act 2004 to deliver the health services within the financial parameters set down by the Government and the initiatives were designed to correct a budget overrun.

Labour Court chairman, **Kevin Duffy**, sided with the unions pointing out that

the HSE's budgetary initiatives "did have a significant effect on staff".

"In the Court's view the combined effect of Clause 19 of the Agreement and Article 4.2 of the Directive creates an obligation to inform and consult of sufficiently wide application to cover the type of developments which arose in this case" said Duffy.

But Duffy also gave the HSE and employers generally some grounds for optimism on the application and limits of the 2006 Act. He continued;

"The Court accepts that the obligation to consult does not provide the parties with the right of veto. Nor should it be seen as inhibiting the right or duty of management to take appropriate action to deal with changing circumstances. However, the Agreement (and consequently the Act) required the HSE to inform staff and consult with the unions in respect of the employment related implications of its breakeven initiative. Moreover the obligation imposed by the Agreement is to consult with a view to reaching an agreement. That required the HSE to provide the unions with an opportunity to put forward their views on what was proposed so as to have a real and constructive input into the decision making process".

But the Court never suggested what the correct procedure would be if the consultation with the unions did not reach an agreement!

The Court then simply rapped the knuckles of the HSE and told it to "assure the unions that should the need for a similar initiative arise in the future full and adequate consultation will take place".

Doubtless other unions will have noted the 'success' of the health service unions claim to the Court. The ICTU has already started a series of I & C road shows across the country, promoting the 2006 Act among union representatives.

This combined with the Act's extension to undertaking with 50 or more employees may herald increased activity under an Act which so far has passed well under the radar ■



# "Organisational Structure: An Essential Lever in Managing Change"



A New Book by Patrick Cunneen, Chartered FCIPD

**Continuous change in the business environment and competitive landscape is the norm today. The agility of the firm to respond to those changes in the way it reorganises and restructures itself to meet those challenges and opportunities can be a source of significant competitive advantage. This book explores and considers the significance of organisation structural design in helping organisations adapt to the ever-changing business environment.**

Increasingly, many organisations have come to understand the essential strategic and systemic linkage between business strategy, organisational design and other key components including business processes and people. New forms of organisational structure are emerging that are less internally focussed on relationships and more focussed externally on markets and customers, and are cognisant of strategic issues such as core competencies, out-sourcing, and alliances.

In order to create competitive advantage, leading organisations now centralise their global supply chain to coordinate manufacturing and supply chain processes across business units in order to achieve economies of scale to lower costs and improve cycle times.

Service providers such as accounting firms and IT support services are being restructured. It is very difficult if not impossible for service providers, who are geographically structured under country managers with local profit centres, to provide global clients with a timely and consistent service across all the countries in which the client operates. Increasingly,

service providers are reorganising on a global basis around specific markets and clients.

The book explores the fundamentals of organisational design including hierarchical layers and spans of control. It examines the advantages and disadvantages of different structures such as functional structures, geographic structures and divisions or strategic business units. The work goes on to consider team-based structures and explores issues and concerns of matrix management. The latter chapters focus on issues of organisational design in mergers and acquisitions and change management.

Real-world examples from such industry leaders as Proctor & Gamble, Cisco and Hewlett Packard are used to illustrate and support points of theory. Drawing on experience, the author develops and presents case studies that apply the principles to authentic situations for critical analysis and debate.

This book is primarily written for business studies students studying Human Resource Management (HRM). However, while the audience is primarily a student population, the book is written in such a way as to be also helpful to business leaders, senior organisational/HR practitioners, and organisational change consultants.

Written by a seasoned HR practitioner, the book should be of particular assistance to senior HR managers. Leading business leaders and commentators are increasingly looking to the HR function to be a strategic partner in the business. One way for HR to provide such strategic support to the business is the capacity to both diagnose organisational structural issues and

provide guidance in organisational design for enhanced organisational effectiveness.

## About the Author

Patrick Cunneen has over three decades experience as a HR practitioner across three continents. He is a Chartered FCIPD and an active supporter of the institute.



Pat is currently on assignment as executive vice-president of human resources at Abu Dhabi Aircraft Technologies in the United Arab Emirates. For over a decade, he was director of human resources for Global Manufacturing at Analog Devices Inc., a US-based high-technology semiconductor manufacturer. In that role, he had HR responsibility for plants in Massachusetts, California, Ireland, the Philippines and Taiwan. He has worked and lived in Ireland, the US and the UAE.

Pat is also currently adjunct professor of HR Management at the University of Limerick, where he contributed to the module on strategic HRM on UL's corporate MBA and other executive education programmes. He is a founder and director of Lighthouse Organisational Consultants Ltd., a consulting firm specialising in organisational development, HR consulting, organisational change and executive coaching ■

*"Organisational Structure: An Essential Lever in Managing Change" will be published by Blackhall Publishing Ltd., and the book will be launched at the CIPD Annual Conference in Kilkenny on 20th May.*

# Think Global, Act Local: Embedding CSR in the Corporate Agenda

Recent years have seen a heightened focus on Corporate Social Responsibility (CSR), with increasing numbers of companies embracing the concept of contributing to society in a way that goes above and beyond their legal obligations. With greater public scrutiny in our 'no logo', 'supersize me', 'inconvenient truth' modern world, more and more companies are realising the importance of good citizenship. CSR might previously have been seen as the preserve of large multinationals, but today growing numbers of Irish organisations are seeking to embed CSR in their business strategies. National College of Ireland has a number of ways it can help companies to 'think global and act local'.

## Why Bother? The Business Case for Corporate Social Responsibility

The European Commission's 2001 Green Paper on CSR defines it as "a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis". In practice, there is still some debate over whether companies should be involved in CSR activities at all, with a recurring argument being that companies should be wholly focused on generating a return for their investors.

The American economist **Milton Friedman** famously argued that "the sole social responsibility of business is to increase its profits", and that channeling funds elsewhere provides a disservice to the company's shareholders. An understanding of CSR requires a much broader



view, which accepts that a company is responsible to all of its varied stakeholder groups – including employees, customers, suppliers, the community and environment (among others), in addition to shareholders or investors. All of these groups make an important contribution to the long term success and sustainability of the business.

## Giving away money

The assumption that CSR merely involves companies 'giving away' money is also outdated. The nature of CSR has changed considerably, moving away from the old territory where a company's CSR 'strategy' might involve, for example, sponsorship of its local football team. For CSR to be effective today, a more holistic approach needs to be taken, one which aligns the CSR effort within the company's broader strategic objectives. CSR is about effective management of all stakeholder relationships; it is about building customer loyalty, about staff recruitment and retention and about managing risk and reputation.

When viewed from this perspective it is apparent that, moral arguments aside, there is a very strong business case for companies to foster a genuine CSR philosophy. Employee motivation can be greatly improved; people value being part of a company that is perceived to stand for something, and take pride in their organisations positive actions. CSR can therefore contribute to an enhanced corporate reputation, both internally and externally, and can result in increased loyalty from both staff and customers.

### Thinking Global: Worldwide Benchmark Examples

Further advantages are evident when we look at some examples from the increasing numbers of multinational companies who have embraced the CSR approach. Perhaps one of the first to attempt to fully integrate CSR into its organisational strategies was **Royal Dutch/Shell Group**. The company established the Shell Foundation in 2000; arguably, this was a result of public pressure, arising from their decision to dispose of the Brent Spar oil rig by sinking it at sea. The decision was reversed after considerable international outcry, and the resulting furore led to Shell's realisation that society's expectations went beyond what they had hitherto assumed to be within the realm of corporate responsibilities.

Following this, the company embarked on a comprehensive consultation process. After canvassing people and organisations in over 40 companies, Shell discovered an emerging consensus that 'the pursuit of profits had to be tempered by care for the environment and concern for people - both now and in the future.'<sup>1</sup> As a result of this research, Shell determined that they had to find effective ways to incorporate these principles into their business practices - not, as the Foundation website puts it, "as an option but as a necessity to survive".

The Shell example reflects the growing belief that embracing a CSR agenda is a pragmatic approach amounting to enlightened self interest; as the Body Shop founder Anita Roddick phrased it, "being good is good for business". This was certainly the experience of **Hewlett Packard** when they embarked on the

establishment of an 'i-community' in Kuppam, India. The project attempted to create a self sustaining economy by providing access to information and communication technology (ICT) across a range of areas identified as being valuable to the community. Strands of the project include the establishment of community information centres, mobile solutions centres and a business finishing school.

The Kuppam i-community is an example of what Hewlett Packard term 'e-inclusion', the use of technology to "close the economic and social divide as a matter of both global citizenship and business strategy". The benefits to the company are myriad; HP is learning to compete not just in India, an established high-priority growth market for the company, but also in other emerging economies worldwide. Valuable lessons are being learned about new applications for traditional products and services, and new products are being piloted. The company has identified that many of the on-line services developed for the project have much wider applications, both in the developing world and beyond.

### Acting Local: A Growing Phenomenon in Ireland

The challenge for many Irish companies is that they are unsure of where to begin: how do you start to integrate CSR into your organisation? It typically requires new skills to formalise a CSR strategy, one that is not off-the-shelf but customised to the specific needs of the organisation.

In recognition of this, **National College of Ireland's** newly launched **School of Community Studies** has teamed up with **Nurture Development and Business in the Community Ireland**, to offer the country's first accredited executive programme in **Corporate Social Responsibility**. The programme is accredited by FETAC at level 6 and aimed at managers and executives who recognise CSR as an emerging aspect of best practice, regardless of prior experience in this area.

The course is available on campus in the IFSC and can also be delivered in company, for organisations seeking to train a number of staff members. It focuses on the business case for CSR, on

how to determine the most appropriate CSR strategy for an organisation, how to assess the application and effectiveness of that strategy and finally, how to determine its impact on the company's bottom line.

### Opportunities for involvement

In addition to offering accredited training in CSR, the College's School of Community Studies offers companies the opportunity to build a CSR agenda through a range of innovative community-based initiatives, such as student mentoring, school sponsorship, study clubs and more. Further opportunities are offered by the Early Learning Initiative, a community based project focusing on the role of parents as key educators and motivators of their children. Investing in education is a win-win situation where companies can contribute to their community while encouraging the development of an educated local workforce.

Businesses can also bring specific skills and expertise to the table that charities and state funded bodies are simply unable to offer. National College of Ireland can also provide you with tailored in-company advice about how to leverage your resources and strategically focus your contribution.

With CSR becoming an increasingly important part of the success mix, presenting measurable benefits for both business and for society, it is clear that companies need to build a first class CSR strategy – in the same way that excellence is required in the 'traditional' areas of customer service, finance, marketing, operations et al. **Ultimately, a good CSR strategy is about doing well by doing good - and what could be a more attractive proposition than that? ■**

1. Shell Foundation Origins, copyright Shell Foundation 2003.



# An Garda Síochána join the ranks of CIPD Chartered Membership

At a special ceremony in the Head Quarters of An Garda Síochána in the Phoenix Park, hosted by Commissioner Fachtna Murphy, the CIPD presented Chartered Membership parchments to five Gardai and the Strategic HR Director. Those who received their parchments were: Assistant Commissioner Noírín O'Sullivan; Superintendents Tony McLoughlin and Dermott Mann; Inspector Margaret Nugent, Sergeant John Dollard and Eric Brady, Strategic HR Director.



Commissioner Fachtna Murphy welcomes Sean O Driscoll and Michael McDonnell to Garda HQ.



At the ceremony in Garda HQ

This is the first occasion that such a ceremony has taken place and CIPD was represented by Sean O'Driscoll, Honorary Chair, Michael McDonnell, Director and Barry Hill, Professional Development Adviser.



The new Chartered Members with Commissioner Murphy, Assistant Commissioner for HR Catherine Clancy and CIPD representatives, Michael McDonnell, Sean O'Driscoll and Barry Hill

(Back Row: Standing L to R) Inspector Margaret Nugent; Michael McDonnell, Director, CIPD Ireland; Sergeant John Dollard; Assistant Commissioner Catherine Clancy; Superintendent Tony McLoughlin; Assistant Commissioner Noírín O Sullivan; Superintendent Dermot Mann; Eric Brady, Strategic HR Director, An Garda Síochána; Barry Hill, Professional Development Adviser.  
(Front Row: Sitting L to R): Commissioner Fachtna Murphy; Sean O'Driscoll, Honorary Chair, CIPD Ireland

# Receiving their parchments...



*Superintendent Dermot Mann*



*Sergeant John Dollard*



*Superintendent Tony McLoughlin*



*Assistant Commissioner  
Nóirín O'Sullivan*



*Inspector Margaret Nugent*



*Strategic HR Director, Eric Brady*

## CIPD Chartered upgrades and new members at UCD

A recent membership initiative at University College Dublin resulted in a number of membership upgrades to Chartered status, including Fellow and Member. In addition, other members of the UCD Human Resource team became members of the Institute.



*Photographed at a recent event to celebrate the success of the initiative (Left to Right): Orla Cosgrave; Barry Hill, Professional Development Adviser, CIPD; Sandra Coughlan; Evangeline Leonard; Michael Mc Donnell, Director CIPD; Rory Carey; Sean O Driscoll, Honorary Chair CIPD; Enda Bennett; Deirdre Wilmot; Claire O Malley; Neil Young; Sabina Auhl and Annabella Kehoe.*

# InterIM Executives

*By Deirdre O'Shaughnessy*

**We are undergoing a seismic economic shift at present: one in which the certainties of 15 years sustained growth are replaced with tighter financial realities, changed priorities, and new challenges. Adaptability will be a key determinant of those that emerge from this downturn ready to take advantage of renewed economic growth, and HR tools do not come more adaptable than interim management.**

For those unfamiliar with the concept, interim management is the leasing of executive talent for defined time frames, usually for purposes of addressing skill shortages, overseeing internal projects, integrating new acquisitions after M&A activity, and compensating for the unavailability of key executives (e.g., through sickness, sabbaticals, succession planning difficulties, etc).

**As an HR tool, its application is**

**universal:** all types of companies avail of it and do so in all kinds of circumstances. In the boom years, much of our work entailed helping those who had difficulty in sourcing scarce talent, or who needed help in such areas as product innovation or entry into new geographical markets.

Now, with the economic outlook more overcast, we expect to find a greater demand for executive talent with the experience to steer younger companies (the boom time babies) through the less benign climate awaiting us. We also reckon that more firms will resort to interim management to fulfil immediate managerial needs – without the expense of a permanent hire.

It is important to recognise that interim managers are not temp workers, nor are

they to be confused with management consultants. A key differentiating factor – and one that epitomises the advantage of interim management over more conventional HR solutions – is that interim managers hit the ground running, contributing and making a value-added difference from the moment they begin an assignment. In essence, while management consultants say; interim managers do!

Of course, parachuting a total stranger in among permanent employees is not without its problems, but this is rarely a serious issue, because the typical 'interim' is a highly qualified and experienced individual with the maturity and people skills to successfully handle such situations.

A particular strength is the fresh perspective that they, as an outsider, can bring to an established management function or department. Many of those we have placed on assignment have experience not just of different companies, but different industries entirely, and their 'take' on how particular tasks are discharged can be illuminating and enervating for those they work amongst. A common feedback we get from clients is that interim managers

leave behind a managerial 'footprint' with their host firm – a permanent contribution to the corporate culture that lives on long after they've completed their assignment and moved on.

Although the practice is well established in the USA, Britain, and many mainland European countries, Ireland is a relatively late starter in interim management, although the gap is closing fast. This is expected to accelerate further, now that many of our HR departments are finished (temporarily, we hope!) with the game of 'catch-up' that typified so much of the boom years.

**With demand for executive talent coming more into balance, we can expect more people will consider interim management as a career option.** Managers on assignment earn good money, well in line with what they might expect from full time employment. The nominal daily rate charged for their services is higher than that for a full timer, but cognisance should be taken of the need to provide for pension, holiday entitlements, etc.

And the flexibility and adaptability of interim management works well for many individuals. Assignments are part-time, which allows for the development of personal business or lifestyle ambitions. Also, many executives have discovered that working as an 'interim' is a way of maintaining a current CV (and income) during the years when family needs are given priority ■

*Deirdre O'Shaughnessy is General Manager of InterIM Executives Ltd, Ireland's longest established interim management solutions provider and a subsidiary of the executive search group, MERC Partners.*

*This year's Annual Employment Law Conference was sponsored by InterIM Executives and chaired by Deirdre O'Shaughnessy, General Manager*

**InterIM** / Executives

## Law conference highlights risk areas for Irish managers

**KEY issues which affect people managers and which can lead to legal complications were covered in detail at the CIPD Annual Employment Law Conference in Dublin. The event has now become the premier specialist HR event of the year providing practitioners with an update in legislation and decision by quasi-legal forums such as the Labour Court, Equality Tribunal and Employment Appeals Tribunal.**

The issue of negotiating severance agreements and working through the redundancy rules, as well as ensuring maximum use of tax reliefs, was covered by John Dunne of Matheson Ormsby Prentice.

He warned that employers must clearly assess their case should an employee threaten to initiate a legal action and noted that "injunctions are back in vogue big time". Over the past 18 months the courts have been more willing to grant interim injunctions to prevent an employee being removed in advance of a court hearing of the case.

Mr Dunne stressed the need to have all the aspects of any final severance agreement in writing and he detailed some of the specific terms which could be included such as specifying that payments are gross; how tax will be treated; any restrictive covenants; agreement with regard to references or statement of departure; and any contribution towards the departing employees legal or tax-advice costs.

### **Bullying now "rife"**

Joanna Hyde, a partner with the O'Donnell Sweeney Eversheds firm, covered workplace bullying and harassment which she noted, with supporting survey data, is "rife and endemic". A



*Conference Speakers (Left to Right): Jennifer Cashman, Ronan Daly Jermyn; Adrian Twomey, Advokat; and Joanne Hyde, O'Donnell Sweeney Eversheds*

recent ESRI survey found that one-in-13 employees had been bullied at work.

She cautioned that an employer must have a policy which clearly shows how the organisation deals with allegations of bullying and both the management and employee must utilise any reasonable internal process to investigate these allegations. The policy must be communicated to all staff and management trained in how to process or resolve any bullying-related issues.

In a related topic, solicitor Adrian Twomey dealt with stress problems in the workplace which may lead to injury and subsequent legal action. He detailed five aspects in the legal approach towards the issue including the question of a duty of care to employees and whether that duty had been breached; if the stressful work environment or behaviours had caused a physical or psychiatric injury; and finally, could that risk of injury have been reasonably foreseen.

As with many other people management issues, he advised that the organisation implement a clear policy and provide training as well as assessing various jobs for stress-related risks. In addition he recommended having an employee assistance programme and prompt response to complaints of stressful working conditions.

Richard Grogan dealt with employment contracts and suggested that different terms and conditions be included as they progress to more responsible roles where they have access to more commercially-sensitive information and documents. He cautioned against 'catch-all' non-compete or restraint clauses as Courts are only likely to uphold them if there is a clear economic justification and if they are not unreasonably lengthy.

### **'Garden leave' for executives**

Mr Grogan cautioned that notice periods for departing staff is a minimum one and that it may be appropriate at more senior levels to have 'garden leave' provisions where executives continue to be paid for weeks or months without having to



*Conference Speakers; Richard Grogan, PC Moore & Co Solicitors and Michelle Ní Longáin, BCM Hanby Wallace*

attend at work but to prevent them taking up immediate employment with a commercial rival.

He recommended simple, clearly written contracts detailing the key employment terms for more junior foreign nationals who may not be very proficient in English and, where possible, these should be provided in their first language to avoid any misunderstandings or potential disputes and adverse equality or unfair dismissal findings.

BCM Hanby Wallace partner, Michelle Ní Longáin provided a comprehensive update on employment equality law based in recent decisions and findings by equality officers at the Employment Tribunal. The levels of awards can be significant in cases where employees have been discriminated against on the basis of their gender, age or race of where they have experienced workplace harassment or victimisation.

She described the case of a Zimbabwean employee who was subjected to alleged discriminatory comments which the employer did not dispute and who later lost his job, being awarded €5,000 for the harassment and €45,000 compensation for the discriminatory dismissal.

Ms Ní Longáin also mentioned a landmark case in which an airport supervisor was dismissed after the management became aware that he had had treatment for a heart complaint. The man was awarded €65,000 in respect of the discriminatory dismissal and an additional €60,000 compensation for the stress he suffered and the failure of the company to make reasonable accommodation to adjust his duties.



*Conference speaker: Jacqueline Kelly, A&L Goodbody, finalising her presentation*

She noted that the Employment Tribunal is now more inclined to impose sanctions which are effective, proportionate and dissuasive.

**Managing Absences**

Barry Walsh and Jacqueline Kelly from the A&L Goodbody firm jointly presented some entertaining case studies

designed to highlight legal entitlements and potential grounds for litigation in six workplace scenarios.

Everyday issues such as performance management, return from maternity leave, bullying by managers, disciplinary investigations, psychiatric breakdown by over-worked employees, and fair recruitment procedures were all covered. The reconstructions highlighted the ease with which unintended problems can grow into serious issues if managers lack the skills and training to deal with them competently. In many of the six cases decision-makers could have avoided the pitfalls if they had acted on the basis of treating others in the same way as they would wish to be treated if the roles were reversed.

Jenifer Cashman of Ronan Daly Jermyn closed the law conference with a detailed presentation on managing absenteeism in which she stressed the importance of working closely with medical advisers in cases of long-term illness absences of four weeks or more duration.



*Deirdre O'Shaughnessy, General Manager, InterIM Executives (Conference Sponsors) and Conference Chair.*

**Sick-leave absences**

The importance of keeping accurate records of all absences, even for a single day, was stressed so that a pattern may emerge. In some cases short-term 'sick leave' may be availed of to facilitate some other pressing need.

Ms Cashman noted that persistent absenteeism for assorted short-term illnesses may disguise an underlying issue and that a company could decide to dismiss an employee if it could not reasonably foresee or expect an improvement. "You can dismiss if you go through the procedures and can show that the employee received documented warnings and that the issue of absences were raised at performance reviews", she advised.

In the case of a long-term illness Ms Cashman cautioned against divulging too much detail to other staff and that while maintaining contact with the employee not to be intrusive with unannounced visits to their home. To enhance the working relationship she suggested a structured return to work perhaps with lighter duties or shorter working hours during a transition period ■

- Conference review by Gerald Flynn, research and policy adviser to CIPD in Ireland.



# Employer Branding

**As one of the main facets of sustainable competitive advantage is having more talented individuals than your competitors, organisations worldwide are facing the same challenge; that of attracting and retaining a sufficient amount of talented employees in an increasingly competitive market. The most effective way of achieving an advantage in this area is by creating a strong employer brand strategy.**

Employer branding can be defined as a method of creating the perception that a company is a great place to work within the minds of their targeted candidate pool. Successful achievement of this enhances the organisation's position as an 'employer of choice', and increases the pool of suitable individuals from which they can choose their employees.

At the heart of an effective employer brand is the **employee value proposition (EVP)**, which is the offer of employment that a firm gives to employees. In order to be competitive, organisations must ensure that their EVP stands up against what is being offered by their competitors in the labour market, and that the promises made within the EVP hold true on employment.

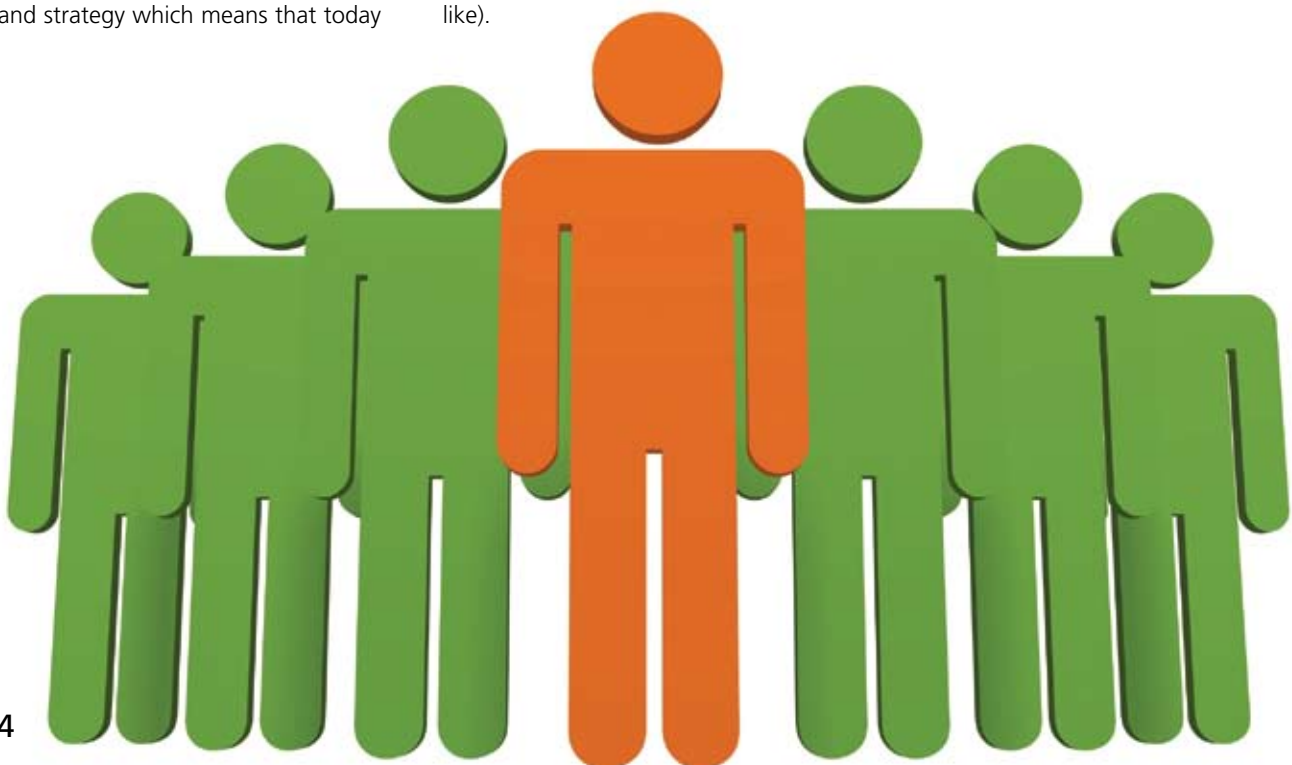
Google for example, is widely acknowledged to have one of the strongest employer brands in the world. It launched an unprecedented employer brand strategy which means that today

Google worldwide receives thousands of applications from candidates who want to avail of the EVP that they promise. This EVP includes perks such as childcare facilities and free lunch everyday. Google market their employer brand in a variety of innovative ways, like videos on Youtube, employee online blogs and clever unique advertising. However before all of that was necessary the Google employer brand grew from satisfied employees telling their friends about what it was like to work at Google, and this concept remains the tone of their advertising today.

**Implementing an effective employer brand strategy is a comprehensive process which includes conducting an audit of the existing brand.** This involves an analysis of both the internal realities of the organisation (current employees' perceptions of working there) and its external reputation (what potential employees perceive it to be like).

From the outset an **employer brand steering group** should be formed consisting of members from all key stakeholder groups. The function of this group should be to create a context for the employer brand in terms of organisational business strategy and to establish exactly what the desired employer brand is. Finally it must be ensured that the employer brand is monitored over time and truly committed to, in order to ensure that it remains both competitive and a realistic portrayal of the organisation. Remember, the Google employer brand began with word of mouth, so if this can be achieved, the employees themselves will become the most invaluable and the most effective advertisement of the employer brand that an organisation has ■

*Mark O' Donnell is Director of Deloitte Human Capital Advisory Services practice.*



# Lovett lecture considers industrial relations fall-out from FDI and outsourcing

**This year's Lovett lecture was entitled 'Labour standards and rights and the accountability of global capital' – and here we focus on the implications of multinational inward investment and outsourcing for Irish industrial relations. *By Tony Dobbins***

This year's annual Lovett lecture was delivered by Professor Christel Lane in the University of Limerick on March 27 and chaired by Mike McDonnell, Director, CIPD. Professor Lane is Professor of Economic Sociology and a Senior Research Associate of the Centre for Business Research at Cambridge University.

Although the main body of Professor Lane's paper focused on developing countries such as China, Turkey and Mexico, she also examined the implications of reliance on foreign direct investment and outsourcing for industrial relations and labour standards in a developed country like Ireland. In teasing out the implications for Ireland, she draws on recent research on multinationals by **Professor Patrick Gunnigle** and colleagues at the University of Limerick.

## Dependent on foreign capital

An experience Ireland shares in common with China, Turkey and, especially Mexico, Christel Lane said, is that its economy is very open to transnational capital and has become highly dependent on it.

Although Ireland is prominently presented in higher-level industries like electronics, pharmaceuticals and healthcare, software and internationally traded services, it nevertheless "shares some of the consequences of dependence on foreign capital" with countries like China, Mexico and Turkey.

Inflows of foreign direct investment (FDI) into Ireland reached a peak in 2002 and, although in decline since then, still are considerable. Multinationals contribute over 50 per cent of manufactured

output in Ireland and a staggering 70 per cent of exports.

On a more positive note, Christel Lane observes that US companies are only one segment of inward investors in Ireland, and they are not the largest single component. European investors put together far outnumber US ones, and are perceived as taking "a less intransigent line on union representation".

## Outsourcing – Alarmists wrong

Turning to the industrial relations implications of outsourcing, Professor Lane argues that outsourcing in developed countries like Ireland is often associated with externalization to lower wage countries of both manufacturing and service operations. It is often viewed as highly damaging to the employment prospects in developed countries.

But, she argues, outsourcing is not as prevalent or as fast growing as some alarmist reports make out. The scale of foreign sourcing is still quite limited in the overall economy.

In 2003, imports of intermediate manufacturing and service inputs (excluding energy) accounted for about 5 per cent of gross output and about ten per cent of total intermediate inputs in advanced economies. (This figure does not include final goods, like clothes)

The share of outsourcing as a proportion of total economic activity has grown only moderately since the early 1980s. Lane refers to a UK Work Foundation Report of July 2007, which estimated that 5.5% of all jobs lost across Europe were due to off-shoring activities in the first quarter of 2007.

## "Increases total pie"

The impact of outsourcing on the domestic economy is not necessarily negative. It "increases the total pie", particularly if cheaper imports are taken into consideration. On the minus side, the effect is usually negative for workers in the lower-skill segments of advanced societies who are made redundant by outsourcing. However, with the move to outsourcing higher services now occurring – in computing, accounting and even medical diagnostic services – even better qualified employees will be affected; albeit they may find it easier to find new employment.

Addressing, specifically, outsourcing trends in Ireland, Professor Lane referred to a guide to strategic outsourcing in Ireland in a journal called *Decision*, featuring an interview with the CEO of Accenture, a firm making its living out of outsourced services.

She noted that the Accenture CEO views outsourcing in Ireland as a relatively insignificant trend. "But he is referring only to services. He claimed that the value of the outsourcing market in Ireland would rise from €209 million in 2003 to €319 million in 2007, hardly a spectacular rise".

Outsourcing is not regarded by the Accenture CEO as "off-loading of non-core business but as a 'fundamental redesign of business'".

Professor Lane notes that outsourcing, according to the CEO of Accenture, "promises not only cost reduction but sustained increases in customer satisfaction, productivity and profitability. Companies are promised savings of between 20-30 percent in conventional outsourcing".

### Beware “miracle cure” tag

Here, she sounds a skeptical note, suggesting that outsourcing is sometimes seen as “a miracle cure for all your business problems which, like all such hyped cures, should be viewed with a healthy dose of skepticism”.

Professor Lane concludes that while “outsourcing does not yet present a serious challenge to Irish labour, dependence of employment on FDI, whatever its objective significance, is now viewed as a problem and therefore is beginning to have problematic consequences. But, compared with the problems faced by Labour in Mexico, China or Turkey, they still pale into insignificance”.

The Annual John Lovett Memorial Lecture Series is jointly organised by the Department of Personnel and Employment Relations, Kemmy Business School, University of Limerick, and the CIPD Ireland.

The series was established in 1993 in memory of John Lovett, a former chairman of the Chartered Institute of Personnel and Development in Ireland (then Institute of Personnel Management) ■

### Student Awards

A number of awards for outstanding student performance were also presented at the event as follows: Bachelor of Business Studies (HRM), *Deirdre Nelligan*; Master of Business Studies, Human Resource Management, *Michelle O’Shea (full time) & Jane Mitchell (part time)*; Diploma in Personnel Management, *Rachel Renehan*; Certificate in Personnel Management Practice, *Andrew O’Shaughnessy*.

The Diploma and Certificate awards are sponsored by *Irish Recruitment Consultants* and were presented by Neil O’Keefe. The MBS (HRM) awards are sponsored by the HR Department, *University of Limerick* and were presented by Tommy Foy, HR Director. *The John Lovett Memorial Prize* for best BBS (HRM) student is sponsored by the Lovett family and was presented by Phil Lovett.

# 16th John Lovett Memorial Lecture and Student Awards



*Barry Hill, Mike McDonnell, Prof. Christel Lane, Mike Watts, Phil Lovett, Siobhan Ryan, Ann Goggin, Therese Brady and Gerry Berkery*



*Presentation of John Lovett Memorial Prize to Deirdre Nelligan (BBS HRM)  
Conor Lovett, Mrs Nelligan, Phil Lovett, Deirdre Nelligan, Professor Christel Lane, Mr Nelligan*



*Mike McDonnell, Prof Christel Lane, Phil Lovett, Mike Watts and Dr. Paddy Gunnigle*



*Neil O'Keefe, Irish Recruitment Consultants, presenting the Best Student Award, Diploma in Personnel Management, to Rachel Renehan*



*Irish Recruitment Consultants Neil O'Keefe (left), presenting the Best Student Award to Andrew O'Shaughnessy*



*Tommy Foy, HR Director, University of Limerick; Mike Watts, Professional Development Director, CIPD; Mike McDonnell, Director, CIPD and Professor Paddy Gunnigle, Professor of Business Studies, University of Limerick*



*HR Director, University of Limerick, Tommy Foy, presents Best Student Award (MBS-HRM, PT) to Jane Mitchell*



*Tommy Foy, HR Director, University of Limerick, presents Best Student Award (MBS-HRM, FT) to Michelle O'Shea*

## Student of the Year Awards

### Master of Business Studies (Human Resource Management)

*Michelle O'Shea – Full-time*

*Jane Mitchell – Part-time*

Awards sponsored by the *HR Department*, University of Limerick and presented by **Tommy Foy**

### Certificate in Personnel Management Practice

*Andrew Clohessy*

### Diploma in Personnel Management

Rachel Renehen

Awards sponsored by *Irish Recruitment Consultants* and presented by Neil O'Keefe

### 5, Bachelor of Business Studies (HRM) - *John Lovett Memorial Prize*

Deirdre Nelligan

Award sponsored by the Lovett family and presented by **Phil Lovett**

# 5 Steps to a Flying start to Company Induction

by Ciaran Buckley

**Every new joiner in an organisation should attend a well structured, timed and sequenced induction programme.**

Induction is no longer just an introduction to a job. Employers use induction to give new starters a snapshot of “how things are done around here” bringing company culture into the induction process.

Properly structured, well timed inductions can help reduce the possibility of an “induction crisis”.

An induction crisis can occur when the new joiner has not settled in properly or the job has not met their expectations. It is HR's task to reduce induction crisis through the development of job specs, recruitment processes and lastly Induction processes. First impressions of both the company and HR are pivotal and really can shine through in a flawless induction process.

## 1. Be Prepared

The following tasks should be executed before a new joiner's first day induction where possible.

- Desk –Clean, any old material removed
- IT Equipment – Phone extension number arranged
- Personal Computer, Login, E-mail set up
- Business Cards ordered
- Included in company directories, & Web
- Where possible included in new company publication's (if relevant)



These simple tasks are often overlooked. Can you imagine starting in a new company and not having a personal computer on your first day? It happens!

## 2. Summarised Induction Pack

- Sending a summarised induction pack the Friday before a new joiner starts (presuming they commence employment on a Wednesday), gives a new joiner time to become accustomed with material such as company ethos, pay scales, departments, sick pay entitlements etc. It also gives the company an opportunity to request any relevant documents that may be needed.

## 3. Weekend Reflection

- The reason that commence of employment is suggested to start on a Wednesday is because this breaks the week up and allows for an induction period to stretch to the following Tuesday (average company induction one week). This allows the new joiner the weekend in between to reflect on what has been learned and focus on the job at hand.

## 4. Later Start Time

- The start time of the first day should be 9.30am. Commencing it on the half hour allows for a certain

amount of flexibility in relation to the new joiner finding the office.

## 5. Keep it Light

- Day One should be kept relatively light. It is very important in the first day to stimulate employee's minds without overloading them with information. Ice-breaking exercises/ games are very important here, not only will it get them thinking but will allow them to let their guard down and interact with one another ■

## Remember

Timing is crucial! Sending the pack on the Friday, the marginally later start time on the Wednesday, and weekend gap are all strategic steps to ensure time, money and resources are used efficiently and effectively. Being creative, enthusiastic and requesting feedback will reduce wastage and get induction off to a flying start.

*Ciaran Buckley is a final year student in the National College of Ireland studying the BA in HR & Accountancy*



# Online Corner: Old-fashioned recruitment fairs gain favour online

By Michael Wallace, Commercial Director, LoadzaJobs.ie

**As companies compete for an ever decreasing pool of qualified applicants, HR professionals are turning to new and ground-breaking recruiting methods that go beyond the boundaries of traditional hiring. We're starting to see video CVs, jobcasts and of course networking sites (e.g., LinkedIn, Facebook) inch their way into mainstream. Companies that consider themselves on the leading edge of human resources are taking note of the staffing opportunities derived from the burgeoning virtual world.**

Virtual jobs fairs have been leading the way across the water for some time now as another innovative recruitment solution to help employers position themselves strategically, as well as cost and time effectively.

**Job fairs in the virtual world work much as they do in the real one.**

Employers set up shop in a common area and participants who are interested in learning more about an employer click into its virtual area, which contains an online company brochure, descriptions of open positions and the contact details of the participating company.

Employers can have a powerful virtual presence and advertise their jobs without the travel expenses and other costs associated with attending a traditional job fair. In addition they gain access to a multitude of targeted candidates from the convenience of their desktop, taking only minimal time from their workday.

**For jobseekers, the 24-hour access makes it much easier for those who have day-time jobs to attend.**

Furthermore, candidates can browse through jobs they are interested in without having to fight the crowds and they can be assured their CV will get into the right person's hand.

The online job fair is a new concept in Ireland and is being brought here for the first time by Ireland's fast growing recruitment site, LoadzaJobs.ie. This new initiative – a revolution in recruitment - is set to transform the traditional jobs fair into a convenient, multimedia experience for everyone.

Competition on a global scale is forcing companies to look at innovative ways of both marketing and recruiting. We've created an additional tool for employers to find employees. But by adopting a traditional idea and improving it, we've made it more convenient, more effective and more cost-effective for employers. For jobseekers, they can visit several companies without leaving their desk, and avoid running into the HR manager from their company at the next stand.

The reaction to the event so far

has been extremely positive among HR managers and employers. HR professionals aren't the only ones singing the praises of today's virtual job fairs. Rowan Manahan, MD of Outplacement Company Fortify Services, believes that online job fairs are an essential step to take for companies who are trying to market themselves to the new generation of internet-savvy jobseekers.

**"With more and more of generation Y (18-35 years olds) living out significant parts of their life online, migrating jobs fairs online is a natural progression in the HR/recruitment toolkit. You simply have to be where your target market is and your presence in that environment has to be consistent and authentic", he said.**

Companies in the Pharmaceutical, Science, Healthcare, Medical and IT sectors will showcase their job opportunities at Ireland's first ever online jobs fair this month. **JobsFair.ie will run from 19th May to 1st June on [www.loadzajobs.ie](http://www.loadzajobs.ie)** ■

*Michael Wallace is the Commercial Director of LoadzaJobs.ie. Previously, he launched one of Ireland's first recruitment websites TopJobs in 1996 and went on to manage it until 2002. He has more than 15 years' experience in publishing and has worked in online publishing for the past 12 years.*

## LoadzaJobs.ie

The place to go when you want to go places.

LoadzaJobs.ie are sponsors of People Focus



# Bosses grapple with challenge to find talent across the globe

**A worldwide survey of the opinions of chief executives finds that 89% believe that working on their organisation's people management issues, (or 'the people agenda') is one of their top priorities - 67% say that this is where their time is best spent.**

Yet, for the first time, an annual report from PricewaterhouseCoopers shows the extent to which CEOs believe these issues represent critical barriers to the execution of business strategy. In an environment of constant change the ability to mobilise people to deliver change is essential.

CEOs say they are confident that their leadership teams are competent to drive change, but they do not see these efforts reflected in the results their companies achieve.

A considerable part of the blame for failing to realise the benefits of major change programs lies with middle and senior management, but organisational barriers, poor communications and internal politics are problems as well. A substantial 50% of respondents say that lack of motivation on the part of middle managers is a major obstacle, while 48% say that lack of change-management skills and experience at more senior levels are serious barriers.

## Not good for HR

The news for human resource managers is not great. The ability to compete for talent is critical and the sort of skills that come with experience are particularly hard to find, but few human resources functions are perceived to be sufficiently effective in their approach. Only 43% of CEOs believe that their HR teams are equipped to handle any changes required to compete for talent. Four out of ten CEOs were unable to answer this question at all, which perhaps indicates a perception that the HR function is seen by them as a service delivery function, and not a driver of strategy.

## Hardest to find

When it comes to finding the right skills, the people currently hardest to find globally are those with combined technical and business expertise, followed by those with adequate global

experience, the ability to lead, creative skills and the ability to manage risk. There are some clear regional differences. In Asia Pacific people with the courage to challenge, the ability to adjust to change quickly and the ability to be creative and innovative are the hardest to find. Central and Eastern European businesses leaders find it more difficult to recruit those with the ability to manage and anticipate risk and also those with global experience - a challenge they share with Latin American CEOs.

**Mark Carter**, Partner, HR Services, PricewaterhouseCoopers Ireland said: "Economies at different stages of economic development have shortages of skills in different areas. We would expect to see a heavy increase in demand for management skills in the rapidly developing economies of China and India as markets there shift from manufacturing to a more service orientated model."

"In a competitive and uncertain environment - the right talent can mean the difference between a business that fails and one that thrives. Businesses must be able to identify the right talent with the agility needed to drive value in challenging conditions".

## New strategy needed

More than six out of ten CEOs believe they need to change their current talent strategy. CEOs are recognising that existing and new generations of employees needs and demands are evolving, and employers must work hard to earn their loyalty. CEOs are looking to various methods within their organizations to both attract and retain. Many CEOs (73%) are also increasing the remuneration they offer, but they are equally ready to use more imaginative methods, which reflect the dynamism and complexity of modern working life. These include: creating a more flexible working environment (76%)• hiring and

developing people from more diverse pools of talent (67%), and collaborating with networks of external specialists (66%).

**The overwhelming majority of CEOs believe that the answer is in training and development of the people within their organisation.** However, in the organisations that were surveyed, only 39% of the executive-level jobs were awarded to the internal successors who had previously been designated to fill them when those jobs fell vacant. All CEOs recognize the importance of getting their people strategy right and the majority are looking at internal methods to do this, but very few are measuring the direct impact that people are having on their business objectives or measuring the success of these internal programs.

## The greatest challenge

While CEO's from many countries believe that taxation is one of the major regulatory challenges facing business, **an even greater number (42%) feel that labour laws are the greatest challenge and an area in need of improvement.**

"People represent the biggest expense in most organisations so any reduction in unnecessary labour costs or 'red tape' could generate significant economic benefits", according to Carter.

While the degree of emphasis varies from country to country, many CEOs feel that businesses can benefit from taking more pro active involvement with governments, designing labour regulations and influencing the content of new regulation. Governments say that they would welcome more input from business before legislation is introduced, but that business is not taking advantage of the opportunity ■

*For more information on the PwC survey: [www.pwc.com/ceosurvey](http://www.pwc.com/ceosurvey)*



# Netrepping – The Pitfalls

*By Colleen Cleary*

Many employers are now taking advantage of social networking websites, such as Bebo, Myspace and Facebook to vet job candidates. This practice is known as netrepping. Individuals should be aware that the contents of their social networking profile may be publicly available and may impact on their reputation and future employment prospects. These online profiles can provide potential employers with access to a myriad of personal (and probably irrelevant) information about a prospective employee in a matter of seconds.



Employers are advised to exercise caution prior to undertaking any such online investigations, as the information obtained about a candidate may influence their opinion or impact upon the hiring decision.

Prior to undertaking any search, an employer should have already drawn up a job spec identifying key requirements for the job relevant to the candidate's

ability to do the job. Issues relating to social behaviour should not be taken into consideration. The reality is that if information concerning protected characteristics under the **Employment Equality Acts** (such as race, gender, age, sexual orientation, etc.) is disclosed on a website and the individual is not hired or perceived not to be hired because of this, an employer may be exposed for a claim under the Acts.

By documenting and having an objective and transparent recruitment process based on a candidate's ability to do the job in question and providing feedback, this will reduce the risk of a discrimination claim ■

*Colleen Cleary is Head of Employment Law Unit, Landwell.  
[colleen.cleary@ie.landwellglobal.com](mailto:colleen.cleary@ie.landwellglobal.com)*

# Employment permits - Top Tips

**Jeanette Ryan, Senior Manager, Immigration Services, Deloitte shares some top tips for processing employment permit applications**



Just over 12 months ago the Dept of Enterprise, Trade and Employment (DETE) launched new employment permit schemes. These followed the enactment of legislation (**Employment Permits Act 2006**) which governs the employment of non EEA nationals.

This article will highlight the main criteria for each scheme and I hope you find the tips useful!

## 1. Green card permit scheme

Employers in certain economic sectors offering a specified position for a minimum of 2 years with a salary of €30,000 or more qualify under this scheme. No labour market test is required and it provides for immediate family reunification which is of significant benefit to certain nationalities. Processing times by the DETE had been quicker than the alternative work permit but now they are on par, the average processing time being 4 weeks. The legislation specifies that skills, experience, qualifications are required and employers must ensure that the job description's skills, experience, qualification requirements match the candidates. If not expect the application to be rejected.

**Tip** - Pay particular attention to the job offer required with the application and include the 'extra' details.

## 2. Work permit (WP) scheme

Continues to be the most widely used scheme. This scheme applies to job offers from an Irish employer with an annual salary of €30,000 or more. Ineligible categories continue. A labour market test is required which means advertising with FAS for four weeks and then in local and national newspapers for a further three

days. Again, experience, skills, qualifications must be demonstrated.

**Tip** - Expect an increase in processing times soon due to an expected influx of Graduate applications - and again at the end of the year when the proposed changes to student permits comes into operation.

## 3. Graduate scheme

This scheme was introduced to encourage third level students to remain and work in Ireland post completion of their course. An offer from an Irish employer is required and the individual's qualification should be relevant for the position. As it is a work permit application the normal WP policy applied however a salary of less than €30,000 is permitted where it is the industry norm for the Graduate position. Proof will be required from the employer. Upon submitting and during the application processing, the student is required to have valid permission to remain in Ireland.

**Tip** - Where salary is less than €30,000 make sure FAS are aware it is a Graduate work permit application and also make sure it is advertised. If you do not receive the FAS letter within a couple of days, enquire with FAS.

## 4. Intra company transfer (ICT) permit

This scheme applies where a foreign employee is transferred temporarily to Ireland to work or train. The employee remains employed, salaried and paid by a related foreign employer while in Ireland.

The total remuneration must exceed €40,000 and, in calculating, you include salary plus benefits/cash allowances. The employee must return to the home country employer. No labour market test but 12 month employment history required with the foreign employer.

**Tip** - If the transfer is for less than 90 days you do not have to apply for an ICT permit. Permission is obtained from Immigration officer at the point of entry or from the Garda National Immigration Bureau post arrival.

The best advice I can offer is to complete the application in full and ensure the cheque, bank draft or postal order is made payable to the Department of Enterprise, Trade and Employment. No abbreviations.

Keep an eye out for regular updates on all areas of Immigration on the CIPD website ■



# "Trust Makes Everything Possible"

Address by Michael McDonnell, Director, CIPD Ireland and Chairman, FÁS Excellence Through People Board  
At the 2008 Best Companies Celebration Dinner and Awards



It is a great pleasure, as Chairman of the FÁS 'Excellence Through People (ETP) Board' and as Director of CIPD in Ireland, to recognise excellence in people management practices. ETP is the national HRM standard with two main objectives: to act as a business development tool and to align learning and development with organisational plans.

I am delighted to share in celebrating your wonderful achievement in being named as one of the '50 Best Companies to Work for in Ireland 2008'.

Securing or maintaining a position at the forefront of human resource management and employee engagement is very difficult and demands clear management competencies.

I used to think that employment relations and human resource management could be a bit predictable and not too exciting until I followed the recent prosecutions in Germany of leading members of the Volkswagen works council, which brought 'social partnership' to dizzy heights.

**Tales of the main union representative securing a €300,000 consultancy contract for his attractive Brazilian mistress.** Personnel directors instructing managers to provide no-expense spared hospitality, visits to brothels and global travel for the top-tier employee representatives certainly gave a new meaning to 'great places to work'. **Sadly it has all ended in tears with the former Volkswagen works council**

**leader facing nearly three years in prison though some of you may be relieved that the HR Director, who organised the motivational slush-funds, received a suspended sentence!**

Ensuring great workplaces with rewarding and satisfying jobs may not extend to funding visits to lady friends in Brazil or putting them on the payroll, but it does call for focussed and imaginative people management skills.

**Key to such achievements is the balancing of people and performance: firstly, to ensure that Irish firms and organisations are capable of rapidly adapting to change and commercial challenges; and secondly, to maximise**

**employee engagement and motivation.**

The Best Companies study places a strong weighting on the views of employees and how they perceive their organisation and the people in it - which ETP strongly endorses.

It is vital when considering any kind of improvement process that companies solicit the views and opinions of their employees - who are their most important asset. The Best Companies study is not only about achievement, but also about improvement.

This year's study involved an input from approx 35,000 employees who gave their views on key workplace issues like

- Internal Communications
- Training & Development
- Work Life Balance
- And Diversity

Ongoing research by my own Institute, CIPD, is clearly demonstrating that an organisation can thrive if

- it has enough people who feel committed to it;
- feel proud to tell others where they work;
- and are willing to stay for an appropriate period of time.

These people will be willing to engage in the type of discretionary behaviour that helps their organisations succeed.

Some of you with decades of management experience will remember that 'discretionary behaviour' used be the sort of thing that could get you fired!



*Michael McDonnell, chairman, FAS Excellence Through People; Billy Kelleher TD, Minister for Labour Affairs; Tony Dunbar, FAS Excellence Through People; Vincent Crowley, CEO, Independent News and Media; and Bob Lee, CEO, Great Place to Work Institute.*

In those bad old days people were expected to arrive on time, do exactly what they were told and then go home - unless overtime was needed!

I am glad to say things have moved on a lot, and today an individual's discretionary behaviour is key to overall performance outcomes.

**Otherwise you ended up with the old 'warm body rate' whereby people presented themselves at a workplace - made a minimal contribution, partly to avoid doing anything wrong, and any extra effort was often only in accordance with productivity premia.**

The leading companies here this evening have shown their commitment to building different workplaces, that are both effective and productive. Many will know from experience that this can only be achieved when strategic people management is as core to the organisation as good management information systems, quality standards, and budgetary compliance.

Having a great place in which to work is not an end in itself – it is a means towards improving performance and organisational success. That is why for example we have positioned Excellence Through People as a business improvement tool.

Many of the great companies here this evening already have the ETP standard. I would urge those who don't to give serious consideration to acquiring it, because it complements the Great Place To Work initiative so well.

In conclusion, I am particularly impressed with the fact that the Best Companies Study places such a strong emphasis on measuring the level of trust in the workplace.

Trust makes everything possible. When it is low, every decision is questioned and change is resisted. On the other hand, when it is high – anything is possible, such as greater innovation, competitiveness and better business results.

All of you in this room have committed yourselves to excellence. As such you are true ambassadors for our country as we compete in a demanding global marketplace.

Finally, I would like to compliment the Great Place to Work Institute, for this excellent initiative and the Irish Independent for their on-going promotional support.

It is indeed a real pleasure to be with you this evening and share in your great success. ■

*For more information on ETP visit [www.fas.ie](http://www.fas.ie)*



*Billy Kelleher TD, Minister for Labour Affairs; Carmel O'Connor, PwC (winner of overall Best Company to Work For); Vincent Crowley, CEO, Independent News and Media (Ireland); and Ronan Murphy, PwC.*

# Labour force outlook to 2021 and beyond looks good

## WE will need about 45,000 extra workers each year to sustain economic growth.

Talent management is a key concern of many senior managers but of even greater interest is longer-term planning and projections for our workforce and general population which is expected to reach 5m sometime after 2015.

Forecasting our workforce is a complicated issue and few, in anybody, 20 years ago would have predicted that our workforce would double from 1.1m to 2.24m at present. And nobody would have dared speculate, at a time of high emigration, that 350,000 of those working in Ireland in 2008 would be non-Irish nationals.

The lesson to be learned is that we cannot be assured that either our workforce or population will continue to rise at a steady rate but we can make informed predictions. This is what the Central Statistics Office (CSO) has done with its recent *Population and Labour Force Projections 2011-2041* study looking at expected growth based on trends in fertility and migration from our current base of a little over 4.25m people in the Republic.

If the recent trends of high net inward migration and relatively high fertility rates were to broadly continue then Ireland's population, would reach five million within six years. Given the slowdown in the economy and in migration flows from the newer EU member states that is a less likely scenario.

### Fertility steady at 1.9 births

Fertility rates can be predicted with some accuracy based on the female population aged between 15 and 49 and those in the prime child-bearing range of 20-39 years. Since 1994 the number of births in Ireland rose from 48,000 to 64,000 a year largely due to a 30% rise in the number of women in the prime child-bearing age group and a

steady rate of fertility of 1.9 children for the past 15 years though down from over 4 children in the mid-1960s.

The migration assumptions are the most important factor in determining the projected population outcomes and the CSO has predicted that the numbers of immigrants, which was at 109,000 people last year will fall back to between 30,000 and 50,000 a year and that emigration will ease back from 42,000 last year to a steady 20,000 a year over the next 20 to 30 years.

With assumed zero net migration the population of working age (15-64 years) is projected to increase by 0.4% per annum out to but with net migration at either 10,000 or 30,000 a year that labour force increase would rise to 1.4% and 1.7% respectively.

Applying assumed labour force participation rates to the working age population yields labour force projections for the next fifteen years. Under the CSO's zero net migration inflows the labour force is projected to grow by just 13,000 annually in the period to 2021 compared with 61,000 each year between 1996 and 2006. But with the assumed net migration inflow of 21,400 or 39,000 a year continuing that workforce rise would be a more impressive 40,000 and 50,000 respectively or nearly what we experienced during the period of 'export-property booms' in the ten years up to 2006.

With a long run trend of 4% annual economic growth and productivity rising by about 2% a year we will require around 45,000 additional people working here to sustain economic growth over the next 20 to 30 years. The female share of the labour force is projected by the CSO analysts to remain unchanged at just over 42% to 2021.

The CSO projection reveals that, irrespective of the combination of assumptions used, there will be between 1.3 and 1.4 million older persons (those aged 65 years and over) in 2041 compared with 465,000 at present.. This implies that between one-fifth and one-quarter of the population will be aged 65 years and over in 2041 compared with about 12% now.

### Boom in the over-80s

With longer life-spans the number of what are termed "oldest old" persons (those aged 80 and over) is projected to quadruple from a level of 110,000 in 2006 to about 440,000 in 2041. The implications for pension provision and social supports are clear as well as the shift in the dependency ratio which will require higher productivity and probably higher income tax or social insurance rates.

The population aged from five to 12 years, corresponding to children of primary school-going age, is projected to increase by at least 10% in the next decade even with zero net migration and falling fertility rates. However, if net immigration continues at close to its current high rate and fertility remains at 1.9 children per woman then the number of primary school children would increase from its present level of over 450,000 to 650,000 by 2025 with serious implications for the provision of childcare and schools which we should be addressing now.

Overall, the picture looks good from a people management perspective because a rising population and a steady supply of potentially well-educated, talented people should help build both an economy and society capable of sustained prosperity and a fair distribution of its wealth and advantages.

## Joint research study into line-managers' role in change

**The Institute's research agenda has taken significant steps this year with involvement in three new dynamic studies coordinated with the CIPD research and policy department.**

CIPD Ireland's research and policy adviser, **Gerald Flynn** is leading a new joint research project into the role and contribution of line managers as a resource for change in key Irish organisations. **The work is being undertaken jointly with the National Centre for Partnership and Performance (NCPP) and in association with Professor Peter Totterdill and his team from Nottingham University.**

The project involves a series of qualitative discussions with managers and employees based on an 'Appreciative Inquiry' approach stressing the role and contribution of line managers where successful and fundamental organisational change has been achieved.

"For too long the emphasis of much organisational development research has been on front-line and middle managers as blockers or inhibitors of attempts at top-down driven change programmes. We are looking at areas where these managers have been able to contribute and enhance flexible adaptation and expansion using 'group recall' interview techniques," Mr Flynn explained.

Among the participating organisations are the Legal Aid Board, which is the largest solicitor service in the state; Calyx, Ireland's fastest growing provider of communications and computer services with operations in Britain and Ireland; and the Environmental Protection Agency, whose 300 staff operate from ten locations throughout the country.

The focus of CIPD research initiatives is on adding value for people management professionals and ensuring the best practices solutions developed in commercial enterprises and services sectors is disseminated throughout the wider CIPD.

Complementing this will be the Irish participation in a new three-year research initiative called 'Shaping the Future: A vision for sustainable high performance organisations'. The programme will involve 15 large organisations where world-class people management is in place and it has been designed by the CIPD Research and Policy Director, **Linda Holbeche** and her team in conjunction with a panel of advisers and specialists from business schools and organisational consultancies. We expect that at least two Irish companies will be contributing to this research programme which places its emphasis on sectors



such as communications, financial services, IT/software and business consultancy.

**Ms Holbeche** told People Focus that this new programme will build on the CIPD's well-regarded People and Performance research. "Shaping the Future will run until 2011 and will examine the organisational dynamics that drive high performance and sustain it over time. Our intention is to carry out a series of in-depth experiential case studies in 15 organisations. Alongside these research activities we plan to hold a series of events offering opportunities for as many practitioners as possible to be involved".

CIPD Ireland is also working with Newcastle University on a study of absence management in Irish firms which complements some of the work undertaken by the Kemmy Business school at the University of Limerick.

In recent weeks over 200 chartered members and fellows have opted to join the new CIPD Ireland research panel which later this year will initiate a series of surveys to reflect the views, experiences and concerns of senior practitioners on policy issues affecting employment regulation, legislation, and effective management practices. Panel members will have priority participation in this research and policy development area ■

*Gerald Flynn  
'the Irish research programme  
is well underway'*



# Recognising Your Employees; Rewards that please

by Gráinne Murphy

**In today's workplace persuading your employees to go that extra mile is far from easy. Staff want to feel appreciated and valued in their positions while employers want to retain their existing staff. Incentive schemes have become a proven model for motivating staff – but does an occasional gift voucher make that much of a difference?**

Over one-third of employers operate recognition and non-cash incentive schemes. These schemes have been more identifiable in target driven departments such as sales, but these days company-wide reward schemes catering for all employees are becoming more widespread.

According to the **CIPD 2008 Reward Management survey**, last year 40% of companies surveyed intended to put in place a reward strategy, but most have not succeeded in doing so yet. CIPD's research found that by sector, private sector service organisations in general review their reward schemes every 1.75 years, followed by manufacturing and production companies (2.01), public sector service employers (2.11) and voluntary sector firms (2.16).

The **CIPD 2008 Employee Engagement survey** found that around a quarter of employees are either rarely or never made to feel their work counts therefore resulting in a lack of motivation.

When an incentive or reward scheme is carried out successfully, the benefits outweigh the costs considerably. An incentive or reward scheme that is communicated effectively will make employees feel valued, encourage productivity, provide goals to work towards and build loyalty. It then becomes ingrained into the company culture.

## Show me the money

The survey also found that overall, 70% of employers operate a cash-based bonus or incentive scheme, while just 35% have a non-cash incentive or bonus scheme. **Any company putting a reward scheme in place will know that cash versus non-cash rewards is the most debated issue.** More often than not, when cash is given as a reward, it leaves the recipient's mind as soon as it reaches their bank account resulting in cash rewards having little 'trophy value' or memorability for the recipient. Non-cash rewards such as gift vouchers satisfy peoples 'wants' as opposed to 'needs' and are far more memorable – a key factor in a successful reward scheme as people remember enjoying themselves and so remember the giver for that ■



Gráinne Murphy is with [GiftVoucherShop.ie](http://GiftVoucherShop.ie)

# Moodle for Training & Development

## By Gary Mahon, Enovation Solutions

**Gary Mahon, Sales Director with Enovation Solutions Ltd, presented the Moodle Learning Management System at the Annual CIPD Learning & Development conference.**

If you are involved in learning and development there are many features you look for when it comes to evaluating a course management system. These will probably include: ease of use, the ability to manage own and third party content, remote access, active course participation through assessment and collaboration tools and intuitive features to allow for the management of course participants. Finally, in the current economic environment when pressure is being put on budgets, affordability and cost of ownership are key concerns.

**Moodle is an attractive alternative to often expensive proprietary online learning solutions. It is distributed free of charge under open source licensing.** It has revolutionised the industry and forced consolidation among the incumbent providers. With over 37,000 registered sites in 204 countries, its user numbers are in the tens of millions. Some of the largest learning institutions in the World are users of Moodle, including The Open University and UCLA. In Ireland, Moodle is used in a very high proportion of 2nd, 3rd and 4th level institutions and is also being increasingly taken up by businesses.

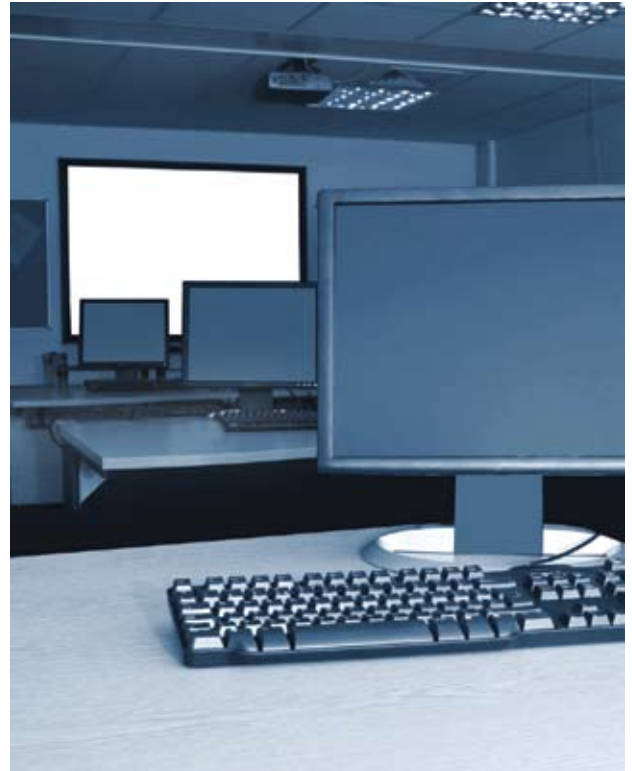
The product is easy to use both by course administrators, content creators and learners. It has comprehensive course management activities such as assignments and quizzes for assessment, tools such as forums and chats to

encourage collaboration and can include any form of content – MS Office, PDF, Audio, Video etc. Importantly, Moodle can also manage standards compliant third party products (ECDL packages etc) to offer businesses further flexibility in terms of learning providers.

On top of all this, Moodle provides comprehensive reporting features to allow for tracking learner activity within the system. In an increasingly regulated business environment this is a key requirement for compliance purposes.

So if you are looking at implementing a course management system make sure that you include Moodle in your thinking. For more information go to [www.moodle.org](http://www.moodle.org) or [www.enovation.ie/moodle](http://www.enovation.ie/moodle)

Enovation Solutions Ltd. provide software consultancy to the Education, Government, Financial and Health sectors. Since 2003, Enovation have been instrumental in driving the uptake of Moodle in Ireland.



### Correction Note

In the last edition of People Focus (p.42) there were some errors regarding Moodle. We apologise for the errors and would like to clarify the following:

- Moodle did not grow out of Blackboard and cannot be downloaded from blackboard.com
- Moodle is an open-source application, not open-access as stated
- A full version of Moodle is available free to download from [www.moodle.org](http://www.moodle.org), not just the basic format



# Can a Coach Serve Two Masters? Coaching as an EAP Intervention

*Catherine Phil MacCarthy talks to Marian Byrne*



**John is a designer and innovator with a global mobile phone company. He sees the world as a noisy party where the voices are not just crossing a room, but travel through the atmosphere to other cities and continents. When a vacancy came up as Director of Development, since he is a developer of systems, works at a senior level and has been with the company for fifteen years, he decided to apply for the job. He was not offered the position, but a colleague Greg, who is younger has been promoted.**

The rejection has knocked his confidence and he has tended to become isolated, and unmotivated. To make matters worse the Managing Director has invited John to liaise with a coach. He has agreed to meet Marian Byrne, but his heart is no longer in the job. His pride is hurt and he is embarrassed at the intervention. Will Marian be able to gain his trust and commitment so that they can work together?

**The company won't have an open chequebook and will expect results and within an agreed timeframe. During the process what information may**

be fed back? The relationship between a coach and coachee is confidential.

Companies often invite coaches to work with individuals to improve either performance or communication. Companies most likely bring in a coach to help an individual, when something has happened that they didn't expect; or something hasn't happened that they did expect. Often it has to do with changes in role, in the market, or with structural changes in the organisation. The coach will agree with the company in advance how progress or feedback will be monitored.

In all cases, the intervention will support the individual to make the transition and deal with the change. Most likely the process will raise the individual's awareness and understanding of their own behaviour, and how it impacts on those around them. In cases where a coach is invited in to work with a new manager or executive, the process will provide a sounding board, and help the manager become aware, understand and value different styles and approaches of the people in his department. It will help to value and understand differences in behaviour, and gain insight in areas where strengths and skills may be maximised. People are often promoted for being experts in their specialised field; they go from there to overseeing the work of dozens of people where the position crucially involves good communication.

If John agrees to work with Marian, she will attempt to gain his trust. He may decide to play along with the process without real commitment. She will begin to explore his motives and expectations in relation to seeking promotion, and his assumption of suitability for the job. She will invite him to consider what he has learnt and if he will continue to hold on to his resentment and disappointment. Is he able to switch his focus to the positives and see where he may be able to develop his own situation?

Stress comes from thinking we have no choice or control, or wishing things were different. Where we can't change circumstances or those around us, through understanding our own style and behaviors we may often change our responses and, as a result, our outcomes. Through accepting the support of a coach, John gains awareness and insight, and some practical tools and techniques to help him cope and thrive that will increase both his potential and his confidence. He may also discover a motivation that leads in a new direction. **Ideally coaching is a three-way partnership between the individual (whether executive, manager or employee), the coach and the organisation. All involved agree on specific goals and parameter's. Coaching is most effective for those who say, " I am here, but I want to get over there, and I don't know how to do it." ■**

*Marian Byrne is a Trainer with ILLI, and a Confidence Coach: (0872232937)*



*Catherine Phil MacCarthy, is a Solutions Coach based at Oscailt: (0868112145)*

# 'Forecasting for the Future' on Women and Pensions Day 2008

**Almost 49% of the female workforce have no personal pension coverage and are being urged by the National Pensions Action Campaign to seriously consider planning for their financial future.**

The Pensions Board in conjunction with RTE Weather Presenter Karina Buckley marked Women & Pensions Day with a photocall at their offices in Lower Mount Street. Speaking at the photocall Mr David Malone, Head of Information Services, the Pensions Board explained; "Women today have very busy working and family lives, it can be difficult to make the time to think about their financial future. However if they want a comfortable lifestyle in retirement, women need to seriously consider their long term saving options."



*Brendan Kennedy, Chief Executive, The Pensions Board, Martin Cullen, T.D., Minister for Social and Family Affairs and Nevin Maguire at the launch of the National Pensions Action Campaign*

Malone continued by emphasizing the critical need for women in Ireland to start to focus on their pension provision, he explained: "The statistics show that women live longer than men, the average woman retiring today, aged 65 years, can expect to live until 88 - over 20 years in retirement. Only 51% of women in Ireland have pension coverage and women often earn less than men, tend to have broken career patterns and are more likely to work part-time. When compounded, these factors make women more vulnerable to poverty, especially in their later years. This can make for a longer but poorer retirement."

Malone added: "On a positive note, we are noticing an increase in women contacting us to discuss their pension options and are showing a strong interest in our initiatives such as the updated 'Women & Pensions' booklet. National Pensions Action Week provides an opportunity for women throughout Ireland to take the first step in activating a pension. As a first port of call, the campaign is advising that they talk to their employers, who are legally obliged to provide them with access to a pension and to also refer to our web-site [www.pensionsboard.ie](http://www.pensionsboard.ie) for more information."

The updated 'Women & Pensions' booklet and the Pensions Calculators are available on [www.pensionsboard.ie](http://www.pensionsboard.ie). The booklet deals with issues such as re-entering the workforce, equal pension treatment, maternity, adoptive, parental and carer's leave and pensions on separation or divorce ■

## November Breakfast Meeting "Don't Waste Your Talent"

The November meeting of the Southern Region was held at the Maryborough Hotel on Wednesday 7th November. Sponsored by Careerwise Recruitment. Guest speaker was Steve Cowman, CEO, Greenstar.



(Left to Right): Steve Cowman, CEO, Greenstar; Sandra Carey, Irish Examiner; Damien Burns, Chairman Southern Region; Ken Murphy, Director, Careerwise Recruitment.

## 'Coaching: is it fulfilling its potential – exploring the current use and impact of coaching'

The January meeting of the CIPD Southern Region was held at the Cork Harbour Commissioners on Wednesday 29th January. Pearn Kandola sponsored the event and one of their partners Johanna Fullerton was the guest speaker. The attendance enjoyed Johanna's informative and detailed presentation on 'Coaching: is it fulfilling its potential – exploring the current use and impact of coaching'.



(Left to Right): Tom O'Sullivan, Event Organiser, Mary Scannell, Johanna Fullerton, Pearn Kandola, Damien Burns, Chairman Southern Region, Doreen Freeman

## Team - Worth!

Presented by Neil O'Brien, Time To Fly Ltd., this talk took a behind-the-scenes look at what *really* makes teams tick. Following 10 years of corporate and sports coaching Neil offered practical suggestions and tips for the following:

- How to measure your team's current levels of **confidence** and **worth**.
- How to know when the team is '**low**' and '**high**'.
- How to get from low to high in **3 steps**.
- How to move from team morale to **team spirit**.
- The link between **discipline**, energy and worth.
- The role that **each person can play** regardless of age, rank or experience.

The session was a lively, informative and motivating and the audience had many opportunities to get involved and contribute. [www.timetofly.ie](http://www.timetofly.ie)



(Left to Right): Neil O'Brien, Time to Fly, Sheila Hurley, Collins McNicholas, Mary Scannell, CIPD Southern Region Committee, Damien Burns, Chair CIPD Southern Region.

## Attendees at the CIPD Southern Region Webprint Site Tour



(Left to Right): Damien Burns, Chairman CIPD Southern Region, Caroline Holohan, Mari Manning, Michael O'Brien, Webprint, Barry Hill, CIPD Professional Development Adviser, Doreen Freeman, CIPD Southern Region Committee, Paul Lavoie, Jacinta Glancy

## Work life balance

Work life Balance was the topic of the February meeting of the CIPD Southern Region in association with Insurance Institute of Ireland at the Maryborough House Hotel.

The speaker, An Coppens, is a regular expert in the area of business coaching, work/life balance and time management on the RTE and Sky Travel programme "How Long Will You Live?". She works with individuals to achieve their maximum potential.

In 2006 An was awarded the European Coaching Achievement Award for lasting client results, the only coach in Ireland to achieve this accolade. She is a master practitioner of NLP and hypnosis. She holds an MBA from the Open University and an honours BA in International Marketing and Languages from DCU. She also tutors for the Institute Of Public Administration in the areas of Organisational Behaviour, HRM and Performance Management.



Picture shows (from left) Tom Nolan, President of Insurance Institute Cork, Ann Coppens, Speaker, Mary Scannell, Insurance Institute Cork and CIPD Southern Region, Damien Burns, CIPD Southern Region Chair.

## Southern Region Dinner Dance



(Left to Right): Jim Scannell, Audrey Burke-McCarthy, Brenda Cooper and Donal McCarthy



(Back row L to R): Tom O Sullivan, Niamh O Driscoll, Michael O Mahony, Doreen Freeman, Don Hegarty, Middle Row, Suzanne Hegarty, Hugh Morley (Front Row): Mary Scannell, Sean O Driscoll Honorary Chair CIPD Ireland, Damien Burns, Chairman CIPD Southern Region



Pictured At Rear (Left to Right): Tim Danagher, Vhi; Jim O Sullivan, Vhi; Neil O Shea, Vhi; (Front L to R): Tom Hennessy, Vhi; Cathy Barry, Vhi; Sean O'Driscoll Honorary Chair, CIPD Ireland; and Damien Burns Chair, CIPD Southern Region



(Left to Right): Damien & Catherine Burns, Sean O'Driscoll, Vera & Val McNicholas

At the CIPD Western Region Evening of Entertainment, Sponsored by Purdy Legal Solicitors with Mike Denver & Band in the Galway Bay Hotel



Jacqueline O'Dowd, Chair, CIPD Western Region; Deirdre McHugh, CIPD; Anna O'Coinne, Chairperson, NBCRI; Mike Denver; Patricia Caffrey, Director, NBCRI; and Alastair Purdy, Purdy Legal Solicitors.

Attendees at the CIPD Western Region event 'How the HR Business support the organisation in meeting strategic objectives' Sponsored by SAP SCC Ltd, with guest speaker Kara Walsh, HR Director SAP



Angela Egan, HP; Declan Heneghan, Hotel Westport; and Sheelagh Buckley, CIPD.



Diane Wright, SAP and Dermot Geraghty, Elvery Sports

Pictured at the CIPD Western Region Seminar "Employment Law update" Sponsored by GMIT were:



Jacqueline O'Dowd Chair, CIPD Western Region; Padraic O'Conghaile, Udaras na Gaeltachta; and Deirdre Mc Hugh (speaker GMIT)



Bernie Turley, CIPD; Michelle Murphy, Vice Chair, CIPD Western Region; and Cian Collins, Chanelle.



Tom Devaney, CareerWise, Catherine Kyne, SAP and Padraic O'Conghaile, Udaras Na Gaeltachta.



Michelle Armstrong; Diana Seikstule and Yang O'Healy



Kara Walsh, SAP; Peter O'Connell, Gaelstorm; and Sharon Stephens, HP.

Louise Mulligan; Marianne Shine; Ann Conroy; and Elami Connaughton



Elaine Cawley; Yvonne McArdle; Diane Wright; Kara Walsh; Marie Heisse; and Catherine Kyne, all SAP.



## CIPD Gala Dinner Dance sponsored by CCP Recruitment



*Roisin Mc Namara (CCP) Jacqueline O Dowd (CIPD Chair Western Region) Aoife Ni Thuirsig (MC) and Michelle Kilcarr (CCP)*

It was another glittering affair for the annual dinner dance for the CIPD members this year. The event, a complete sell out, was held in the Salthill Hotel. Sponsored by CCP Recruitment for the 6th year running the event has developed into one of the city's most glamorous affairs.

Jacqueline O 'Dowd , Chairperson of the Western Region welcomed the special guests and all attending, and spoke of the CIPD growth in Galway over the past number of years. Special guests on the night were the Incoming

President of the Galway chamber of commerce Peter Allen. The CIPD Ireland Honorary Chair, Sean O'Driscoll and Brid O'Brien were in attendance.

Aoife Ní Thuairisg, the extremely popular TG4 presenter was the special host for this years event.

Aoife commended CCP Recruitment for their Excellence Through People Platinum Award, pointing out that the team at CCP Recruitment were not afraid to 'box above their weight'.

Her comments follow the recent 'Agency of the Year Award' nomination and Fellowship status for both directors of the company. Aoife went on to highlight that CCP Recruitment are now part of a very select few who have ever been recognised for demonstrating this level of professionalism in human resources and they were setting the standards for their industry

During the night the award for the GMIT BA in Personnel Management Student of the year went to Brid Clarke and the NUIG Masters in Industrial Relations and Human Resources Management Student of the year was awarded to Anthony Barrett.

The Committee Recognition Award went to a very deserving John Geraghty (tlc Manager Assessment & Development)for his dedication to CIPD over the years.

## 'Art of People Managing'

Pictured below are some of the attendees at the 'Art of People Managing' evening sponsored by Boston Scientific, with guest speaker, best selling author Dr. Tony Humphreys.



*Paraic Curtis, MD Boston Scientific, Jacqueline O'Dowd, Chairperson CIPD Western Region, Marion Cox, HR Manager, Boston Scientific and Dr. Tony Humphries.*



*Mary Lally, Laura Brogan and Yang O'Healy*

*Sean Silke, Sean Silke and Associates and Paraic Curtis, MD Boston Scientific*



## New developments in employment law



*Pictured (L to R): Stephen Rose, Consultant, Premier Recruitment; Stephanie Keating, Chairman CIPD South East Region; Barry Hill, Professional Development Adviser CIPD; Emily Newport, Manager Premier Recruitment and Adrian Twomey guest speaker, Advokat.*

Employment lawyer, Adrian Twomey discussed new developments in employment law at a very well attended breakfast seminar in the Woodlands Hotel, Waterford 26th March last.

Adrian covered issues such as the new legislation on collective redundancies, the establishment of the National Employment Rights Authority (NERA), the imposition of liability on employers for psychiatric injuries suffered by employees and the recent increase in applications to the High Court for employment injunctions.

Attendees were concerned by aspects of the Bill which will put NERA on a statutory footing and which is currently before the Oireachtas. The government's proposal to empower the courts to imprison employers who fail to abide by their obligations under employment law was a cause of particular concern to attendees in light of the complexity of Irish employment law.

Adrian also highlighted increasing job losses in the construction sector and other areas of the economy and suggested that this has further fuelled the ever increasing volume of employment-related claims. He expressed concern about continuing discrimination against pregnant workers and highlighted recent efforts by the Labour Party to press for new legislation designed to protect agency workers.

Adrian's presentation was well received by the group of almost fifty Human Resources professionals in attendance. The numbers attending were indicative of the continuing growth and success of the CIPD in the south-east region.

## Get the Achievement Edge!

As a leader you like to achieve – it gives you a sense of accomplishment, demonstrates your ability and value, and builds your confidence and reputation. In addition, these feelings of well-being help you to achieve even more. Being the best you can be is about creating a virtuous circle... the more you achieve, the better you feel, and the better you feel, the more you achieve.

The same is true of your team. If you want to motivate them to be more productive and effective, you need to build their confidence and self-belief and encourage them to work on challenges that play to their strengths. This helps them to work at their best and to succeed.

Getting this achievement edge involves following a basic four step process:

1. Take stock of where you are now. Do this by identifying your skills, knowledge, experience, strengths plus any weaknesses which might cause you problems. This information comes from a number of sources. Past evidence of your successes and failures is a good place to start. Feedback from colleagues and friends can give you insights. Psychometrics have a useful part to play but should only be used as indicators, not taken on their own. Then give yourself time and space for personal reflection on all of this data. The most powerful method of reflection is to work with a good coach who will support and challenge you to understand yourself well and plan your leadership journey.

Focusing and building on your strengths is key. Too often we focus on what we're not good at and wonder why we're not improving our abilities as fast as we'd like. If you use your strengths in as many ways and situations as possible, often your weaker areas become less significant.

2. Decide where you want to go and what you want to excel at. It is surprising just how many people leave out this vital step. Dream big!! What do you really want out of life? Not just out of work, the whole of your life – it is all connected. What have you always wanted to do and never had the time, courage, space to do it? Have you always wanted to do a parachute jump, play the flute, sail around Ireland, lead your organisation through a major change? What really makes you tick? If you don't chase your dreams, you are destined to spend your life helping others to chase theirs. Which would you prefer to do?

3. Now identify the best way forward. Not every avenue is open to you right now. Some of your

dreams may need to wait a while, others you can begin this minute. Of course, your dream needs to fit with your values. Do you know what values drive you? We often work with people who have been trying to achieve a dream for years with no success. When we dig deeper, they realise it is because it doesn't fit with their values. These two must be compatible for you to move forward.

4. Take action. Start here and now, do something new, take a risk! Most of our actions are habitual and fall within our comfort zone. It is tough to leap outside this zone and make something different happen. Leaders need to be flexible and to embrace change. We find it easier sometimes to do this in a work setting – but what about a personal challenge? If you create new challenges for yourself regularly, it becomes your new habit. Be ready to take on your big dream.

Your leadership journey starts here.

Lynda Byron and Frank Byrne run Leadership Journeys Ltd. They work with organisations and individuals to help them to truly achieve in business and their personal lives. They can be contacted at [info@leadershipjourneys.ie](mailto:info@leadershipjourneys.ie).

The March Meeting of the Eastern Region was held on Wednesday 5th March 2008 in the Hilton Hotel. GMB Executive Search & Selection sponsored the event and provided the guest speaker, Ms. Lynda Byron, who is a well known and accomplished Leadership Development Specialist. The meeting was well attended and guests enjoyed Lynda's enlightening presentation on 'The achievement edge – be the best you can be'.



*Pictured left to right: Lynda Byron (Speaker) Joint Managing Director, Leadership Journeys Ltd), Sean O Driscoll, Honorary Chair, CIPD Ireland and Yvonne McNulty (Director, GMB Executive Search & Selection)*

*The event was sponsored by GMB Executive Search & Selection Limited.*



## CIPD Midlands Region – Finish their 2007/8 programme of events on a tranquil note



*Michéal Coughlan, Chairman CIPD Midlands Region; Patricia Conroy, Vice Chairperson CIPD Midlands Region; Mary Johnston Vhi Healthcare sponsor; Gerald Flynn, Policy and Research Adviser; Karina Dolan, Vhi Healthcare; and Dermot Maguire, General Manager, HR, Vhi Healthcare*

As the old saying goes “Time flies when you’re having fun” and so it is with the CIPD Midlands Region. As the group celebrate their third year in existence we recently reflected on the 2007/2008 programme of events and finalised matters with our end of year AGM in April.



*Gerald Flynn, Policy & Research Adviser, presenting findings from the Boston Consultancy Group Research, The Future of HR in Europe*

Once again the group has been going from strength to strength and the various events and meetings held this year were very well attended by local firms and HR practitioners.

The committee this year was headed up by newly elected Chairman Micheál Coughlan, with committee members drawn from midlands based businesses such as Elan Athlone, O’Malley Intersearch Athlone, Covidien (Formerly



*Louise Mc Tartan; Nicola Brownrigg, Alienware; and Patricia Conroy, Vice Chairperson, CIPD Midlands Region*



*(L to R): Paddy Gleeson, Covidien; Rosemary O Brien, MESA; Deirdre Shields, Kemek; and Joan Halpin, MESA*

Tyco Health Care) Tullamore, Athlone Institute of Technology, Defence Forces Athlone, Collins Mc Nicholas Athlone, Matrix Recruitment Athlone and Ganley’s Hardware Athlone.

The group organised six events during the year starting off in September with the **Launch of their programme of events** in the Athlone Council Chambers. Onwards to October when the CIPD Midlands region hosted a celebratory evening to present certificates to the first



*Micheál Coughlan, Chairman CIPD Midlands Region; pictured with Bernadette Fagan, Proprietor Temple Spa; Doreen Gerety, CIPD Midlands Region; and Gerald Flynn, CIPD Ireland, Policy and Research Adviser*

fourteen graduates of the **CIPD Certificate in Personnel Practice** in partnership with Professor Ciarán O’Catháin, President of AIT, Mike Mc Donnell Director CIPD Ireland, Barry Hill Regional Development Officer CIPD Ireland and the staff of the Athlone Institute of technology.



*Karina Dolan, Vhi Healthcare; Orla Bourke, Covidien; Kate Drinkwater, Covidien; and Elaine Hassett, UCD*

In November the committee conducted it’s first breakfast event, with a record audience tuning in to an engaging update on **Current Trends in Employment Law** from Deirdre Mc Hugh, Barrister-at-Law. This was followed in January by a very interesting visit to the world of the

Defence Forces at Athlone's Custume Barracks. The topic for the evening was **"Leadership in the Defence Forces"** presented by Commandant Colm O' Luasa, Instructor in the United Nations School, supported by Lt. Colonel Eamonn Caulfield and Tom Ryan, CIPD Midlands Committee member (then Company Commander, Defence Forces now Ganley's Hardware)

The CIPD Midlands group moved to Tullamore, Co. Offaly, part of the midlands catchment area and partnered with the Health Service Executive and the CIPD Midland's group main sponsor Vhi Healthcare, to hear about **"Employee Assistance & Occupational Health in the HSE"** and **"Managing the Stressed HR Professional"** from the Vhi Healthcare speaker Cara Driscoll.



*Fionnuala Duignan, NIB Athlone; Ann Cunningham, Portiuncula Hospital; and Sharon Fogarty, Matrix Recruitment*

The final event of the year was held in a haven of calm and tranquillity at Temple Country Retreat and Spa just outside Moate Co. Westmeath. Temple Spa has been recently categorised as one of only three? destination spas in Ireland. The CIPD committee and a large group of attendees enjoyed an update from owner Declan Fagan on the benefits of relaxation, diet, movement and social communion. This was followed by the main speaker on the night Gerald Flynn, Policy and Research Adviser, CIPD Ireland who provided some insights into **"The future for**



*Declan and Bernadette Fagan, Proprietors Temple Spa are pictured with Tom Ryan and Alison Sheridan, CIPD Midlands Region*

**HR what HR Professionals must focus on to achieve a more strategic and operational function."**

This update was followed by the CIPD Midlands AGM, the following members were elected to the committee for 2008/2008:

Micheal Coughlan, Doreen Gerety, Patricia Conroy, Tom Ryan, Alison Sheridan, Sharon Fogarty, Fiona Duffy, Enda Malone and Shauna Gilfoil. Congratulations and continued success to the new committee.



*Bernie Hartigan; Cathleen Mc Gowan, Ericsson; with Doreen Gerety, CIPD Midlands Region*

We would like to take this opportunity to thank all of our event sponsors and indeed our main sponsor Vhi for their support throughout the year. Also thanks to the CIPD National Committee for their guidance and support.

We have already engaged in strategic planning for the year ahead and promise a great programme of events specially tailored to meet the needs of the midlands. Looking forward to seeing you all again in September 2008 for the launch of our 2008/2009 programme of events.



*Winner of the business card draw for an overnight stay with Temple Spa, Karen Duffy pictured with Declan and Bernadette Fagan and Lorraine Lenehan of Temple Country Retreat and Spa.*

**Employment Law Update – February 08:**

Over 60 HR Professionals/Employers from the Midwest region attended an essential Employment Law Update Seminar, at Southcourt Hotel, Limerick on Tuesday, 5th February 2008.



*Delegates at the CIPD Mid West region's 'Employment Law Update' Left to right: Barry Healy, Avocent, Committee Member; Siobhan Ryan, Richmond Recruitment, Committee Member; Rene Keane, Lateral Consulting, Committee Member; Maria Gilsenan, Melior Management, Sponsor; Michael McGrath, IBEC, (Speaker); Anne Goggin, Vistakon, CIPD Mid West Chair; and Claire Boyle, Anois HR, CIPD Mid-West PRO*

The event was hosted by Melior Management, with guest speaker Michael McGrath, from IBEC who delivered a very informative speech on the key and vast changes in Employment Law in 2007 together with a preview of upcoming changes for 2008 and beyond. The Employment Law Compliance Bill saw the establishment of National Employment Rights Agency (NERA) whose function is to promote employment rights awareness and compliance with increased inspections focusing on the protection of young persons, working time, payment of wages and appropriate personnel record keeping. The Employment Agency Regulations Bill towards 2016 will see the establishment of a strict code of practice for all agencies



*Michael McGrath, Speaker IBEC addressing a large crowd of CIPD Midwest Professionals on the key changes in Employment Legislation for 2007 & 2008.*

operating in Ireland. The event highlighted the impact of continuing changes in already complex employment legislation in Ireland and the importance of understanding and full compliance by all employers. Special thanks to Melior Management who kindly sponsored this event.



*Left to right: Maria Gilsenan, Melior Management (Event Sponsors); Chris O Donovan, Regional Director IBEC; Michael McGrath, Information Officer IBEC (Speaker); and Anne Goggin, Vistakon, CIPD Mid-West Chair*

**'Mock' E.A.T. – March 08:**

The CIPD Midwest recently hosted a new and highly successful event on Wednesday, March 5th; it's fourth event so far this year, with a Mock Employment Appeals Tribunal Case. It was conducted at the Greenhills Hotel, Ennis Road, Limerick with a large turnout of CIPD professionals/practitioners and Limerick University Undergraduates; which proved to be a very informative, practical, learning and entertaining exercise. The case chosen was based on a real life situation and gave an excellent insight into the activities of atypical Employment Appeals Tribunal which greatly benefited all and their respective businesses/employers. A special thanks to

Alistair Purdy of Purdy Legal who very kindly chaired the case, together with committee members of the CIPD Midwest acting the various other roles. Thanks also to Avocent International for their generosity and support in sponsoring the evening.

The next event, on 27th March, is the 16th Annual John Lovett Memorial Lecture at University of Limerick entitled 'Labour Standards and Rights, and the Accountability of Global Capital' presented by Christel Lane, Professor of Economic Sociology, Cambridge University; together with an awards ceremony for CIPD graduates from University of Limerick.

For further information on upcoming CIPD Midwest Events or for any other enquiries, please contact Claire Boyle, PRO on 087 6488813.