

## EFFORTS TO ERADICATE WORKPLACE BULLYING MUST CONTINUE



Brendan Flynn

say that the length of process should be as time limited as possible in order to lessen the anxiety experienced by members and their families once a complaint is made.

We should acknowledge that Dignity at Work issues arise not only from manager level down, but also at staff level upwards, and indeed amongst peers at all levels, therefore education and solutions should be approached collectively and learning from the engagement programme should be reported back to all within the organisation.

To that end a report on progress made to date by the engagement group would be helpful in addressing the issue and we would call for it to be published as soon as possible as full transparency is essential.

If members have any queries regarding the process available to them where they feel they are being bullied or harassed, they should contact their local NASRA representative or PNA head office for support and guidance.

The HSE National Staff Survey 2016 and 2018 published extraordinary figures regarding bullying in the workplace, finding that 68% of respondents claiming to have been bullied and 70% having witnessed bullying over the previous two years.

The issue of bullying in general has been well researched and documented and in fairness there have been attempts to address the issue by the HSE with programmes such as the Staff Engagement Programme in which our members and union representatives are involved.

It is important not to let the ball drop on this issue if sustained progress in the service is to be maintained, particularly around the subject of staff retention

We all recognise the value of experienced practitioners and the consequences of bullying in the workplace on staff and a wider organisation can be devastating, including in some instances forcing staff to leave their job, which of course is disaster from a staff retention point of view.

Workers must have confidence that in any anti bullying strategy, such as the HSE Dignity at Work policy, they will have their concerns addressed and this in turn can promote a content and productive workforce

The process of staff engagement on this issue must continue to secure the confidence of staff in the Dignity at Work process regardless of the current climate of social readjustment due to the Corona 19 pandemic.

PNA NASRA Branch are currently guiding and supporting a number of members through this process which can be daunting to an individual to say the least, but suffice it to



Sinn Fein Leader, (and now Leader of the Opposition), Mary Lou McDonald, with PNA NASRA Secretary Tony Gregg, after she signed the NASRA Pre Election Pledge during the General Election Campaign in January.

## COVID -19 CRISIS HAS STRENGTHENED RESOLVE OF AMBULANCE PERSONNEL TO HAVE THE UNION OF THEIR CHOICE



Taoiseach, Micheal Martin T.D. and Kildare North FF TD, James Lawless accepting the PNA NASRA Pre Election Pledge from PNA General Secretary, Peter Hughes and NASRA's Brendan Flynn in January last.

Peter Hughes, General Secretary PNA.

The Covid - 19 crisis of recent months has put unprecedented demands on ambulance personnel. There has been a great deal of well-deserved and sincere tribute and praise for our frontline healthcare workers, including of course ambulance personnel, but it is probably true to say that the full extent of the challenges and demands on these frontline workers cannot be fully understood or appreciated.

Ambulance personnel know only too well the demands of their job at the best of times. But Covid-19 brought their dedication and professionalism to a new level not to mention the risk posed to themselves and their families that every frontline worker has had to live with since March.

In the context of Covid-19 it would be all too easy to forget that ambulance personnel members of PNA have been fighting for union recognition for 11 years now and have been forced out of work to strike for this right on no less than eight occasions. They have been forced onto the streets outside Dail Eireann on three separate occasions in pursuit of their demand for the right to be represented by the trade union of their choice.

If anything, the Covid 19 crisis has heightened the sense of injustice and unfairness that PNA branch ambulance personnel have had to endure. Men and women who have selflessly put their own health and that of their families at risk in the interest of the wider community are still denied the right to join and be represented by the union of their choice.

That injustice was forcefully illustrated even at the height of the Covid 19 pandemic when PNA had to warn the HSE that PNA ambulance branch members were being ignored and bypassed in the circulation of vital Covid 19 related advisory information that was being distributed to other union members throughout the country. We resolved this issue and ensured that a channel for communication with PNA members was opened by the HSE. So where was the respect for PNA ambulance branch in the worst public health crisis this country has faced in decades?

Well, I want to assure every member of our PNA ambulance branch this incident and others in recent months has strengthened the determination and resolve of our campaign for the right of ambulance personnel to the union of their choice.

At the first PNA meeting with the new incoming Minister for Health, Stephen Donnelly in recent weeks, we put the issue of our ambulance branch four square before him and reminded him of the extraordinary service that our members have delivered to the health services and the community throughout the Covid 19 crisis.

I put the Minister on notice that in the absence of a positive response from him and the HSE to resolve this expensive and unnecessary dispute then our campaign will be reactivated in the Autumn and that our members will accept nothing less than the right to be represented by, the union of their choice.

Peter Hughes, General Secretary PNA

## PNA NASRA WILL DEMAND THE NEW GOVERNMENT GIVE US THE RIGHT TO 'THE UNION OF OUR CHOICE'



It is hard to believe that despite the General Election having taken place in January that we only saw a new government formed on June 27th. They say a week is a long time in politics, well what does that say about taking six months to form a government?

As you know PNA NASRA carried out an intensive election lobbying campaign up and down the country co-ordinated by Brendan. We spent many dark nights chasing down high-profile

elections candidates to confront them on the injustice of the continued refusal of the HSE to recognise PNA NASRA as the union of choice for hundreds of paramedics up and down the country. And we buttonholed candidates into signing a pledge of support for our campaign for the right to the union of our choice.

With the election long over, and the new Green, FF, FG coalition in place we intend to hold those politicians to the pledge they signed up to. The political landscape has changed and the days of being stonewalled by HSE and Fine Gael ministers in Health and DEPAR are over. PNA has already put the incoming Minister for Health, Stephen Donnelly on notice that the issue of union recognition for PNA NASRA ambulance personnel members has not gone away and if anything the experience of those members through the Covid 19 pandemic crisis has strengthened their resolve to have their right vindicated.

The change in the political landscape has also witnessed Sinn Fein emerge as the main opposition party in the Dail. Throughout the election campaign, and before, PNA NASRA

had very positive engagements with opposition parties including Sinn Fein, Social Democrats and People Before Profit. We now have an opposition led by Sinn Fein Leader Mary Lou McDonald who wholeheartedly supported the PNA NASRA Election Pledge during the election campaign. We will be looking to her to be a particularly strong voice in support of our campaign in the Dail when it reconvenes in the coming weeks.

Many commentators have observed that the Covid 19 crisis changes everything. Well for the PNA NASRA campaign the Covid crisis has confirmed that as a body of workers who have put our health and wellbeing, and that of our families, on the line in the course of professional duties we will no longer accept that our right to be members of the union of our choice can be ignored and brushed aside.

Throughout the Covid 19 crisis there has been a huge show of public support and gratitude to frontline workers for the work we do. We have always known that ambulance personnel had huge public support and when we bring our campaign and protest back to the gates of Dail Eireann in the coming weeks we will be demanding that the politicians explain to the Irish public why ambulance personnel are still fighting, after 11 years, for the right to be members of the union of their choice.

Our message to the incoming Government as they take their seats in the Dail in the coming weeks could not be clearer.

**'Nothing less that our right to the union of our choice is demanded. Nothing less than the right to the union of our choice PNA NASRA is acceptable.'**

Tony Gregg,  
PNA NASRA Branch Secretary

## NEW ROLES AND RESPONSIBILITIES REPORT FAILS TO RESOLVE KEY ISSUES

The much-anticipated Roles and Responsibilities Report (Review and Examination of current EMT, Paramedic and Advanced Paramedic Roles in the National Ambulance Service) published in recent weeks has been a great disappointment to staff nationally. Particularly disappointing is the fact that following an extended two year process the Committee has failed to make a recommendation regarding the purpose of the exercise

It is clear there was confusion and frustration on the part of the committee following the presentations by the management and unions and their failure to offer clarity on all of the points referred to in the recommendations. On the point made by the Committee regarding job descriptions it is clear that the process cannot move forward until a clear job description of the role of advanced paramedic, paramedic and EMT is presented to the Review Group by the employer and unions for their consideration.

Our side must present to the Review Group a clear understanding of the relationship between the practitioners, first of all to justify the advanced paramedic allowance and secondly to demonstrate the justifiable expectation of an

incremental allowance for EMTs and paramedics using the advanced allowance as the comparator to ensure a fair and equitable consideration of comparator grades in the wider HSE providing one exists.

It must be acknowledged by the end of this process that there has been an equal effort on the part of all practitioners in developing the ambulance service into the service we have today.

One final thought on the roles and responsibilities issue is this - we have now a much younger population of employee who are too many years of service away from retirement to give it too much consideration.

We would advise all of our young people to first establish their pension entitlements as they currently exist and compare them to the pension entitlements of the grade if discovered before you agree to any pension consequence of the expected proposal.

PNA NASRA branch will be carrying out a full review of the Report's findings and will report back on any anomalies or points of concern.

## LENGTHY DISCIPLINARY INVESTIGATIONS PLACING MEMBERS AND FAMILIES UNDER UNACCEPTABLE STRESS

Tony Gregg, PNA NASRA Branch Secretary.

During Covid-19 it has been business as usual for PNA NASRA on the Industrial Relations front representing members through the various HSE process policies and procedural mechanisms.

With the cases brought to us ranging from those of simple grievance to Stage Four disciplinary proceedings it was inevitable that we draw on the consultation and advice from our legal team.

In the most serious cases a representative team is necessary to ensure that no stone is left unturned when establishing a case for the specific member.

The team generally consists of the General Secretary, our legal advisor, one member of the clerical admin, and of course the relevant representative all of whom come together to ensure all submissions are industrially and legally tight.

Members normally expect to engage with the union officials and can often be unaware of the work going on behind the scenes and the collaborative approach taken by the PNA when representing their case.

Regarding cases we pursue for members it is worth noting that although the timeframe referred to within the provisions of the disciplinary process says they must be expedited as soon as possible in my experience arriving at a conclusion in cases that require investigation can take up to two years. It is unacceptable that a length of time policy should be applied to one of the most serious of procedures.

It is an unacceptable and inordinate length of time for an individual to be expected to wait for a conclusion to a complaint investigation particularly given the stress involved and the consequences for that individual where a complaint is upheld.

The stress and uncertainty of this process, which can result in an individual losing their livelihood, are also carried by the worker's family.

It is worth pointing out that the principle applied in a disciplinary process is one of probability as in a civil case, and not the more robust level of proof of 'beyond reasonable doubt' that applies in a criminal court.

PNA NASRA have several such cases ongoing. A recent example involved a complaint against a member brought by his line manager. Following a considerable amount of intervention by PNA NASRA into the investigation the complaint against our

member was not upheld. Nevertheless, the pressure and strain on this individual, and his family, was enormous and it continued throughout the lengthy investigation process.

Having come through this process and with a finding in their favour an individual might reasonably expect that the process of returning to work was the end of the matter. However, to our surprise there was a further element introduced into the case which in effect was yet another unexpected torment for this particular member. The issue is still awaiting final resolution.

This type of case is not unusual and PNA NASRA Branch in representing members in several investigations where the respondents have been cooperating with the appointed investigation teams for 12 months and longer in some cases.

We cannot comment on the specifics of ongoing cases, but it is clear from the cases that PNA NASRA are pursuing that the investigation timeframe is unacceptable and is putting unnecessary anxiety and stress on members involved and their families.

### The Absurdity of the Privilege Course requirement in 2020

Imagine this scenario as faced by some of our members. After a lengthy independent investigation set up by the employer a member is found innocent, however even after the finding they must agree to participate in a privileging course over a period of six months before they can return to active deployment. Imagine the members frustration as they face into this course which includes the following elements:

- Third person deployment.
- Completing call logs and assignments as directed.
- Paramedic upskilling.
- 4 MCQS
- OSCE, s x 2 consisting of 1 medical 1 trauma
- Assessments and interview
- 2nd person on ambulance with tutor.
- Case study.
- Interview based on case study.
- Three-month internship with all criteria of internship to apply.

We understand that the employer has to ensure a safe return to the workplace following a considerable absence, but it is unacceptable that such a process would be identical, for example, to that of a foreign national attempting to prove their qualifications to practice in our jurisdiction. Adaptation of foreign qualifications is best practice and is common amongst other

health care settings such as nursing.

It is simply unacceptable that such a rigid examination of a nationally licenced practitioner should be necessary for example in case of paramedics who are injured in the line of duty, assaulted, or who experience serious medical problems such as cancer, or even have been on extended maternity related sick leave.

In fact, it would be hard to imagine that this process would stand a test of compliance with equality legislation or maternity entitlements.

I cannot imagine any other part of the workforce being subjected to such an offensive affront to their experience, service, and sacrifice.

As I said, a safe return to work is essential for all stake holders but it must include and demonstrate a respect for service and experience paid.

But fundamental questions need to be asked regarding such a return to work programme:

- What happens if a participant fails any part of the programme?
- Do they get a second chance?
- Is it one more chance only?
- Is the interview subjective, are the assessments marked and with a transparent marking criterion?
- Is the participant an employee or student?
- What are the expectations required during the internship, if somebody fails the process - are they redeployed within the greater HSE or dismissed?
- Are they subject to the capability policy, in fact are any of the current participants aware of the potential consequences of the programme at all?

It is PNA NASRA's position that such programme should not be burdensome and should accept without doubt the validated qualifications of a returning employee.

As in all other professions including nursing, a paramedic returning to work should be required to undergo a programme of familiarisation that should last for no more than three weeks. The current protracted and onerous process is nothing less than an indignity that paramedics should not be subjected to. This is an issue with PNA NASRA will be pursuing with management.