

Public Consultation on Retired Workers Summary

Personal Responses

Overall, this consultation received 12 personal response from members of the public. All of these responses were written by retired workers who's pensions had previously been impacted after they were no longer an employee. Several of these responses were made by former employees of the same companies, a summary of the former employers of the responders can be seen below.

Company	Number of Responses
Eircom/Telecom	5
Vodafone	1
Waterford Crystal	2
Aerlingus	1
Undeclared	3

There was no personal submission to this consultation from current employees or employers. Below is a summary of the main themes seen throughout these personal submissions for each question asked. It is worth noting that not every submission dealt with every question.

Q.1 : Given the legal and regulatory obligations imposed on pension scheme trustees (see: [section_50_-_prescribed_guidance_-_version_3_february_2015_.pdf](#) ([pensionsauthority.ie](#)), in particular, their fiduciary duty to serve all scheme members impartially, and the opportunity for member submissions as part of any scheme restructuring process, what is the effectiveness of the current arrangements and are there any other suggestions as to how the interests and concerns of retired workers could better inform trustees in their work consistent with the existing legal framework?

- Several of the submission noted that there is a need for increased/improved communication between Trustees and the retired workers, some even suggested that a set number of meetings between Trustees and Pension Representatives should be arranged each year. One submission said there should be a provision in law for the development of Pensioners' Groups within the relevant workplace/organisation. These groups would liaise with Trustees of the behalf of retired workers.
- Several submissions also mentioned that in relation to their personal experiences, they believe that Trustees did not act in the best interests of retired workers in mind.
- Numerous people also highlighted the fact that under current process is only open to individuals and not to representatives of groups of pensioners.

Q.2

A. Is there a need for the views of retired worker members of pension schemes to be included in the consideration of pension entitlements as part of collectively bargained agreements; if so, how can this be best achieved?

- Overall, the responses spoke positively about including the views of retired workers for consideration as part of collectively bargained agreements however, several people noted that they believed that Retired Workers should be consulted about pension related issues.
- Several of the responders also expressed that they believe this can best be achieved by Trade unions engaging with Pension Representative Groups.

B. Are there any mechanisms that could provide a way for retired worker members of pension schemes to engage with pension trustees in advance of a separate collectively bargained agreement impacting on pensions?

- To give a pension representative a seat on the board of the pension.
- One response stated that perhaps a body similar to the WRC could be set up under the aegis of the FSPO where relevant PRA's would be consulted and sign off on pension changes (agreed between the TUA and Company) before they are enacted.

C. Are there any disadvantages or challenges that introducing such a mechanism might impose on the voluntary dispute resolution mechanism? If so, what are these?

- Can heavily impact a TUA ability to negotiate with a company "Restrictions on compromising the rights of pensioners might inhibit unions' ability to make a deal with an employer but that's a price, that unions should be willing to pay"
- Another responder believes that unions may see retired worker engagement as a threat and that legislation should support "Fair Representation" (TUA representing Retired workers) and allow WRC monitoring.
- Another response: Retired workers should be able to be represented by PRA's.

D. Could there be any deterrent effect of such a mechanism on the willingness of parties to engage in collectively bargained agreements and as part of the existing IR structures more generally?

No Clear answer here, discussion on other topics.

Q. 3

A. The existing legal position is that industrial relations is about the relationship between employers and workers. Could the views of retired workers be balanced with those of workers and employers engaged in negotiations to reach collectively bargained agreements? If so, on what basis?

- There is a consensus amongst most of the responses to this question that Retired workers should not have an input into disputes which do not affect pension entitlements however, they also state that pensions should not be used as a bargaining chip by employers when negotiating non-pension matters.

- One responder stated that Unions should be required by law to consult with retired people organisations before making collective bargaining decisions.
- Another response: Issues may arise when non pensionable pay increases are negotiated meaning retired workers are not entitled to a pro-rata increase.
- Another response: Past employee's contributions should not be used to fund pay rises.

B. In the event that a majority of retired workers were opposed to pension changes proposed as part of a collectively bargained pay agreement which a majority of workers wished to accept, could these competing positions be reasonably resolved within the context of the current IR landscape and legislative provisions

- Pension changes should not be included as part of any bargaining agreement
- Collective bargaining's which effect pensions should only affect the pensions of those who participated in the bargaining process.
- Adding PRA's to the list of social partners on National Pay negotiations would not have a complicating/negative effect

Q4. If you are an employer or worker, do you believe that including the views of retired workers on changes to pension entitlements proposed as part of collectively bargained agreements, would have any implications (including costs) for either the effectiveness of the current structure for dispute resolution/IR agreements (e.g. positive or negative impacts on industrial harmony) or on the level of pension cover?

There were no personal responses received from current employers or workers.

Q. 5 How effective are the current redress mechanisms for retired workers?

- The current mechanisms are complicated, expensive, and not fit for purpose. There is also issues surrounding the fact that they can only be accessed as an individual. Several responses noted a need for a mechanism to handle group complaints.
- The matters that can be dealt with by the Pensions Authority and the Financial services and Pensions Ombudsman are very limited.

Any further information:

- Generally, the responders stated their upset and disappointment in the current system as they do not feel it is fit for purpose.
- Some respondents also believe that a major issue facing retired workers is the lack/not adequate communication between retired workers and Trustees.