GUIDELINES FOR WORKPLACE PARTNERSHIP

TECHNICAL ENGINEERING & ELECTRICAL UNION



FOREWORD

Increasingly TEEU members are involved in the development of workplace partnerships. These can bring about fundamental changes in the way managers and TEEU representatives conduct their affairs at both departmental and strategic levels within their respective organisations.

In order to assist TEEU officials, workplace representatives and members who are involved in the process, the National Executive Committee has produced the following Workplace Partnership Guidelines. These are not intended to answer all the questions that might arise for you during the introduction of Workplace Partnerships, but they are designed to provide useful basic information that should help in dealing with the practical problems that will inevitably arise.

Open Wills

Owen Wills General Secretary / Treasurer

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INTRODUCTION

DEFINING WORKPLACE PARTNERSHIP

Traditionally trade unions have relied on collective bargaining to improve pay and the quality of working life for members. This has ensured that the considerable gains made over the years were shared by all. Workplace Partnership (WP) provides for a more proactive approach that allows members greater influence and control over vital decisions affecting their employment. At the same time it should not be seen as a substitute for collective bargaining, but another way of strengthening the trade union role and presence in the workplace.

Workplace Partnership can be described as a process through which management and union representatives agree to conduct their affairs at work through an active and evolving relationship. It acknowledges the interests and rights of all stakeholders.

Under the 1996 national agreement 'Partnership 2000 for Inclusion Employment and Competitiveness', Workplace Partnership is defined in Chapter 9 as follows:

'Partnership is an active relationship based on recognition of a common interest to secure the competitiveness, viability and prosperity of the enterprise. It involves the continuing commitment of employees to improvements in quality and efficiency; and the acceptance by employers of employees as stakeholders with rights and interests to be considered in the context of major decisions affecting their employment.'

'Partnership involves the common ownership of the resolution of challenges, involving the direct participation of employees/representatives and an investment in their training, development and working environment.' (P2000, page 62)

OBJECTIVES

The objectives of enterprise partnership are also outlined in the Chapter as:

- ► To enhance the prosperity and success of the enterprise;
- ► To create the basis and arrangements for discussion of major decisions affecting the organisation's future, including future economic security;
- ► To engage all stakeholders ideas abilities and commitment; and
- ► To enhance the quality of the work environment. (P2000, Page 62)

Chapter 9 further outlines areas, which are considered 'appropriate for discussion at enterprise level'; although it adds that these may vary, according to the *'particular circumstances of the enterprise'*.

Appropriate areas for discussion under the agreement can include the following:

- Employee involvement for competitiveness (opportunities for employees to be involved in, and contribute to, meeting the challenge of global competition)
- ► Training, personal development and support (enhancing competence, flexibility and innovation through skills development, professional training and employee assistance)
- Equality of opportunities (consideration of equal opportunities and reconciliation of family and work responsibilities)
- Representational arrangements (the role of the union and employee representatives and facilities for effective representation)
- ► Forms of financial involvement

- ▶ Occupational health and safety and the work environment
- Composition of the workforce (issues relating to the employment of atypical workers taking account of such factors as competitive pressures, flexibility and security of employment)
- Co-operation with change including new forms of work organisation (the mechanisms by which employees and managers can be continuously innovative and accept the need for change to remain competitive)
- Problem solving and conflict avoidance (developing a co-operative culture which facilities a non adversarial approach to problems); and
- ► Adaptability, flexibility and innovation (means by which the organisation can be made more flexible, innovative and adapt to changing market requirements.) (P2000, Pages 63-4).

The objective of Chapter 9 was to provide a framework to help employers and unions develop WP arrangements at enterprise level. For example, it defines partnership as a relationship *'based on the recognition of a common interest to secure competitiveness, viability and prosperity of the enterprise'*. (P2000, Page 62).

All members of the Technical Engineering and Electrical Union, whether in the private or public sectors, want to work in enterprises that are competitive, viable and prosperous.

The definition adds that partnership 'involves a continuing commitment of employees to improvements in quality and efficiency; and the acceptance by employers of employees as stake holders with rights and interests to be considered in the context of major decisions affecting their employment.' (P2000, page 62).

NEW THINKING

This is where the agreed definition of Partnership represents a significant departure from the norm for many employers. In the past they usually took decisions unilaterally about the future of their enterprise, without consulting or involving the union or its members. Under the new arrangements for Partnership employers have to accept that employees are stakeholders with legitimate rights and interests that have to be considered in the context of a changing business environment, if they want employees to continue giving their full commitment to the enterprise in terms of the quality and efficiency of their work.

The level of employees' commitment to Workplace Partnerships will depend on the degree to which employers will co-operate with TEEU representatives and members in creating the structures and fostering the opportunities for effective participation in, and influence on, the decision making process in the enterprise. Good structures and high participation levels will ensure the long-term success of the Workplace Partnership process.

The agreement also requires significant new thinking from trade union representatives by committing them to accept 'common ownership of the resolution of challenges' the enterprise may face. In other words TEEU representatives will be required to be able to think like businessmen on occasion to help enterprises overcome problems! In recognition of the challenges this can pose Chapter 9 of the 'Partnership 2000' agreement states that employers should invest in the training necessary to help union members develop the necessary skills. (P2000, Page 62)

'Partnership 2000' therefore provides a very useful framework for unions and employers who want to develop Workplace Partnership. In addition to setting out an agreed definition of partnership, the agreement suggests initial areas for both sides to explore the potential for a common approach to problems.

However the national partnership framework is precisely that and will remain no more than a pious aspiration in the absence of a commitment by local employer and union representatives to develop it at enterprise level.

The remainder of these guidelines provide TEEU representatives with advice and suggestions on how they can begin to build Workplace Partnership.

DEVELOPING A WORKPLACE PARTNERSHIP STRATEGY

According to the National Centre for Partnership and Performance, (NCPP) recent 'International and national research suggests that are there are several reasons why a less adversarial approach is a better way [to] meet the challenges faced by organisations and its members'. The NCPP guide for the 'Unionised Commercial Sector' provides useful examples of this research and is recommended reading for TEEU representatives involved in Workplace Partnership Initiatives.

Equally the 'Local Authorities Partnership at Work', booklet is worth reading. It has been produced by the Local Authority National Partnership Advisory Group (LANPAG). LANPAG is an initiative, which is jointly sponsored by Local Authority management and unions. Information on how to get copies of the above publications is available from the TEEU Education and Training Department.

Despite some high profile success stories the rational for Workplace Partnership is not always obvious to members, nor should the TEEU assume our members will embrace it without questioning its value and especially its impact on them as a group. What we can say is that Workplace Partnership – as a process - has enabled TEEU representatives in some companies to participate positively in the management of change and it has given them an opportunity to influence key decisions affecting our members. (See NCPP, 'Guidance for the Unionised Commercial Sector'.)

Workplace Partnership will evolve in different ways in different organisations. However there are a number of basic steps that TEEU representatives should follow initially to ensure they begin the process on a sound basis. They should also do so with an open mind. These steps are:

- 1. The establishment of a Joint Steering Group.
- 2. The provision of suitable education and training.
- 3. The development and publication of agreed Terms of Reference.
- 4. The agreement of key evaluation measures to access the progress and impact of the partnership process.

1 ESTABLISING A JOINT STEERING GROUP

The exploration and introduction of Workplace Partnership will require time and commitment from both management and union representatives. Following agreement by the employer and the union to develop a Workplace Partnership process, consideration should be given to the establishment of a joint management and union steering group. The aim of this group should be to provide a link between the initial agreement in principle to explore and develop a Partnership model, and the creation of formal agreed Partnership structures.

The steering group can disband once formal structures have been set up, or it can be integrated into the new structures. Usually it continues to operate within these structures.

2 EDUCATION AND TRAINING

Prior to detailed discussions on the development of a Workplace Partnership, TEEU representatives should request the provision of 'Partnership Awareness Training'. In the first instance union representatives may want to undertake this on their own, or at least receive a presentation from a TEEU tutor, before moving to joint training sessions with management. To a large extent this will depend on relationships within the enterprise. Generally it is wise to have joint training sooner rather than later, because joint sessions ensure management and union representatives hear the same material at the same time, in the same way and have an opportunity to discuss issues raised together with the trainers. This reduces the potential for misunderstandings or conflicting views of emerging following the training.

The main purpose of Workplace Partnership education and training is to make the management and union representatives who are responsible for developing the Terms of Reference and overseeing the implementation of the Workplace Partnership process, more aware of current trends, help them understand the main characteristics of the process and develop an ability to anticipate and deal with problems.

2.1 FACT FINDING VISITS

Management and union representatives on education and training courses may benefit from visiting other organisations that have developed, or are in the process of developing, Partnership arrangements. An alternative is to invite a management and union representative from such an organisation to participate in your training sessions. Before selecting other organisations to visit, or inviting outside participants to an education and training session, management and union representatives should agree what they want to find out. Most companies will accommodate people by hosting a visit or agreeing to send a speaker to a workshop. The crucial decision is to pick the company whose experience appears most relevant to your needs. Formal contacts and details of organisations to visit can be made through the TEEU.

2.2 WHO SHOULD ATTEND EDUCATION AND TRAINING?

Initially education and training should be targeted at those management and union representatives who will be involved in developing the Terms of Reference for the WP process and the initial implementation strategy.

It is, however, important from the outset that all members are apprised of the decision to develop and introduce a partnership process. One way to communicate this information is to invite members to attend a brief workshop designed to introduce the concept and main principles of Workplace Partnership. This approach can be useful in helping to deal with concerns members may have about entering a partnership process.

More in-depth partnership training should follow. However the length, duration and timing of that training should be agreed and overseen by the Partnership Steering Group.

Education and Training should not be seen as a once off activity. Expanding and updating the knowledge and skills base of all employees should be an ongoing function of the process.

From the union's point of view it is important that all shop floor representatives and members are given the opportunity to attend and participate in partnership training. This will help reduce the danger of confusion or misunderstanding arising, and ensure all members learn about the potential benefits of Workplace Partnership. Equally the enterprise must ensure that all managers are given the opportunity to attend partnership training.

2.3 FURTHER EDUCATION AND TRAINING NEEDED

For TEEU members involved in partnership working groups, or assisting in promoting and implementing partnership practice within their organisation, more in-depth training can be provided. This may, for example, involve further training in areas such as business awareness, understanding financial information, communications skills, project management, joint problem solving and issues of reward and recognition for employees. The selection of further education and training should be decided jointly.

The TEEU, Education and Training Department, can provide information on all aspects of Partnership training on request.

3 TERMS OF REFERENCE

Terms of Reference are a template, which both the management and union(s) have approved and endorsed to introduce the Workplace Partnership within their organisation. It is, if you like, an enabling mechanism and a 'constitution' to which both sides can refer. Therefore it is important to achieve as much clarity and precision as possible in the text. Most Terms of Reference will include the following:

- ▶ Objectives of the partnership process,
- ► How the process will be resourced,
- Partnership structures,
- Ground rules for dealing with issues and
- Mechanisms for the review of the Partnership process.

3.1 PARTNERSHIP OBJECTIVES

The primary objective of the Partnership process should be to create a working environment where management and union representatives can jointly address issues affecting the future of the organisation. What issues are eligible for discussion through the partnership process should be determined by management and union representatives prior to the establishment and launch of the Workplace Partnership initiative. For example, both management and union representatives might decide to begin with issues considered 'safe' before embarking on initiatives that involve major change. This approach may help build confidence in the process and enable people to see how, if adopted, Workplace Partnership arrangements can contribute positively to managing change or resolving problems.

Key objectives for the Workplace Partnership Terms of Reference should include the following:

- ► Union recognition and acceptance of the union as a stakeholder within the organisation – Management should recognise that all employees, regardless of their grade or position, have the right to join and be represented by an appropriate union(s) with negotiating rights in the organisation. If there is resistance to this proposition it should be pointed out to management representatives that effective partnership has to be based on parity of esteem. In some cases employees who have traditionally not been members (Management, Supervisors, Administration Staff) of a union may welcome the opportunity for union representation and be susceptible to union arguments.
- Achieving and maintaining a competitive and viable organisation Union representatives, in turn, must be willing to make the psychological adjustment required to commit themselves, as stakeholders, to promoting the competitiveness and viability of the organisation. Again, partnerships are unlikely to work where one of the partners is 'faking it'. Obviously the same argument applies to the management side.
- ▶ Job security This is one of the most important issues for the workforce collectively and a major selling point of Workplace Partnership initiatives. Terms of Reference should include a commitment on both sides to consider any proposal designed to maintain and improve the job security of members. Unfortunately Workplace Partnership projects are sometimes undertaken when a company is in crisis and seeking drastic cutbacks in operating costs and jobs. It may still provide a more desirable outcome than an old-style adversarial approach but each strategy must be judged on its merits. These guidelines are primarily for routine Workplace Partnership projects.
- Improving product quality and customer service This is a natural corollary of what has gone before. Active consideration of measures to improve product/service quality and customer service should enhance job security and be attractive to management because it boosts business efficiency and profitability.
- The development of a joint approach to decision making at all levels within the organisation – This is crucial from a trade union point of view. It may not be possible overnight, but one of the key aims of union

representatives in Workplace Partnership projects should be the creation of structures and processes that allow the union and its members to incrementally increase their influence in the decision making process within the enterprise.

- Transparency in all business activity The sharing of all information relevant to business activity and strategy is central to building trust between management and union representatives.
- Disclosure of all business information Management commitments to disclose information regarding the business should be a general barometer of how seriously the employer is taking the Workplace Partnership process. As with developing decision making processes it may be necessary to advance incrementally and, where the plant concerned is a subsidiary of a transnational company, it may not be possible for local management to provide all the relevant information.
- The European dimension This is an important factor and TEEU members ► involved in WP initiatives should be aware of the implications of European consultation directives. Already large companies with more than 1,000 employees and at least two plants employing at least 150 people in two EU states are obliged to establish a Works Council. From 2005 a new EU Directive will come into force making works councils obligatory for all enterprises employing at least 150 people. In 2007 the threshold will fall to 100 or more employees and from 2008 to 50 or more. This is not a substitute for a Workplace Partnership process and some anti-union companies have established works councils to control the process and claim they already have ideal employee relations. However union representatives who find management resistant to the notion of sharing business information can point out that EU legislation will require them to do so. Most managements serious about partnership will be willing to share information, although they will probably require commitments from the union side that the relevant employee representatives will not disclose commercially sensitive information to third parties, including fellow employees.
- ► The development and implementation of strategies to improve the Quality of Working Life (QWL) of all our members - The development of innovative polices to improve the quality of working life of our members, including systems to improve the work-life balance. This is an area where the positive aspects of WP can be self-evident. Agreement and implementation of polices in this area may provide an early indicator of the prospects for a successful and sustainable Workplace Partnership process.

- Sharing the benefits of Workplace Partnership (Reward) Like job security this is a key element of the process. Delivery of benefits that are visible and quantifiable will be an important determinant of whether TEEU members embrace Workplace Partnership.
- Skills training and development The introduction and development of personnel development opportunities for TEEU members may seem a soft option that can help cultivate workplace partnerships in the early stages but it is also important to maintain in the longer term if members are to obtain the maximum benefits from the process.
- Discussing issues through Partnership There is no restriction on what can be discussed through a partnership process. Neither management nor union representatives can veto what is discussed by through the partnership process. This can cut both ways but it is essential elements of any Workplace Partnership process for the simple reason that no procedures can foresee every future eventuality.

3.2 RESOURCING THE PARTNERSHIP PROCESS

IT is essential if a Workplace Partnership is to succeed that the level of resources committed by the employer are adequate to address the ongoing needs of the process. The level of commitment will give an early indicator of how seriously your employer is taking the Workplace Partnership process.

Resources can be categorised under three different headings. Internal, External and Financial.

Internal resources are the steps, which the organisation can put in place to support the development of Partnership. They include a:

- Commitment to the provision of training time and resources,
- Release of union representatives and other members to attend partnership activities and;
- ► Ideally they should include the creation and putting in place of partnership facilitators who will have a direct role in assisting the development of the process.

It may not always be possible to anticipate the level of resources needed internally for a Workplace Partnership initiative. Even the best-resourced projects will need to be monitored and reviewed on an ongoing basis.

External resources may include engagement of partnership facilitators from outside the organisation. Partnership facilitators can for example assist in sourcing trainers, selecting benchmark companies and help keep the process on track. Many organisations engage partnership facilitators form the beginning to assist in the development of the whole partnership process. The TEEU Education and Training Department can provide advice and information about companies and individuals who provide partnership facilitation services.

The selection of partnership facilitators and trainers should, from the outset, be a joint management/union activity. The management and union representatives responsible for selecting facilitators or trainers must be satisfied when making their recommendation that the company or individuals chosen have a proven track record and are acceptable to the principals on both sides.

TEEU representatives should seek information on where the training company or individual facilitators/trainers have worked before and should check out their references. This is standard procedure and shows the union is taking a serious, business-like approach to the WP project.

The final resource that needs to be considered is the commitment to finance the Workplace Partnership process. Like all company activity partnership will require funding to support training and the engagement of external facilitators. The company must be prepared to put the required level of funding into the process. Failure to do so will seriously jeopardise the chances of a successful outcome and this should be spelt out to companies, who may be tempted to finance the Workplace Partnership process 'on the cheap'.

3.3 PARTNERSHIP STRUCTURES

The design of Partnership structures needs to take into consideration the size and the different departments within the organisation, as well as the composition of the workforce to be represented. Partnership structures are the mechanisms through which management and union representatives agree to promote and implement the Workplace Partnership process. Partnership forums/committees, established within the structures, should then be designed to maximise the level of participation and dissemination of information about the Workplace Partnership process.

Where an organisation has all its manufacturing or services on one site, then one partnership forum may be all that is required. If, on the other hand, there are several manufacturing or service locations there may be a need for a central partnership forum and a number of local forums to reflect their issues and liaise with the central forum.

Partnership forums/groups should ideally have an equal number of management and union representatives. But this will depend in most cases on the number of unions and grades to be represented.

3.4 HOW OFTEN SHOULD PARTNERSHIP FORUMS MEET?

Partnership forums should meet as often as necessary. The main forum may agree to meet at least once a month. Other partnership groups set up to look at specific issues may meet more often until they complete their task.

3.5 WHO SHOULD BE NOMINATED FROM THE UNION?

This will depend on the function of the forum. For example, the senior union representatives (including the full time official) should be members of the central or only partnership forum. Where there are several partnership forums based in regional locations, the on-site union representatives or members should be encouraged to participate. TEEU members representing the union on partnership forums should be required to report on the activities of the forums to their respective shop steward or branch committee at regular intervals determined by the union.

3.6 WHAT WILL PARTNERSHIP FORUMS DO?

Partnership forums will in most cases oversee the implementation and development of partnership within the organisation. The forums can and should review the progress of the Workplace Partnership process. They should also be involved in the selection of trainers and facilitators, allocation resources, and approve items to be discussed and dealt with through the Workplace Partnership process.

However partnership forums need to avoid becoming mere talking shops, which devalue the process. This can easily happen if management or unions have second thoughts about their involvement. It is easier to talk a forum to death than formally withdraw. External facilitators can be useful in the initial stages to identify early warning signs of this and bring issues out into the open. They can also assist forum members to focus on developing the partnership process in practical ways that make it relevant to the principals - the owners and the employees.

3.7 WHO DETERMINES WHAT IS DISCUSSED AT PARTNERSHIP FORUMS?

The Partnership Terms of Reference should specify how issues are referred to a forum and the type of issues that can be discussed. Ideally there should be no restrictions on matters the forum can discuss, but management and union representatives may wish to mutually exclude certain issues from the Workplace Partnership process.

The level and type of issues to be discussed by the forum will differ from organisation to organisation. The level of empowerment given to the Workplace Partnership process will be determined by management and union agreement and can be reviewed in the light of developments and progress. One danger to which both management and union representatives need to avoid is the Partnership process becoming a parking lot for difficult issues people don't want to tackle.

3.8 GROUND RULES

Ground rules are the procedures agreed by management and union representatives for the conduct of meetings, decision-making and the resolution of issues unresolved at partnership forum or project group level. TEEU representatives should seek the establishment and agreement on ground rules at the outset of the process. These ground rules should cover the conduct of meetings and decision-making and procedures for all partnership activity.

Ground rules may prove useful in reassuring members that their participation in meetings and project groups will be subjected to predetermined rules which ensure equity, openness and that their individual contributions will be taken into consideration.

3.9 REVIEW

The Partnership Terms of Reference should set out how and when the Workplace partnership process is to be reviewed and formally evaluated. Reviewing the process should be an ongoing feature of the partnership forum.

The primary aim of the review process should be to reflect on the work in hand, projects undertaken and the progress of any other partnership forums, groups or projects within the enterprise. The review should be carried out regularly to check any slippage or ineffective activity.

The review should be seen as an opportunity to reflect on the workings of the Workplace Partnership process. The partnership forum may want to draw on the expertise of external evaluators to assist them in the review process. An external review of the Partnership process may prove valuable in helping both management and union representatives to evaluate in a realistically how well it is meeting its own targets and goals.

4 ASSESSING AND SHARING THE BENEFITS OF PARTNERSHIP

One of the benefits that employers hope to accrue from the introduction of partnership arrangements is that the focus on productivity measures will improve the underlying competitiveness, viability and prosperity of their organisation. As we have noted above this requires a commitment to quality and efficiency on the part of employees, including our members. The Terms of Reference therefore should set out how the benefits of measures introduced as a result of Workplace Partnership arrangements - tangible and non-tangible - will be identified and shared.

Sharing the benefits may take many forms, including improved pensions, longer holidays, a shorter working week, an enhanced education and training scheme, or the introduction of financial gain sharing schemes. The form of shared benefits that Workplace Partnership projects opt for will depend on the circumstances of each organisation and the value the partners put on the benefits to be shared.

CHECKLIST

Here is a summary of key points you will need to address if you want to establish a Workplace Partnership.

- ► A request to discuss establishing Workplace Partnerships can come from either management or union representatives.
- Ensure Partnership education and training is put in place for management and union representatives.
- Provide awareness training for all employees, not just union representatives.
- ► Agree Partnership development Terms of Reference with management.
- Agree ongoing education and training needs with management.
- ► Establish and agree Partnership Objectives.
- Design and put in place Partnership structures.
- ► Agree how often Partnership forums will meet.
- Agree how issues can be referred to the Partnership Forums.
- Determine adequate internal and external resources.
- Ensure resources are in place to support the process at an early stage.
- ► Agree how and when the Partnership process will be reviewed.
- Agree how the benefits of Partnership initiatives will be measured and shared.
- Keep the members informed.
- Keep the union informed.

FURTHER READING:

Irish Congress of Trade Unions

The Irish Congress of Trade Unions (Congress) have published a set of Guidelines for the introduction of Workplace Partnership, Guidelines on Gainsharing and more recently in conjunction with the National Centre of Partnership and Performance guidelines on *The Employees (Provision of Information and Consultation) Act 2006*. For further information regarding Congress publications contact 01 8897777 or visit their web site at *www.ictu.ie*

National Centre for Partnership and Performance

The National Centre for Partnership and Performance (NCPP) have produced a number of Workplace Partnership Reports and Studies, Policy and Strategy Documents, Case Studies, Surveys, Updates and copies of the Irish Independent newspaper supplements that can be reviewed and or downloaded from their web site at *www.ncpp.ie*. For further information regarding NCPP publications contact 01 8146300 or visit *www.ncpp.ie*

Partnership at Work

The Quest for Radical Organizational Change By William K Roche, John F Geary Published by: Routledge 2006

PARTNERSHIP CONTACTS

NATIONAL CENTRE FOR PARTNERSHIP AND PERFORMANCE

16 Parnell Square, Dublin 1 Phone: 353 1 8146300 Lo-Call: 1890 203 006 Fax: 353 1 8146301 Email: info@ncpp.ie Web: www.ncpp.ie

PARTNERSHIP INSTITUTE

22 Florin Drive Rochester Kent ME1 1TP

Phone:0044 1634 409400Email:info@partnership-institute.co.ukWeb:www.partnership-institute.co.uk

EUROPEAN FOUNDATION FOR THE IMPROVEMENT OF LIVING AND WORKING CONDITIONS (EUROFOUND)

Wyattville Road, Loughlinstown, Dublin 18, Ireland

Phone: + 353 1 2043100

Fax: + 353 1 2826456,

+ 353 1 2824209

Email: postmaster@eurofound.europa.eu

Web: www.eurofound.europa.eu

TEEU CONTACTS

HEAD OFFICE

6 Gardiner Row, Dublin 1. JIMMY NOLAN, President OWEN WILLS, General Secretary/Treasurer EAMON DEVOY, Gen. Sec./Treasurer Designate

 Phone:
 01 874 7047

 Fax:
 01 874 7048

 Email:
 info@teeu.ie

 Web:
 www.teeu.ie

REGION 1

Dublin North East Head Office

 Phone:
 01 874 7047

 Fax:
 01 874 7048

 Email:
 arthur_h@teeu.ie

REGION 2

Dublin/South East Head Office

 Phone:
 01 874 7047

 Fax:
 01 874 7048

 Email:
 ian_m@teeu.ie

REGION 3

South/East Regional Office: 83 Lower Yellow Road, Waterford Phone: 051 857 030 Fax: 051 857 036 Email: waterford@teeu.ie

REGION 4

South/West Regional Office: 23 Sullivan's Quay, Cork Phone: 021 4319 033 Fax: 021 4319 038 Email: cork@teeu.ie

REGION 5

Mid West 15 Anne Street, Limerick Phone: 061 319 669 Fax: 061 412 434 Email: limerick@teeu.ie

REGION 6

North West Regional Office: Forster Court, Forster Place, Galway Phone: 091 533 606 Fax: 091 533 607 Email: galway@teeu.ie

ESB NATIONAL INDUSTRIAL OFFICE

Head Office **Phone:** 01 874 7047 **Fax:** 01 874 7048 **Email:** jimmy_n@teeu.ie

RECRUITMENT & ORGANISING

Head Office Phone: 01 874 7047 Fax: 01 874 7048 Email: charlie_p@teeu.ie

ETOS

TEEU Training & Development 6 Gardiner Row, Dublin 1 Phone: 01 872 6021 Fax: 01 872 6810

Email: info@etos.ie Web: www.etos.ie

GENERAL CONTACTS

EPACE

1 Knockmitten Close, Western Industrial Estate, Dublin 12

Phone: 01 429 7984 Email: info@epace.ie Web: www.epace.ie

IRISH CONGRESS OF TRADE UNIONS

31-32 Parnell Square, Dublin 1

Phone: 01 889 7777 Email: congress@ictu.ie Web: www.ictu.ie

DEPT OF ENTERPRISE, TRADE & EMPLOYMENT

Davitt House, 65A Adelaide Rd, Dublin 2

Phone: 01 631 2121 Email: info@entemp.ie Web: www.entemp.ie

NATIONAL EMPLOYMENT RIGHTS AUTHORITY (NERA),

Government Buildings, O'Brien Road, Carlow

Phone: Lo-Call 1890 80 80 90 Email: info@employmentrights.ie Web: www.employmentrights.ie

EMPLOYMENT APPEALS TRIBUNAL

Davitt House, 65A Adelaide Rd, Dublin 2 Phone: 01 613 6700 Lo-Call 1890 220 222 Email: info@entemp.ie Web: www.entemp.ie

EQUALITY AUTHORITY

2 Clonmel Street, Dublin 2 Phone: 01 417 3333 Lo-Call 1890 245 545 Email: info@equality.ie Web: www.equality.ie`

LABOUR COURT

Tom Johnson House, Haddington Road, Dublin 4 Phone: 01 613 6666 Lo-Call 1890 220 228 Email: info@labourcourt.ie Web: www.labourcourt.ie

LABOUR RELATIONS COMMISSION

Tom Johnson House, Haddington Road, Dublin 4 Phone: 01 613 6700 Lo-Call 1890 220 227 Email: info@lrc.ie Web: www.lrc.ie

RIGHTS COMMISSIONERS

Tom Johnson House, Haddington Road, Dublin 4 Phone: 01 613 6700 Lo-Call 1890 220 227 Email: info@Irc.ie Web: www.Irc.ie

FÁS

27-33 Upper Baggot Street, Dublin 4. Phone: 01 607 0500 Web: www.fas.ie

THE PENSIONS BOARD

Verschoyle House, 28/30 Lower Mount Street, Dublin 2. Phone: (01) 613 1900 Fax: (01) 631 8602 Lo-Call: 1890 65-65-65 Web: www.pensionsboard.ie Email: info@pensionsboard.ie

PENSIONS OMBUDSMAN

36 Upper Mount St, Dublin 2.

 Phone:
 (01) 647 1650

 Fax:
 (01) 676 9577

 Web:
 www.pensionsombudsman.ie

 Email:
 info@pensionsombudsman.ie

DATA PROTECTION COMMISSIONER

Block 6, Irish Life Centre, Lower Abbey Street, Dublin 1. Phone: 01 874 8544 Email: info@dataprotection.ie Web: www.dataprotection.ie

FREEDOM OF INFORMATION OMBUDSMAN

18 Lower Leeson Street, Dublin 2 Phone: 01 639 5600 Lo-Call: 1890 223 030 Web: www.ombudsman.ie Email: ombudsman@ombudsman.gov.ie

HEALTH & SAFETY AUTHORITY

Metropolitan Building , James Joyce Street, Dublin 1 Phone: 1890 289389 Web: www.hsa.ie Notes

