

Disseminating Best Practice
Proceedings of the
Information and Consultation
Regional Seminar Series



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Foreword

The European Employee Information and Consultation Directive is due to be transposed into Irish law during the course of 2005. It is an important development in Irish employee relations, as it increases employee information and consultation rights. The National Centre for Partnership and Performance (NCPP) believes that it also represents an exciting opportunity to foster and deepen partnership-style approaches to managing and anticipating change at the enterprise/organisational level.

It was in this context that the National Centre for Partnership and Performance, funded by the EU Commission's DG Employment and Social Affairs, undertook case study research into current information and consultation practices and procedures within fourteen public and private sector organisations in Ireland. The key findings and results of this project were contained in a publication entitled *Information and Consultation – A Case Study Review of Current Practice*. The NCPP also produced associated learning material entitled *The Information and Consultation Directive – Everything You Need to Know*.

In seeking to build on the success of this initial work, the NCPP, with the support of the Irish Congress of Trade Unions (ICTU) and the Irish Business and Employers Confederation (IBEC), secured further funding from DG Employment and Social Affairs for a *Disseminating Best Practice Project* based on the hosting of four regional seminars on the subject of information and consultation. This report represents a summary overview of the proceedings at this series of regional seminars.

Aside from details of the key contributions from the NCPP, the Irish Congress of Trade Unions and the Irish Business and Employers Confederation, the report includes a synopsis of the eight organisational case studies that were presented over the course of the four regional seminars. It also incorporates details of the issues that were generated by the open dialogue and debate between all of the delegates and participants, which was an integral element of each of the events.

The European Commission's DG Employment and Social Affairs funded this project and I would like to thank the staff at the Commission for their support and advice throughout. The series of regional seminars were hosted in conjunction with both the Irish Congress of Trade Unions and the Irish Business and Employers Confederation. I would like to take this opportunity to thank both organisations for their contributions to this project and in particular the following individuals: Fergus Whelan (ICTU), Liam Berney (ICTU), John Brennan (IBEC), Heidi Loughheed (IBEC), Adrian Beatty (IBEC) and Donagh Corcoran (IBEC). Sincere thanks also to all the organisations and individuals who participated in the research seminar series. Finally, I would like to thank the team from the NCPP, in particular Dr. Damian Thomas, who was the project co-ordinator and author of this report and Gaye Malone and Julia Kelly who provided such excellent administrative support throughout this project.

Lucy Fallon-Byrne

Lucy Fallon-Byrne

Director

National Centre for Partnership and Performance

Overview of the ‘Disseminating Best Practice Project’

In 2003, the National Centre for Partnership and Performance (NCP) undertook a research project, funded by DG Employment and Social Affairs, in relation to the *European Employee Information and Consultation Directive* (see Chapter 2). This project involved the NCP conducting case study research into current information and consultation practices and procedures within fourteen public and private undertakings in Ireland (see Table 1).

TABLE 1 EU Information and Consultation Directive Project – Participating organisations

Allianz Ireland
Barnardos
Beckman Coulter Instruments
Dell
Dublin City Council
Electric Paper Company
ESB
Galway/Mayo Institute of Technology
GE Interlogix
Medtronic
Multis
Nortel Networks
Roches Stores
Vhi Call Centre

The key findings and results of this project were contained in a publication entitled *Information and Consultation – A Case Study Review of Current Practice*. The NCP also produced associated learning material entitled *The Information and Consultation Directive - Everything You Need to Know*. This document is a step-by-step guide for trainers, employers, employees, trade unionists and employee representatives that outlines the content and objectives of the European Employee Information and Consultation Directive. Both of these documents are currently available for downloading from the NCP’s website, www.ncpp.ie.

In seeking to build on the success of this initial project, the NCP, with the support of the Irish Congress of Trade Unions and the Irish Business and Employers Confederation, secured further funding from DG Employment and Social Affairs for a **Disseminating Best Practice Project** based on the hosting of a series of regional seminars on the subject of information and consultation.

Project objectives

In organising these regional seminars, the NCPP aimed to achieve a number of specific objectives, namely:

- To promote and disseminate the key lessons and findings from the NCPP's case study research project
- To highlight for employers, employees and worker representatives the potential opportunities and mutual benefits that can be generated by the adoption of innovative and practical measures in relation to the management of information and consultation rights
- To profile a number of individual exemplars of good practice that make the case for improving how organisations seek to inform, consult and engage with employees and/or worker representatives
- To increase awareness of the overall content, nature and objectives of the European Employee Information and Consultation Directive
- To provide employers, worker representatives and social partner bodies with an open forum to discuss and debate the potential implications, challenges and opportunities associated with the eventual transposition of this Directive into Irish law.

Description of seminars

Between May and October 2004 the NCPP, assisted by IBEC and the ICTU, hosted four regional seminars in Dublin, Cork, Limerick and Carrickmacross (Co. Monaghan) on the topic of *Information and Consultation – A Case Study Review of Current Practice*. As was indicated above, this project aimed to increase awareness and promote shared learning about information and consultation amongst employers, employees, worker representatives, trade unions and employer representative bodies. As such the NCPP with the support of ICTU, IBEC, individual trade unions and the Chartered Institute of Personnel and Development (CIPD) actively promoted each of the seminars through their regional organisational networks. In total 240 people attended the four regional seminars (a full listing of attendees is provided in Appendix A).

Seminar's format

Each of the four regional seminars were organised along similar lines. Following an introduction and overview of the purpose of the seminar from the relevant Chair, Dr. Damian Thomas (NCPP) presented a detailed discussion of the key lessons and findings from the case study research into current practice that the NCPP had undertaken (see Chapter 3). This presentation also incorporated an overview of the main elements of the European Employee Information and Consultation Directive (see Chapter 2). Individual presentations were then made by the Irish social partner organisations that represent employers and labour, namely the Irish Employers and Business Confederation and the Irish Congress of Trade Unions. This provided both bodies with an opportunity to articulate their views on the Directive and to outline what they perceived as the main challenges and opportunities associated with its implementation in an Irish context (see Chapter 4).

One of the core objectives of this series of seminars was to promote and disseminate the key lessons and findings from NCPP's case study review of current practice. Consequently at each of the seminars, the delegates heard presentations from organisations who had participated in the project and who were considered to have displayed good practice in relation to how they sought to communicate and engage with their employees. Over the course of the four seminars the delegates heard presentations from the ESB, GE Interlogix, Dell Direct, Vhi Call Centre and Allianz (see Table 2). In seeking to build on this original work it was also decided to invite presentations from organisations who, although not involved in the initial research project, were identified as displaying good practice in relation to their current information and consultation practices.¹ As such the regional seminar series also included presentations from Aughinish Alumina, Heineken Ireland, Tesco Ireland and MANDATE (see Table 2). A summary of some of the main issues raised by these various presentations is provided in Chapter 5.

¹ The list of invited presentations was compiled in consultation with ICTU and IBEC.

Finally each of the seminars concluded with a detailed question and answer session. This provided employers, worker representatives and social partner bodies with an open forum to discuss and debate the issues raised by the various presentations. These sessions also highlighted some of the main challenges and opportunities associated with the transposition of the European Employee Information and Consultation Directive into Irish law (see Chapter 6).

Table 2 List of speakers at the regional seminars

<p>Elaine Boyd HR Manager, GE Interlogix <i>Dublin</i></p>	<p>Marie Moynihan HR Director, EMEA Division, Dell Direct <i>Dublin</i></p>
<p>Liam Berney Industrial Relations Officer Irish Congress of Trade Unions <i>Dublin</i></p>	<p>Andrea Murphy Operations Team Leader Vhi Call Centre Kilkenny <i>Limerick</i></p>
<p>John Brennan Regional Director (West) Irish Business and Employers Confederation <i>Dublin, Limerick and Cork</i></p>	<p>Ken O'Connor HR Director, Heineken Ireland <i>Cork</i></p>
<p>Maurice Cashell Chair, Labour Relations Commission <i>Dublin and Monaghan (Chairperson)</i></p>	<p>Cathal O'Regan National Co-ordinator National Centre for Partnership & Performance <i>Monaghan</i></p>
<p>Cynthia Deane HR Consultant, Options Consultancy <i>Cork (Chairperson)</i></p>	<p>Muriel Silke HR Executive, Tesco Ireland <i>Monaghan</i></p>
<p>Lucy Fallon Byrne Director National Centre for Partnership & Performance <i>Dublin</i></p>	<p>Dr. Damian Thomas National Co-ordinator National Centre for Partnership & Performance <i>Dublin, Limerick, Cork and Monaghan</i></p>
<p>Nelius Kennedy HR Manager, Aughinish Alumina <i>Limerick</i></p>	<p>Sean Tracey Vice President, ESB Group of Unions <i>Dublin</i></p>
<p>Heidi Loughheed Social Policy Executive Irish Business and Employers Confederation <i>Monaghan</i></p>	<p>Con Twomey Employee Representative Group Enterprise Forum, Allianz Ireland <i>Cork</i></p>
<p>Dan Miller Assistant General Secretary TEEU <i>Limerick</i></p>	<p>Dr. Joe Wallace Head of Department of Personnel and Employment Relations University of Limerick <i>Limerick (Chairperson)</i></p>
<p>Aileen Morrissey Industrial Relations Officer Mandate <i>Monaghan</i></p>	<p>Fergus Whelan National Industrial Officer ICTU <i>Limerick, Cork and Monaghan</i></p>

The European Employee Information and Consultation Directive, 2002

As was indicated in the previous chapter, one of the aims of this project was to increase awareness of the overall content, nature and objectives of the European Employee Information and Consultation Directive. At each of the regional seminars the NCPP¹ provided a summary overview of the main elements of this Directive. Additionally aspects of the Directive were also alluded to both by the social partner representatives and the various individual case study presentations. Given that the Directive is such an important development in Irish employment relations, it was considered instructive to outline the main provisions contained in it and consider some of the transposition issues pertaining to Ireland.

The European Parliament adopted this Directive, which establishes a general framework for informing and consulting employees, in February 2002. Member states are obliged to implement the Directive by 23 March 2005 with the exception of the UK and Ireland, where there will be a phased implementation process with the extended deadline of 2008. Once the directive has been implemented a significant proportion of Irish workers will have the right to be informed and consulted, on a range of business and employment issues. As Ireland is one of only two member states (the other being the UK) that do not have a permanent and statutory system for information and consultation, the Directive is clearly an important development.

Existing regulatory measures in Ireland

The introduction of the Directive was not a sudden development. Rather it builds on a number of existing provisions with a view to encouraging an ongoing and general process of information and consultation (see Table 2.1).

Table 2.1 Existing provisions for information and consultation

- The 1995 Collective Redundancies Directive
- The 1997 Transfer of Undertakings Directive
- The 1989 Health and Safety Directive
- The 1994 European Works Council Directive

¹ Dr. Damian Thomas represented the NCPP at all of the regional seminars.

The main provisions of the Information and Consultation Directive

The objective of this Directive is to establish a general framework for informing and consulting employees in the European Union. By its nature the Directive specifies minimum requirements for the right to information and consultation for employees in undertakings or establishments within the European Community (see table 2.2 for summary details). Significantly, for the first time in the context of EU employment regulation, both information and consultation are actually defined by the text of the Directive. Information is defined as “*the transmission, by the employer to the employees’ representatives, of data in order to enable them to acquaint themselves with the subject matter and to examine it*”, while consultation is premised on “*the exchange of views and establishment of dialogue between the employees’ representatives and the employer*”.

Given its potential impact on employment relations it is significant that the Directive affords member states considerable scope to customise and tailor national legislation in accordance with pre-existing norms, preferences and employment relations practices (Article 1(2)). The nature and scope of the legislation that will transpose the Directive into Irish law will therefore be pivotal in shaping how this regulation impacts on individual organisation’s current practices and procedures for informing and consulting employee representatives. The Irish government, for example, will have the latitude to decide whether national regulation on this issue will apply to either undertakings with at least 50 employees, or establishments with at least 20 employees (Article 3).

Although there is scope for flexibility in how the Directive is implemented through national legislation, the text of the Directive does outline both the principle areas that information and consultation should cover and additionally certain protocols governing timing, method and content.

Critically, the Directive, for the purposes of informing and consulting, refers specifically to employee representatives as provided by national laws and/or practices (Article 2). As Irish law does not currently have a general definition of employee representatives this will be an important issue for the transposition legislation. The Directive also contains guidance on a number of other important elements in relation to the practical arrangements for informing and consulting with employee representatives and these are discussed below.

Agreement on information and consultation

In addition to the flexibility afforded to governments in customising their respective transposition legislation, the Directive also allows management and labour to define the practical arrangements for information and consultation freely and at any time through negotiated agreements, including at undertaking or establishment level (Article 5). Such agreements, including those which predate the Directive’s transposition deadline, may establish provisions which differ from those in Article 4 of the Directive while respecting the principles set out in Article 1. Consequently, Article 5 allows organisations to ratify existing arrangements or establish new arrangements for information and consultation prior to the implementation deadline, which satisfy the ‘spirit’ if not the ‘letter’ of the directive.

Confidentiality

In establishing the areas on which information should be provided to employee representatives, the Directive is cognisant of the potential implications for confidentiality and as such employee representatives are not authorised to disclose expressly confidential information provided to them. Additionally member states must also ensure, in specific cases and within the limits laid down by national legislation, that employers are not obliged to communicate any information or undertake any consultation, which would seriously harm the functioning of the undertaking or would be prejudicial to it (Article 6(2)).

Table 2.2 Key features of the Information and Consultation Directive

- The Directive requires member states to establish a framework for the right to information and consultation for employees
- The Irish government can choose to apply these rights to either undertakings with 50 or more employees or at the establishment level with 20 or more employees
- Information and consultation are defined as procedures that involve employee representatives according to national laws and/or practices. The Directive requires:
 - Information on the recent and probable development of the undertaking's or the establishment's activities and economic situation
 - Information and consultation on the situation, structure and probable development of employment and on any anticipatory measures envisaged, in particular where there is a threat to employment
 - Information and consultation, with a view to reaching an agreement on decisions likely to lead to substantial changes in work organisation or in contractual relations.
- Information and consultation arrangements defined by agreement between management and labour, including at the undertaking or establishment level, may differ from those set out in the Directive
- Employee representatives will be required to treat information as confidential
- Sanctions for non-compliance must be effective, proportionate and dissuasive.
- Ireland may apply the Directive in three phases:
 - Undertakings with at least 150 employees (or establishments with at least 100 employees) must be covered by March 2005
 - Undertakings with at least 100 employees (or establishments with at least 50 employees) must be covered by March 2007
 - Full application of the Directive (to undertakings with 50 or establishments with at least 20 employees) will be required as from March 2008.

Sanctions in the event of non-compliance

Under Article 8(1), member states must provide for appropriate measures in the event of non-compliance by employers or employee representatives with the provisions of the Directive, and ensure in particular that adequate administrative or judicial procedures are available to enable the obligations deriving from the Directive to be enforced. Member states must provide for adequate penalties to be applicable in the event of infringement of the Directive. These must be effective, proportionate and dissuasive (Article 8(2)).

Link with existing measures

Article 9 states that the Directive shall be without prejudice to the specific information and consultation provisions of the EU collective redundancies and transfers of undertakings Directives, provisions adopted in accordance with the European Works Councils Directive and other rights to information, consultation and participation under national law. The Directive also includes a 'non-regression' clause (Article 9(4)), stating that implementation of the Directive shall not be sufficient grounds for any regression in relation to the situation already prevailing in each member state and in relation to the general level of protection of workers in the areas to which it applies.

Implementation of the Directive

Member states have until 23 March 2005 to comply with the Directive (Article 11). However, Article 10 makes provision for transitional provisions, introduced to accommodate the UK and Ireland (see table 2.2 for transposition dates). As stated above the Directive leaves significant scope for member states to interpret and tailor the Directive to suit their own circumstances and preferences. For example, the “*timing, method and content*” of consultation are merely required to be ‘appropriate’. Equally other certain aspects of the regulatory framework are left to the discretion of the member states including;

- The definition of employee representatives
- The level at which the directive will apply ie, Undertaking or Establishment
- The potential use of statutory fallback arrangements if there is failure to agree a voluntary system
- The nature and application of non-compliance sanctions
- The process for determining whether information is confidential and the conditions under which management can withhold confidential information
- The handling of grievances in relation to the legislation
- The relationship between the new legislation and existing provisions and practical arrangements already in place.

Opportunity for partnership

It is clearly important that the eventual transposition legislation functions as a viable, sustainable and appropriate regulatory tool for focusing attention on the need to enhance and improve current practice in relation to informing, consulting and engaging with employee representatives.

Importantly, however, it would appear necessary to move beyond a narrow debate on what type of arrangements might emerge and recognise the opportunity that this Directive represents in terms of fostering and deepening customised partnership-style approaches to managing and anticipating change at the enterprise/organisational level. Not only is there a strong partnership-ethos inherent in the Directive, but more fundamentally there is an explicit recognition of the potential relationship between the strengthening of employee voice and the generation of a range of mutual benefits for all the stakeholders within organisations.

Summary

This chapter has provided a brief overview of the European Employee Information and Consultation Directive and outlined some of the key transposition issues that will have to be addressed in the context of the national legislation. In preparation for its eventual implementation the Department of Enterprise Trade and Employment have already initiated an extensive consultation process involving the social partners and other representative bodies.

Key Lessons from NCPP Case Study Report

At each of the regional seminars Dr. Damian Thomas (NCPP) provided a detailed overview of the key lessons and issues that emerged from the NCPP's case study research into current information and consultation practices in fourteen public and private sector organisations. Drawing on these presentations this chapter outlines:

- Current approaches to informing and consulting
- The case for informing and consulting
- Key lessons and issues
- Attitudes towards the Directive
- A Framework of Good Practice.

Approaches to informing and consulting

There are four main approaches to sharing information and promoting dialogue between employers, employees and their representatives. Each approach is useful for specific issues and at specific times. It is up to the organisation to decide how to develop a mix of information and consultation arrangements. The approaches are:

- Direct information sharing – the organisation communicates directly with employees
- Indirect information sharing – the organisation shares information with employee representatives
- Direct consultation – the organisation consults with employees directly
- Indirect consultation – the organisation consults with employee representatives.

What are the most common forms of Direct Information Sharing?

Irish organisations are utilising and experimenting with a wide range of mechanisms to communicate information and data directly to employees. As outlined in Table 3.1, direct information sharing arrangements include written, electronic and face-to-face methods. While there were certain practices and procedures common to the majority of organisations, the research showed that each organisation developed a customised bundle of approaches that best suited its needs.

Although many written and electronic mechanisms are available, the most effective form of direct information disclosure for the majority of organisations appears to be face-to-face employee briefings. The level at which face-to-face employee briefings occur varies from organisation to organisation, but the most common is the team briefing. Team briefings also promote a team-based ethos and approach to work organisation across the fourteen case study organisations.

Table 3.1 Direct information sharing – common arrangements

Written methods

- Company handbook
- Employee handbook
- Newsletters
- Employee briefings
- Bulletins
- Notice boards
- Memos & information notes
- Annual reports
- Circulars
- Quarterly business updates

Electronic methods

- Email
- Audio-conferencing
- Web-based conferencing
- Intranet / internet
- Databases
- Webcasts

Face-to-face methods

- Employee briefings – team, business unit, department
- Large scale staff meetings – inter-departmental, organisation-wide
- Breakfast/lunch briefings
- Management chain/ information cascades

In addition to these formal mechanisms, informal and highly personalised interchanges remain key in most organisations.

What are the most common forms of indirect information sharing?

The three most common ways in which indirect information sharing takes place within the case study organisations are industrial relations activities, partnership arrangements and European Works Councils. Organisations can utilise one or more of these arrangements. Table 3.2 shows that most of the organisations surveyed utilise two methods, mainly industrial relations activities and partnership. European Works Councils are not very

common in Ireland and are used primarily by multi-national companies with sites in other European countries.

Industrial relations activities

In the organisations that formally recognise trade unions, established industrial relations structures are key mechanisms for imparting information to employee representatives. This is particularly evident in relation to information concerning pay or changes in work practices. In some companies this was regularised through monthly union-management meetings. In others, meetings take place as and when necessary.

Partnership arrangements

Indirect information sharing also occurs through formal, partnership-style arrangements. According to the NCPP's research, employee representatives engaged with partnership in general receive a high level of information regarding company strategy, organisational performance and other core business issues.

European works council

Only two of the organisations in this study had European Works Councils in place. In both instances, employees from the Irish facilities function as the designated employee representatives. The EWCs, which are transnational forums, focus on providing staff with business and organisational information relating to the company on a European-wide basis or with implications for facilities in two or more countries.

What are the most common forms of direct consultation?

Direct consultation provides an opportunity to develop employee voice and to encourage dialogue with management on key business issues. It can be undertaken with employees in a group setting or individually, as outlined in Table 3.3.

Individual consultation

Consultation at individual level can occur when taking stock of the individual's performance, for example at performance, career or training reviews. In addition, employee surveys and suggestion schemes can facilitate individual consultation on improving organisational performance.

Table 3.2 Indirect information sharing and consultation

Organisation	Industrial relations structures	Partnership-style arrangements	European works councils (informing only)
Dublin City Council	Internal industrial relations committees & structures	DCC Partnership Forum	N/A
Medtronic	Regular management/ union meetings	N/A	Medtronic EWC
Roches Stores	House committee	N/A	N/A
GMIT	Internal industrial relations committees & structures	GMIT Partnership Committee	N/A
Allianz	Internal union/ management committee	Group Enterprise Forum	N/A
GE Interlogix	Factory floor committee	Staff Association	N/A
ESB	Internal industrial relations committees & structures	Central and local partnership arrangements	N/A
Barnardos	Internal industrial relations committees & structures	N/A	N/A
Vhi	Industrial relations Forum/house committee	Partnership Forum	N/A
Beckman Coulter Instruments	Management/ union committee	Partnership Committee	N/A
Nortel Networks	N/A	N/A	Nortel European Forum

Table 3.3 Facilitating direct consultation

Individual forms

- Performance reviews
- Training and development reviews
- Employee appraisals / 360 degree systems
- One-to-one meetings
- Attitude / employee surveys
- Suggestion schemes

Group forms

- Temporary groups – time limited and issue specific i.e. project groups, task forces or focus groups
- Permanent groups – discuss work related topics on an ongoing basis

Group consultation

Organisations in the NCPP's research project also made extensive use of temporary and permanent group forms of consultation. Temporary groups are established for a specific purpose and are dismantled once the project in question has been completed. Organisations also put permanent groups in place to discuss work-related topics on an ongoing basis. A strong characteristic of these direct consultative groupings is the emphasis on using consultation to underpin continuous improvement.

What are the principal forms of indirect consultation?

The principal arrangements for indirect consultation in Ireland are industrial relations structures and partnership groups. The NCPP's research shows that, in industrial relations structures, consultation over change generally takes place where a formal agreement is already in place. In some instances, consultation evolves into more formalised negotiations between management and unions. A number of organisations operate an 'open door' relationship between management and union officials. In these examples, management regularly use informal exchanges to collate the views and opinions of union officials on specific matters. This type of informal indirect consultation can help to resolve potential problems before they cause serious conflict. With regard to partnership-style arrangements, the level and scope of consultation varied considerably between different organisations.

Non-unionised organisations

Organisations that do not have a trade union presence generally do not have industrial relations or partnership arrangements in place. However, the forthcoming Irish legislation will clarify whether non-unionised or partly unionised organisations will need to put in place practical arrangements for facilitating indirect employee representation.

The case for informing and consulting

While recognising the challenges posed by the Directive, the NCPP's work confirms the strong case that exists in relation to improving and enhancing current information and consultation practices. Table 3.4 outlines the list of benefits that management and/or employee representatives associated with a culture of informing and consulting with employees. Firstly, both management and employee representatives highlight the contribution that effective and meaningful information and consultation practices can make to general organisational performance. It enhances competitiveness, improves service delivery and customer focus and increases employee understanding of key organisational goals and objectives.

Table 3.4 The benefits of informing and consulting with employees

<p>Organisational performance</p> <ul style="list-style-type: none"> • Increased competitiveness • Better customer service and customer focus • Improved understanding of organisational goals and performance <p>Organisational capability</p> <ul style="list-style-type: none"> • Better informed decisions • More joint problem-solving and innovation • Increased adaptability and flexibility • Effective implementation <p>Change management</p> <ul style="list-style-type: none"> • Openness to change • Flexible and adaptable ways of working • Increased capacity for continuous improvement • More employee engagement in change 	<p>Human resources / Industrial relations</p> <ul style="list-style-type: none"> • Better staff-management relationships • Improved IR culture • Increased trust and openness • Increased employee commitment • Increased employee involvement <p>Employee benefits</p> <ul style="list-style-type: none"> • Increased employee voice • Increased job satisfaction and autonomy • Better working environment • Sense of being valued
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Secondly, a more participatory approach generates better-informed decision-making and increased organisational adaptability and flexibility.

In relation to HR and/or industrial relations, effective practices and procedures for informing and consulting are associated with more open and co-operative staff-management relationships. In unionised organisations there is a better industrial relations climate. Effective information and consultation also underpins improvements in both employee commitment and involvement.

Respondents also noted the benefits for employees. The development of progressive communications strategies affords increased opportunities for employee voice within individual organisations.

The opportunity to have a say or at least be listened to is important in creating a positive working environment. Staff feel they are valued. Similarly, increased opportunities for involvement and participation are associated with improved levels of job satisfaction and greater autonomy over certain aspects of their work.

A core part of the business case for better information and consultation practices is its potential to contribute to an organisation's strategic capability for managing and anticipating change. Table 3.5 lists a number of specific change initiatives which respondents from the case studies considered had been managed more successfully as a result of informing and/or consulting with employees.

Table 3.5 Managing change initiative – the role of informing and consulting

Organisation	Change initiative
Roches Stores	Development of Stock Control System / refurbishment and rebranding of store / store design and layout
GE Interlogix	Environmental Health and Safety / Relocation of factory / new working practices
Allianz	Establishment of new corporate team / introduction of direct line service delivery
Nortel Networks	Closure of manufacturing division
ESB	Organisational restructuring / safety strategy
Vhi	On-line Performance Management System
GMIT	Merger of two departments
Medtronic	Product development / new working practices/quality control and a range of HR related initiatives
Dell	Resource deployment / changes in working practices
Barnardos	Work/life balance / enhancing professional practice
Electric Paper Co.	New product development
Dublin City Council	Restructuring the Mechanical Services Division
Beckman Coulter	Continuous Improvement Programme
Multis	Change in business focus/ waste management

In several instances the adoption of a more sophisticated approach to employee engagement improved the organisation's capacity to anticipate and/or drive change. In virtually all of the case studies, management and employee representatives concur that informing and consulting with employees fosters a greater acceptance of organisational change. Developing a better understanding of why and how change is occurring prevents uncertainty, which if not addressed can damage employee morale.

The development of more sophisticated procedures for informing and consulting with staff in several organisations provides a platform for employees to proactively engage with and drive the change in question. Actively 'tapping into' the collective knowledge of employees improves the impact of the change being introduced. A link between implementing change successfully and increasing levels of job satisfaction and work commitment also exists.

Importantly, the change initiatives outlined in Table 3.5 are part of overall organisational strategies for improving performance as they relate to issues such as improving service delivery, refocusing the business, improving efficiency, encouraging more flexible working and stimulating innovation.

Key lessons and issues

Across the fourteen organisations the following key issues and lessons emerged in relation to current practice for informing and consulting with employees:

The majority of organisations in this project adopted a relatively progressive and wide ranging approach to informing, communicating and consulting with employees, which has established a good platform on which further progress can be built.

A more forward-thinking approach to informing and consulting with employees would appear to be premised on the fact that many of the organisations in question have clearly identified communicating, informing and engaging with staff as an integral part of their business and organisational strategies.

In particular, designing effective systems for employee voice enables organisations to tap into the collective knowledge, experience and expertise of their key competitive asset – their employees.

In general managers are more at ease with informing rather than consulting, in part due to concerns that the latter impinges on managers' right to manage. There is clearly a variable level of enthusiasm for adopting a more participatory managerial style not only between, but also within, the case study organisations.

...designing effective systems for employee voice enables organisations to tap into the collective knowledge, experience and expertise of their key competitive asset – their employees.

Despite the disquiet evident amongst certain sections of management, it is also clear that the organisations involved in this study have attempted to progressively increase the scope and quality of individual and group consultation. In these instances, employee consultation is seen as supporting rather than challenging the right of managers to manage.

Although the case studies provide strong evidence of the promotion of a more participatory approach to management, they also highlight the fact that consultation, whether with individuals or groups, is less prevalent in the early planning stages of organisational decision-making compared to the mid-planning or implementation phases. The caveat to this trend is in unionised companies, where early consultation on pay issues and changes in working practices is the norm. However, even at the implementation stage consultation can improve acceptance of change.

In some instances, initiatives for employee dialogues are little more than communication systems, which provide employees with very little influence

on matters that affect them. In others, the distinction between informing and consulting is blurred especially in those organisations that promote two-way communication, employee involvement and upward problem solving. A reliance on informal dialogue and highly personalised relationships further blurs the distinction.

The case studies also highlight the fact that direct and indirect practices for informing and consulting are complementary and mutually supportive activities. The interaction between direct and indirect mechanisms affords unions the opportunity to function as an important conduit for employee views.

There is agreement across the case study organisations that their current approach to informing and consulting is very much a work in progress. In many instances management concur that they are only beginning to explore its potential. This has encouraged a willingness to experiment and innovate with different mechanisms and practices.

Critically, making good information and consultation happen requires more than putting certain mechanisms in place, as it is the utility of the practices and procedures that is the key. In particular the case studies suggest that the visible and continued support of top-level management for a participatory management culture is pivotal. Consequently, the key to more effective informing and consulting lies not so much in the institutional arrangements that are adopted per se, as in the context, manner and spirit in which they are introduced and progressed.

...the key to more effective informing and consulting lies not so much in the institutional arrangements that are adopted per se, as in the context, manner and spirit in which they are introduced and progressed.

Attitudes towards the Directive

The majority of management respondents express their support for the general aims and spirit of the Directive, balanced with the need to ensure that any future regulation will not constrain competitiveness and flexibility. The management interviews also highlight a number of issues of concern, which the legislation for transposing the Directive into Irish law will have to address in an appropriate and practical manner. These issues include:

- The need for flexible arrangements
- Confidentiality
- The relationship with existing IR structures
- The distinction between consultation and negotiation and
- The locus of decision making within multi-national corporations.

There is also agreement that meeting the requirements of this Directive will pose challenges to organisations.

While the nature and shape of future legislation will be pivotal in determining the impact of the Directive on organisations, one can assume that for many organisations there will be changes to current culture and practices. For example, these might include earlier and increased levels of consultation, more regularised information flows and in some instances new systems of indirect employee representation. These changes are clearly significant. Although the Directive represents an important development in Irish employment relations, its impact on current approaches towards informing and consulting with employees will take time to evolve.

What it will do initially is to establish a legislative framework to enhance and improve practices and procedures for informing and consulting. This may necessitate the development of new institutional arrangements within organisations, and as such represents a significant development. For those organisations that currently lack any forms of indirect representation the Directive will be a new departure. In other instances however, improvements may be achieved by the adaptation, reconfiguring and/or formalising of existing arrangements. Given that there is a strong consensus that communication and involvement

Given that there is a strong consensus that communication and involvement strategies in most organisations are works in progress, the Directive's emphasis on strengthening dialogue and building mutual trust appears to correlate with the direction in which many organisations are headed anyway.

strategies in most organisations are works in progress, the Directive's emphasis on strengthening dialogue and building mutual trust appears to correlate with the direction in which many organisations are headed anyway.

Building a framework of good practice

Finally the NCPP's presentation concluded with some practical recommendations for organisations that are seeking to enhance their current arrangements for informing and consulting with employees and/or employee representatives. Firstly it was highlighted that a number of organisations considered that the purpose, function and composition of their existing forums for informing and consulting with employee representatives appeared to meet the requirements and spirit of the Directive. In one particular organisation the following characteristics were seen as being particularly important in reaching this conclusion:

- It was based on a negotiated agreement
- It had a written and agreed constitution
- It had an open and elected membership
- It had a business focused agenda
- It promoted information sharing, employee dialogue and participation and
- It recognised the need to continue to develop and evolve.

Table 3.6 Principles of a good practice approach to information & consultation

- | | |
|---|---|
| <ul style="list-style-type: none"> ■ Adhere to the spirit of the Directive, which is to ensure employees receive the information to which they are entitled, and to implement arrangements that enable information and consultation to improve decision-making and organisational performance. ■ Recognise that there is no one model of good practice and that the key is to develop and customise practical arrangements that meet the needs and culture of the organisation and its employees. ■ Adopt benchmarks of good practice when developing an information and consultation strategy. This will assist the organisation to measure the impact of information & consultation on its performance and profitability. ■ Approach the implementation of the Directive with a commitment to openness and transparency. ■ Be mindful of the need for confidentiality in today's competitive environment. ■ Foster a culture of information sharing, joint problem solving and consultation in the organisation. Identify 'champions' who will advocate this approach. Ensure that all managers in the organisation have the necessary skills to inform and consult with employees and their representatives. | <ul style="list-style-type: none"> ■ Recognise that the key to more effective informing and consulting lies not so much in the bundle of practices that are adopted as in the context, manner and spirit in which they are introduced and progressed. ■ Ensure that employee representatives have the skills necessary to engage in information and consultation activities on behalf of the organisation's staff. ■ Ensure that information and consultation arrangements are built on existing practices, not in addition to them, and that the arrangements are aligned with the objectives of the organisation's HR and industrial relations approaches. ■ Align information and consultation activities with the organisation's strategy and business plan. ■ Understand that information and consultation arrangements evolve as trust grows, and allow room for experimentation and innovation. |
|---|---|

Importantly it is evident that there is no single model of effective practice and indeed each of the case studies had their own customised bundle of practices and procedures.

In this regard it is important to emphasise that it is the utility and effectiveness of the mechanisms rather than the number of them, which is important.

Although the case studies are indicative of the diversity of approaches that can be adopted, they also generated a number of principles of good practice that organisations should consider when designing their enterprise level arrangements for informing and consulting (Table 3.6).

The Social Partners' Perspective

In undertaking the two EU funded projects on information and consultation, the NCPP was operating with the mandate of the Irish social partner organisations, the Irish Congress of Trade Unions and the Irish Employers and Business Confederation. Both organisations were directly involved in the **'Disseminating Best Practice project'** and in particular assisted the NCPP in organising and promoting the individual regional seminar events.

As the national representative bodies for employers and employees respectively, and as key players in the Irish national social partnership process, it was important that both ICTU and IBEC participated in each of the regional events. Although the ultimate responsibility for transposing the European Employee Information and Consultation Directive into Irish law rests with the Department of Enterprise Trade and Employment, there is a well-established process of engaging in formal and informal dialogue with the social partners in relation to forthcoming employment legislation. Indeed this process has already been initiated in relation to the European Employee Information and Consultation Directive. Consequently at each of the four seminars, ICTU and IBEC were provided with an opportunity to articulate their views on both the implications of the Directive and also the broader issues of employee involvement and engagement.

The Irish Congress of Trade Unions (ICTU)

The ICTU² strongly welcomed the Information and Consultation Directive highlighting that not only did it confer on employees a core fundamental employment right but also that it represented a real opportunity to make a crucial difference as to how enterprises seek to manage change and resolve problems.

An employment right

The ICTU maintain that informing and consulting with employees is a core employment right. In this regard the European Employee Information and Consultation Directive is viewed as correlating with the strong emphasis on the right of workers to be consulted, that is, incorporated within a number of existing European Charters.³ This Directive also clearly builds on a number of existing provisions for informing and consulting with employee representatives in specific circumstances (see Table 2.1, Chapter 2). The ICTU therefore view this Directive as contributing to the development of an ongoing and general process of informing and consulting with employees and their representatives.

The case for informing and consulting

Importantly, the ICTU also stipulated that there exists a cogent business case for seeking to improve current practice in relation to informing and consulting with employees and their representatives. In particular it highlighted that unionisation combined with proactive employee involvement has the capacity to significantly enhance organisational performance and productivity. Fostering a partnership culture premised on real consultation and involvement, the ICTU contends, has the potential to generate mutual gains for employers, employees and trade unions.

2. The ICTU were represented at the series of seminars by Fergus Whelan and Liam Berney.

3. The European Social Charter, the Community Charter of Fundamental Social Rights and the Charter of Fundamental Rights of the European Union.

The forthcoming legislation must therefore be seen as a significant opportunity, as individual enterprises can use the Directive to build trust, to harness staff support for change and to encourage joint problem solving solutions within companies.

Overcoming the challenges

Harnessing the potential of this Directive will however be dependent on tackling a number of challenges. Firstly, the perception that EU Directives are a constraint on business, needs to be addressed. The ICTU maintain that this perception remains prevalent within the business community despite the fact that previous directives have made a positive contribution to enterprises in Ireland. More specifically in order to reap the potential benefits of informing and consulting, management will have to move away from a traditional mindset and proactively and positively engage with employees and their representatives. Interestingly, the ICTU spokesperson indicated that embracing this type of partnership ethos would also require that some union representatives change their traditional mindsets. Finally it was suggested that non-unionised companies are likely to have problems with the concept of collective consultation.

Transposition

With regard to the implementation of this Directive, the ICTU highlighted that the transposition legislation must incorporate a number of key principles in relation to employee representation, namely:

- An explicit assertion of the rights of workers to be represented for the purpose of collective consultation with their employer
- An assertion of the key role of employee representatives and
- Employee representatives must be independent from employers and employees must be the only people who have a say in their selection.

Going forward

The ICTU's experience of similar initiatives is that it will take time for all the stakeholders, particularly employers, to recognise the potential benefits. Despite this, however, the ICTU maintains that

it will be possible to eventually foster a shared understanding around the advantages associated with seeking to improve current practice for informing and consulting with employee representatives.

The forthcoming legislation must therefore be seen as a significant opportunity, as individual enterprises can use the Directive to build trust, to harness staff support for change and to encourage joint problem solving solutions within companies.

The Irish Business and Employers Confederation (IBEC)

IBEC strongly endorsed the published reports produced by the NCPP and in particular welcomed the emphasis on linking information and consultation to improvements in organisational performance and capacity for change. Although generally supportive of the new Directive the IBEC spokesperson⁴ stressed that it was critical that the transposition legislation should not in any way impede competitiveness and organisational flexibility. In this regard it was suggested that it is particularly important that the transposition legislation embraces the diversity of approaches to employment relations that currently operate within Irish businesses.

Disseminating good practice

The national representative from IBEC strongly endorsed the case study review of current practice and the associated learning material that the NCPP produced as part of the initial EU funded research project on information and consultation. From IBEC's perspective a number of specific features of the report on current practice were particularly welcome.

4. IBEC were represented at the series of seminars by John Brennan and Heidi Lougheed

The report serves to highlight the diversity of approaches to employment relations/industrial relations that now prevails within the Irish labour market, even within such a small sample of fourteen case studies from the public and private sectors. The diversity in approaches to employment relations was particularly evident in relation to how individual organisations sought to communicate, engage and consult with staff. The aforementioned diversity is premised on a continuation of a primarily voluntarist mode of employment relations. Moreover many of the innovations that are highlighted in the report are local, ie Irish in origin – and this is to be welcomed and championed.

The NCPP's report confirms that there is no one single model of good practice in relation to informing and consulting with employees. Rather the case studies reveal that organisations have sought to customise their practices and procedures in accordance with their own organisational culture, existing employment relations practices and the broader business environment in which they operate.

There is within the various practices for informing and consulting employees a strong focus on a business agenda. In this regard it is critical that seeking to improve communication and dialogue are not

...there is no one single model of good practice in relation to informing and consulting with employees. Rather the case studies reveal that organisations have sought to customise their practices and procedures in accordance with their own organisational culture, existing employment relations practices and the broader business environment in which they operate.

viewed as additional extras but rather are integrated into organisational strategies for achieving change, innovation and higher performance. The report also suggests that the majority of companies in this study have adopted a relatively progressive approach to informing, communicating and consulting with staff. In this context IBEC believes that the Directive should focus on encouraging further progress by building on the good platform that already exists.

Business concerns

Although IBEC recognise the potential benefits to be garnered from improving current practice in relation to informing and consulting with employees they also highlighted a number of concerns that they have with regard to the legislation that will transpose this Directive into Irish law (Table 4.1).

IBEC stressed that one of the primary concerns for business in relation to the future legislation on the Directive was the extent to which it would seek to 'define' a model for informing and consulting with employee representatives and consequently impose what they considered 'restrictive' structures and/or arrangements on organisations. The overwhelming preference from IBEC's perspective was that the legislation would establish a general framework, within which there would be sufficient flexibility for individual organisations to customise and tailor arrangements in accordance with their own preferences and employment relations culture. This was particularly important for non-unionised companies within which there was no experience of or preference for indirect forms of employee representation.

In relation to decision-making, two issues of concern were highlighted. Firstly it is important to recognise that many multi-national subsidiaries operating in Ireland have on a range of business and strategic issues only a relatively limited degree of autonomy in relation to their parent company. As such it is important that the forthcoming transposition legislation recognises that on certain issues the 'locus of decision-making' is often outside of the national jurisdiction. The potential for more formalised information and consultation procedures to slow down organisational decision-making was also raised. In particular it was suggested that it could constrain the speed with which individual

Table 4.1 Key business concerns

- Flexibility
- Decision making
- Confidentiality
- Costs
- Apathy
- Links to other legislation
- Employee representatives
- Arbitration

organisations seek to respond to ongoing business and market changes and as such this could impair their competitive capacity.

The IBEC representative referred to the fact that there was within the business community a degree of uneasiness regarding the risk of shared information making its way into the open and affecting company value as a result of the introduction of statutory based procedures for informing and consulting with employees. It was also indicated that a number of companies had expressed concerns about the potential costs of establishing and maintaining more formalised arrangements for informing and consulting with employee representatives. These costs reflected both the direct financing of such arrangements and also 'working time' lost due to staff engaging in such arrangements.

Although the Directive confers on employees the right to be informed and consulted, it was suggested, by IBEC, that management would have to address a degree of staff apathy towards indirect forms of representation particularly in organisations in which the employment relations culture was predicated on direct and individual forms of employee engagement.

Irish law does not currently have any a standardised definition of an employee representative. This context, combined with the considerable diversity of practice, culture and experience between non-union and unionised companies, ensures that the way in which transposition legislation seeks to address the subject of employee representation will be an important issue for the business community as they seek to implement the Directive.

As the Directive clearly builds on a number of existing provisions for informing and consulting with employee representatives in specific circumstances IBEC indicated that the linkages between the new legislation and existing provisions and practical arrangements must be clearly articulated.

Finally it was highlighted that the nature of the process that will be established for the arbitration of any grievances in relation to the information and consultation rights will be an important issue for IBEC and member organisations.

Suggested actions for companies

The IBEC spokesperson also outlined some suggested actions that companies could undertake in anticipation of the forthcoming transposition legislation. Firstly management should examine their current business strategy and in particular seek to answer the following questions:

- How does this Directive on informing and consulting fit into our current business strategy?
- What is our current communications strategy and associated practices and how does it relate to the requirements associated with this Directive?
- What is the nature of our current representational structures?

Secondly, where applicable, companies should seek to draw lessons from their previous experience of informing and consulting with employees particularly in relation to existing national provisions. Finally if managers envisage that they will have to make changes to their existing communications strategy as a result of future legislation they should aim to not only ensure compliance but also to generate added value as a result of introducing said changes. Adopting this approach affords companies the opportunity to garner the potential benefits associated with improving and enhancing their current practices for informing and consulting with employees.

Disseminating Best Practice Seminar Series – Case Study Presentations

As was indicated in Chapter 1, a central element of the regional seminar series was a collection of individual case study presentations from public and private sector organisations. This included both organisations that had participated in the NCPP’s initial case study research project and others who had been identified as displaying elements of good practice in relation to how they sought to engage and communicate with their employees and/or employee representatives. The aim of this chapter is to provide a summary overview of the various case studies that were presented at the four regional seminars.

GE Interlogix (Dublin Regional Seminar)

Elaine Boyd (HR Manager) at GE Interlogix, which is part of the GE Multinational Corporation, indicated that in her opinion informing and consulting with employees had resulted in tangible improvements in organisational performance; employee commitment; employee acceptance of change; a greater shared understanding of the business objectives and a more participatory problem solving culture. Given the proactive steps that the company has taken to promote more effective dialogue with employees, including the establishment of a partnership-style Staff Association, the HR manager suggested that her company envisaged few problems in meeting the requirements of any new regulation provided that it did not take an overly prescriptive approach to this issue. In this regard the fact that the Staff Association was the product of a negotiated agreement, had a written constitution and had an elected membership representing all staff were seen as being particularly important. It was suggested that the transposition legislation should avoid imposing new or parallel structures on companies and rather should focus on enhancing existing arrangements and improving organisational culture in relation to informing and consulting with staff. Finally, although it was important to put in place an array of direct and indirect arrangements

...informing and consulting with employees had resulted in tangible improvements in organisational performance; employee commitment; employee acceptance of change; a greater shared understanding of the business objectives and a more participatory problem solving culture.

for informing and consulting with staff, these in themselves, it was suggested, do not negate the management of their responsibility for communicating effectively with their team members.

ESB Union (Dublin Regional Seminar)

Sean Treacy, Vice President of the ESB Group of Unions, outlined that unions within this key semi-state company strongly support the new Directive and view it as a positive development that will yield benefits for not only workers but the company also. Mr Treacy indicated that industrial relations within

the organisation have undergone radical change in recent years, with the traditional adversarial approach being replaced by a more co-operative and partnership based relationship between staff and management. There now exists an array of communication channels through which management, staff and unions engage in information sharing, dialogue and consultation. As such, the Group of Unions sees the new Directive as building on this strong foundation. The Group of Unions, however, also indicated that there are a number of issues relating to implementation of the Directive within the company, which will have to be addressed satisfactorily. These issues include how non-unionised employees are to be represented; the need to go beyond mere compliance; the election of employee representatives and agreement on what ‘consultation’ means in this specific organisation. Finally if the potential benefits of this Directive are to be realised, it is critical from the union perspective that the process of informing and consulting occurs through existing structures; that any communication occurs before decisions are finalised and that there is a real opportunity to have an input into organisational decision making.

Dell Computers Ireland – Sales & Supports Division (Dublin Conference)

Dell, a non-unionised US multinational is Ireland’s largest exporter and revenue generating technology company. Maire Moynihan (HR Director – EMEA Division), indicated that Dell strive to engage employees in the ongoing competitive challenge while striking a balance between the needs of the business and individual employees. Dell has introduced a myriad of direct information and consultation procedures and arrangements that have helped to create a highly flexible workforce that both embraces and shapes ongoing change. Despite the company’s strong preference for a culture of direct employee engagement they do have in place some indirect forms of consultation including the establishment of a Special Negotiating Body to form a European Works Council. In relation to the Directive itself, the HR Director suggested that while they were supportive of the principles of this initiative, the main issue for the company was how the forthcoming legislation would seek to encourage a more formalised process

of informing and consulting within individual organisations. Dell remains strongly committed to a model of employee relations premised on direct employee engagement and from their perspective they see no evidence that indirect forms of consultation represent a better approach. The HR Director therefore stipulated that it was essential that the transposition legislation avoid imposing one size-fits all model on companies, as this would be perceived as constraint on competitiveness and flexibility. Rather the legislation should afford companies’ sufficient scope to customise and tailor their practical arrangements in accordance with their own organisational needs and culture.

Box 5.1 Allianz’s Group Enterprise Forum

The GEF was established in 1998, following an agreement between management and the MSF Trade Union. The purpose of the Forum is to facilitate information exchange, increased employee participation, and to enhance dialogue with a view to improving company performance in a manner that generates mutual gains. Membership is comprised of management representatives, including the CEO, elected staff representatives and two internal union nominees. Within the GEF, employee representatives are provided with information on key business issues and strategies. Additionally there is an opportunity for employee representatives to engage in effective two-way communication with senior management on key business issues. Although employee representatives agreed that senior management did listen to them, they also affirmed that on certain issues the consultative aspects of the forum needed to be enhanced.

Within the GEF there is a positive working relationship and a strong emphasis on both maintaining confidentiality and on encouraging an open debate on key issues. As an effective information and consultation forum with the company the GEF has served to encourage staff engagement with key business issues, to foster and enhance employee voice and to improve how senior management communicates key business decisions.

Allianz Ireland (Cork Regional Seminar)

Allianz Ireland is a multi-line general insurance (non-life) company and is part of the German Multinational Allianz Group. Con Twomey, an elected employee representative on Allianz's Group Enterprise Forum (GEF), provided a detailed overview of the origins, purpose, evolution and working characteristics of this key employee forum (see Box 5.1). It was also indicated that both management and employee representatives were confident that their Group Enterprise Forum (GEF) met both the practical requirements and overall spirit of the Directive. In particular the following characteristics were highlighted; the fact that it was the product of a negotiated agreement; its written constitution; the open and elected membership, its focus on key business issues and the emphasis on both information sharing and two-way communication. Although the GEF is a key employee forum within the company it was stressed that it is part of an overall communications strategy that incorporates a range of practices and procedures for engaging with staff. Finally in terms of its ongoing evolution it was indicated that the GEF will continue to contribute to key business objectives including improving the competitive position of Allianz through its people; the further development of positive partnership relations with the union AMICUS and an emphasis on engaging all employees in partnership-style initiatives.

Heineken Ireland (Cork Conference)

Heineken Ireland is a wholly owned subsidiary of Heineken NV, employing 450 people in Ireland. It has locations throughout the country and is involved in producing, marketing and distributing a range of company brands. Ken O'Connor (HR Director) indicated that since 1989 the company has operated a formalised Participation Forum, comprising 13 employee representatives, covering all the geographical and functional constituencies within the company and three management representatives. The Participation Forum discusses a wide range of business and employee related issues excluding pay and conditions. Although the Participation Forum has been relatively successful an internal company survey conducted in 1997 revealed that there was within the organisation a

Box 5.2 Heineken Ireland – Fostering Constructive Employee Feedback

The internal publication 2020 Focus was established as part of the new emphasis on improving internal two-way communications. The aims of this new venture were to support business strategy, stimulate two-way communications, improve the flow of relevant information and create dialogue across the company in a manner that provides all employees with the opportunity to contribute to the business. This internal communications exercise is focused on supporting business strategy by providing employees with an opportunity to engage in face-to-face two-way dialogue about specific business related issues contained in the publication. The effectiveness of this initiative is premised on a formalised process of team-based constructive feedback that is co-ordinated by the Internal Communications team. A group of process facilitators and the General Management Team are also involved in this process. The Internal Communications Team is responsible for collating and summarising all of the team-based feedback. The General Management team then discuss and respond to this feedback through the most appropriate communications channel. The benefits of this approach have been fourfold –

- Business information is sent directly to all staff at the same time
- It has stimulated a process of constructive feedback that the General Management Team have found to be very useful
- Agreement on the feedback promotes unity within the various teams and
- The speed of response, from the management team, to employee feedback has served to minimised the negative impact of rumour within the company.

The company has now decided to rebrand this publication as Hi-5 Focus and once again all of the forthcoming articles within it are directly linked to key elements of the organisation's strategy.

limited degree of information sharing, a fundamental lack of communication and a general culture of mistrust. Working on the belief that harnessing the intelligence of employees in a more focused manner would contribute to the achievement of company goals, it was decided to establish an Internal Communications Department within the HR function. This Internal Communications Department decided that face to face / open two-way dialogue would be the primary means of seeking to enhance internal communications flows and information exchange within the company. In particular, they introduced a new internal publication *2020 Focus* to stimulate constructive employee feedback on organisational wide business issues (see box 5.2). The concerted effort that the company have placed on improving employee dialogue and information sharing is directly aligned to the overall business strategy and the achievement of key organisational goals. Indeed the HR manager concluded by stating that Heineken Ireland believes that through actively involving their employees the company generates a level of enthusiasm and commitment towards the achievement of the company objectives which other organisations would find difficult to replicate.

Vhi Healthcare (Limerick)

Vhi Healthcare, a semi-state company, employing 850 people provides a wide range of healthcare plans to approximately 1.56 million members in Ireland. Andrea Murphy (Team Leader Vhi Healthcare Contact Centre) outlined how Vhi Healthcare has introduced an array of practices and procedures to encourage increased levels of employee involvement and participation. These practices include formalised partnership structures, staff suggestion schemes, staff satisfaction surveys, cross-functional teams and employee focus groups. Enhancing employee voice and increasing staff participation is viewed as being central to the achievement of the organisation's key strategic goals. It was also stressed that fostering employee participation not only legitimises change but also encourages staff to proactively engage with this process. In the Vhi Healthcare experience this has served to not only improve the effectiveness of change initiatives but also to generate mutual gains for all the relevant stakeholders (see Box 5.3).

Box 5.3 Example of change through consultation at the Vhi Call Centre

At the Vhi Call Centre, a performance management system is pivotal to the day-to-day operations and work of the telephone agents. In this context a new On-Line Performance Management System was formulated, piloted and implemented using an extensive process of employee involvement and consultation. Employees highlighted the problems with the existing system and identified pragmatic, innovative solutions based on their knowledge and experience of the job and the products they were delivering. The new system is considered to have delivered benefits to the organisation, external customers, the team leaders and the telephone agents.

Aughinish Alumina (Limerick Conference)

Aughinish Alumina Ltd (AAL), part of the Swiss multinational Glencore Group is an alumina refinery with a workforce of 500. Nelius Kennedy (HR Manager) illustrated how AAL had been transformed from an organisational disaster – losing \$1m per week in the early 1990s – into an organisational flagship. In profit since 1993 Aughinish Alumina is now one of the most efficient alumina processing plants in the world. A key factor in this turnaround was the dramatic shift from an overtly hierarchical organisation dominated by an adversarial industrial relations culture to a flatter team-based structure characterised by a strong commitment to partnership, co-operative working and joint problem solving.

The HR manager illustrated that, at present, extensive consultation and information sharing occurs within the company at different levels – local, departmental and plant wide. At the plant level the key grouping is the Partnership Forum, an eight-member body comprising union shop stewards, an elected non-union staff member and senior management figures. The aim of this body is to foster and encourage a partnership-style approach to working throughout the company. This is viewed as an evolving process as the Forum has gained in clarity and expertise over time. With

regard to the Information and Consultation Directive the HR manager indicated that they would be framing an initial negotiated documented agreement on how to manage its implementation within the company. It was then suggested that the existing Partnership Forum could function as the official vehicle for any formalised information and consultation arrangements given that –

- It comprises elected representatives from across the workforce
- It includes senior management
- It has a strong business-focused agenda and
- It is underpinned by a spirit of co-operation and partnership.

It was, however, suggested that the Forum would probably have to be adapted to ensure compliance with the Directive and that this approach would have to be endorsed by the wider workforce. The HR manager concluded by stating that companies who operate in a partnership-style environment have nothing to fear from the Directive.

... through actively involving our employees we generate a level of enthusiasm and commitment towards the achievement of the company objectives which other organisations would find difficult to replicate.

Tesco Ireland (Carrickmacross Conference)

Tesco Ireland, formed in 1997 is the largest food retailer in Ireland, employing over 12,000 people across a total of 83 retail stores, distribution centres and head office. Muriel Silke (HR Manager) provided a detailed overview of how Tesco and its trade union partners (Mandate & SIPTU) have, in the period since 2002, engineered a radical transformation of the company's industrial relations culture and practices. Prior to this an overtly adversarial culture prevailed within Tesco Ireland, exemplified by a major strike in 2001. From the company's perspec-

tive there was a clear competitive imperative in seeking to bring about a change in this working environment. Aside from the time and energy involved in going to third party agencies to resolve numerous disputes, the damaging adversarial climate had fostered a culture in which there was a discernible lack of willingness to engage constructively on change issues. Within the retail sector, the introduction of new competitors, a forever-growing convenience market, combined with ongoing changes in customer demands and shopping patterns, ensured that the absence of change progression had a huge negative impact on the organisation's ability to compete in this market. Critically, the unions also recognised the need to change how employment relations were conducted in the company.

The HR manager described how in 2002 a new National Framework was established for employee and trade union relationships (Mandate and SIPTU). The main grouping within this framework was the National Steering Group composed of top-level national representatives from Tesco Ireland, Mandate and SIPTU. This group had overall responsibility for governing the company-union relationship as well as providing terms of reference for other working groups. Additionally a National Issues Group was formed. This body was made up of company and union representatives including shop stewards whose key focus was to resolve issues that were likely to apply to the majority of stores. There was now a formal and firm commitment to work through this framework in a more positive and co-operative way. The HR representative stressed that from Tesco Ireland's perspective more change has taken place in the day-to-day operations since 2002 than ever before. This has been achieved through prior consultation with our trade unions, where it has been appropriate. This has contributed to the more effective implementation of change as staff now feel that they now have the opportunity to shape this process. Significantly it was stressed that co-operation with change simply would not have been possible in the past.

The transformation in the IR culture within Tesco Ireland has been achieved through a structured process of consultation and inclusion involving senior company and national trade union representatives. Achieving such a dramatic change has

Box 5.4 Tesco Ireland – A new consultative framework

Since 2002 a national framework for management and trade union relationships has been operating which has underpinned the fostering of a new industrial relations culture premised on trust, problem solving and co-operation. In seeking to refine this process and in light of the implications of the Information and Consultation Directive, the company and unions engaged in intensive negotiations on how to develop new approaches that would include a greater level of direct engagement with and involvement of, all staff within the business. Rather than wait for the legislation to be enacted the company and unions were proactive in reaching what John Douglas, General Secretary Designate in Mandate has described as a “ground breaking agreement in the retail sector covering future consultation and information.” This willingness to pre-empt the formal regulation reflected the fact that the characteristics of the existing framework of consultation correlated strongly with the spirit and objectives of the new Directive. The newly agreed consultative process, which will be in addition to existing forms of staff communication, will be based around consultative Forums operating at three interrelated levels, individual stores, a regional level and finally a single national

store forum. There will also be a Company National Forum, which will bring together the stores, head office and also the distribution side of the business. The new process will be mainly driven from the Store Forums up as opposed to the previous system, which was based around a national level Steering Group. The Forums at each level will comprise representatives from the company and trade unions. The agenda of these forums will cover issues such as store performance, anticipated changes and other elements relating to company / union partnership arrangements and agreements. Importantly it is envisaged that within these Forums participants will work jointly to resolve issues and problems. As the new arrangements are far more detailed than the original consultative structure a comprehensive training programme will be required to ensure that the process reaches its full potential. The new agreement also contains an enhanced disciplinary and individual / collective grievance procedure. This was stimulated by recognition that even within a partnership context it is important to have in place effective and equitable arrangements for resolving issues, as close to the source of the problem as possible.

necessitated considerable commitment, effort and leadership from both parties. The degree of progress that has been made is exemplified by the fact that the company and the unions had the confidence and skill to negotiate a new agreement on information and consultation ahead of the forthcoming transposition legislation (see Box 5.4). This reflects the fact that the company has had direct experience of the benefits that enhanced consultation and engagement with staff can generate in terms of improved customer service and satisfaction and organisational competitiveness. Consequently Tesco Ireland believes that the negotiation of a new agreement that secures compliance with the forthcoming Information and Consultation Directive effectively represents a natural progression in their evolving positive relationship with the relevant trade unions.

Mandate – Tesco Ireland (Carrickmacross Conference)

Mandate trade union represents approximately 95 per cent of all staff within Tesco Ireland. Aileen Morrissey, a national official from the union confirmed and welcomed the dramatic transformation in the industrial relations environment within Tesco Ireland. The union representative moreover also stressed the critical contribution that the National Steering Group Framework had made to this sea change in employee relations culture. While the catalyst for the company had been the challenging competitive context, for Mandate trade union the impetus for this new approach was the realisation that they had to develop a better way of ‘doing their business’ as the highly confrontational and adversarial IR climate was damaging both to the union and its member’s interests. In particular

Box 5.5 Mandate – Union agenda within Tesco Ireland

- Achieve the best reward package
- Certainty of hours
- Adequacy of income
- Create individual/shared ownership
- Develop meaningful participation
- Enhanced individual / collective dispute resolution
- Openness, honesty and trust amongst all stakeholders
- Mutual respect
- Business development & sustainable employment
- Develop Tesco as an employer of choice

the union leadership saw the potential benefits that could be generated from the fostering of a more co-operative and problem-solving approach to internal industrial relations. Interestingly in outlining the unions agenda within Tesco Ireland, the union official indicated that in addition to the traditional staples of 'pay and conditions' the union were committed to enhancing employee involvement and participation, building trust, improving organisational performance and also making Tesco Ireland an employer of choice (Box 5.5). This more integrative bargaining agenda suggests that partnership-style relations have the capacity to generate mutual gains for all the relevant stakeholders. Additionally it is evident that seeking to improve the quality of information sharing and employee consultation would be central to virtually all aspects of the union's evolving agenda.

In relation to the new consultative agreement that has been negotiated, the Mandate official indicated that the union had engaged in this process not because they had to in view of the forthcoming legislation but rather because they considered it to be a positive initiative to undertake. In particular the union believes that this landmark agreement, by constructively engaging with staff, will afford individual union members more control and authority over their working environment. The Mandate official concluded by stipulating that this new consultative process has the potential to deliver for the union and its members, both medium and long term objectives and as such it is to be strongly welcomed.

Disseminating Best Practice Seminar Series – Dialogue and Debate

Following all of the formal presentations, each of the four regional seminars concluded with an open debate involving all of the participants and delegates. This dialogue focused on both specific issues that had been articulated in the formal presentations and also on more general issues relating to the European Employee Information and Consultation Directive. This chapter provides a summary of the issues and responses that were generated by this open debate and discussion. Some of these issues were raised at several of the seminars while other were articulated at specific events only.

Issue: Understanding and responding to the business related information

The Directive will ensure that employee representatives have the right to be provided with comprehensive and potentially complex data relating to key aspects of a firm's organisational performance and business transactions. Such employees moreover are expected to make an informed response to such information. How can workers who are not ordinarily familiar with this type of information carry out their role as employee representatives effectively?

A number of trade union officials at the conferences suggested that it would be the responsibility of the individual organisations to provide adequate training for employee representatives. One union official noted that there is scope for the use of experts under the terms of the Directive, though how exactly the role of experts operates in practice will be shaped primarily by the transposition legislation. A number of the case study presenters indicated that training on business issues had been provided for the employee representatives involved in their respective partnership arrangements. Interestingly it was highlighted that the formal launch of the newly agreed consultative framework within

Tesco Ireland, is to be preceded by the provision of both separate internal company and trade union training and also a series of joint training sessions. This level of training is considered necessary to ensure that the new more comprehensive consultative arrangements realise their full potential (see also chapter 5).

Issue: Improving business performance – The role of informing and consulting

Given that the seminars have promoted the benefits of informing and consulting with employees, one delegate asked if the company representatives saw any direct link between this process and improved organisational performance.

A senior HR manager replied that it is very difficult to make a direct casual link between improving staff involvement and specific business outcomes such as enhanced market share or improved profits. Equally their company firmly believes that investing in training, improving recruitment practices, providing employees with quality and relevant business information and engaging with all employees on issues such as the overall business plan does confer competitive advantage and has contributed

to continued organisational success. Similarly an employee representative noted that key business performance indicators such as the level of company profits tended to be heavily influenced by certain external factors rather than the internal practices such as improving the quality of staff consultation. Increased employee engagement does however provide employees with an opportunity to present their ideas and this can generate better ways of doing things. It can also increase staff commitment and loyalty. While it is difficult to measure its direct impact, enhancing staff involvement and participation, does, in his opinion, generate tangible benefits for the organisation.

Issue: Delay in the transposition legislation

Unlike the UK, the Irish government has yet to publish any draft regulations on the Information and Consultation Directive.³ As such it was asked if the delay in introducing the legislation is having any impact on how companies are approaching this issue.

A senior business representative suggested that this delay is already having a negative impact on companies' preparations for implementing the Directive. The absence of any draft legislation is certainly creating a degree of uncertainty within the business community. In particular companies either don't have the confidence to put something new in place or are reluctant to change what they are currently doing without knowing more about the nature of the actual legislation. Although draft legislation would be helpful at this stage, a senior union official also noted the fact that some companies have been proactive and put in place new and effective arrangements for staff consultation, suggests that impact of the lack of draft legislation should not be overestimated.

Issue: Supporting good practice in informing and consulting

In relation to improving current practice it was asked if anything proactive is being done.

An NCPP representative suggested that the transposition legislation could potentially act as a catalyst for focusing attention on the need to improve current practice for informing and consulting with employees. In addition a core element of the NCPP's ongoing advocacy work involves promoting, to managers, employees and trade unions, the benefits to be gained from informing, engaging and consulting with employees. A senior trade union official stipulated that the provision of adequate training and support resources would be important in seeking to stimulate improvements in current practice.

Issue: Employee representatives

The Directive for the purposes of informing and consulting specifically refers to 'employee representatives'. In this context three main issues were raised. Firstly, what is the experience of non-unionised employees in relation to indirect representation? Secondly, in general how are employee representatives usually selected within organisations? Finally, how can employee representatives be supported in undertaking the additional 'workload' associated with engaging in a more formalised process of information and consultation?

In relation to non-unionised employees, the NCPP indicated that there were a number of examples from their case study review that demonstrated how non-unionised staff are operating as employee representatives within different forums. For example the Staff Association at GE Interlogix comprises both union and non-union employee representatives. This reflects the fact that a recognised trade union has no presence amongst the salaried/professional staff within this organisation. At Nortel Networks, in compliance with the EU Directive in relation to collective redundancies, the company put in place temporary employee representatives (union and non-union) for the staff that were affected by the proposed redundancies.

³. As of the 31st December 2004

Equally the company, which now has no union presence, has a non-unionised representative on its European Works Council, the Nortel European Forum. As the NCPP report illustrates, given the emphasis that they had placed on stimulating employee dialogue and participation, senior managers from most of the non-unionised organisations saw no real challenge in putting in place some form of indirect employee representation. Interestingly they also saw no association between establishing such arrangements and union recognition. It was noted however that in the case of Dell, the issue of employee representation was causing a degree of anxiety given this company's strong preference for the maintenance of a non-unionised working environment and an employee relations model premised on individual and direct employee engagement. It was also noted that in some companies there was an initial wariness from union officials with regard to putting in place 'single table' consultative arrangements that combined union and non-union representatives. This initial uncertainty however had tended to dissipate once the process was up and running and a good working relationship had been fostered.

A senior business representative outlined that, contrary to expectation, quite a number of non-unionised firms are actively exploring the mechanics of putting in place indirect consultation arrangements in anticipation of the transposition legislation. In part this reaffirms the fact that such companies clearly see no direct relationship between establishing such indirect forms of employee representation and formalised union recognition.

In relation to the selection of employee representatives the key principles that would appear to be important are that the process is both independent (of management) and transparent. The NCPP case study review highlights that companies have tended to combine direct elections with designated places for 'union officials' to select the employee representatives for their existing employee forums. A business representative confirmed that their experience showed that companies tended to ask for volunteers and then if the number exceeded the requirements there would be elections for the employee representative positions. This process may, in the light of the new legislation, have to

become more formalised. Another delegate stressed that whatever consultative arrangements are put in place to comply with the Directive, it is critical that they are representative of all staff – unionised and non-unionised.

Finally several delegates noted that employees' enthusiasm for engaging in partnership-style arrangements were being constrained by the fact that there was no recognition of this in their day-to-day workload. Rather as one delegate stipulated, when they returned to the desk the work had continued to pile up! In response to this a business representative indicated that the custom and practice for such arrangements varied from company to company and it was important that these remained voluntary in practice. IBEC moreover voiced their opposition to the imposition of any regulations governing such practices and suggested that their effectiveness was dependent on the quality and commitment of the people who were involved in it. The ICTU representative agreed that seeking to accommodate one's own individual work with the role of an employee representative was an important issue and that in this regard it was essential that the established custom and practice in relation to this was at the very least maintained if not strengthened. It would be important moreover that the forthcoming legislation and/or supporting documentation proactively supported employees in undertaking a more formalised representative role within their respective organisations.

Issue: Partnership and organisational decision-making

A number of the case studies that were presented at the regional seminars had formalised partnership-style structures within their organisations. As such a number of questions were raised about how such arrangements impact on the broader process of organisational decision making. In particular: how can partnership be mainstreamed within an organisation?; Do partnership arrangements provide unions with an input into strategic decision making; and what is the role of consensus decision making within partnership arrangements?

With regard to mainstreaming partnership within an organisation one senior union official noted that it was critical that the key players – from both the management and unions sides – are committed to and directly involved in the process. Secondly, the process must be underpinned by effective and comprehensive procedures for enhancing communication and employee voice. Finally agreed action plans for moving partnership forward have to be put in place.

In relation to the union's influence over organisational decision-making, it was suggested by a HR manager, that partnership does provide them with a strategic voice within their company. Even when senior executives of the parent company are taking major strategic decisions, the unions, through the partnership arrangements, can have a key input into how these decisions are implemented in practice within the organisation in Ireland. It was also recognised however that in some of the NCPP's case studies, the relationship between partnership structures and organisational decision-making was less clear. Indeed in some instances such forums were clearly more effective at exchanging information as opposed to encouraging direct consultation on issues. Finally one senior HR manager noted that while it was important that their partnership forum fostered consensus it was not necessary that every decision be underpinned by a full consensus. What was important rather was that each of the decisions that emanated from the partnership forum was premised on real and effective consultation, in which all representatives had an opportunity to have an input.

Issue: Staff apathy

One delegate noted that there was a degree of apathy amongst employees in relation to the implementation of the forthcoming Directive. In particular there was a view that this Directive would not change how things are currently done within organisations.

A senior union official stated that those organisations that already had well established IR structures, existing partnership arrangements and/or a culture of staff engagement and consultation would enthusiastically embrace this Directive and be seen to put in place arrangements that complied with it. Organisations lacking such characteristics would be much slower to respond to the objectives of the Directive. Thus paradoxically the Directive would initially have the biggest impact in those organisations where it is least needed. Addressing both managerial and employee apathy will take time and as such it is important that the social partners and the relevant public agencies strongly promote the benefits associated with improving existing practices in relation to informing and consulting with staff. A senior business representative suggested that in some instances, the lack of enthusiasm for a new initiative might reflect the fact that the existing approaches to engaging with staff are working effectively and that there is no major demand for new arrangements. It was noted however that the social partners and public agencies do have a responsibility to provide information, advice and guidance to companies on this matter and that this could help to address some of the apathy that may exist.

Issue: Dealing with ‘bad news’

Given the issues covered by the Directive, how should any new consultative forum deal with news that is potentially problematic for the company, employees or both?

A senior HR manager stipulated that if any partnership or consultative forum is going to be effective it would have to deal with both good and bad things. It does take time, however for such forums to develop the skill, experience and relationships that will enable them to deal with difficult issues. In his experience fostering real and effective consultation will always produce better decisions even in relation to contentious issues.

Conclusion

This chapter has provided a summary overview of the key issues and responses that were generated by the open ‘question and answers’ session that was an integral part of each of the four regional seminars. These sessions provided all of the participants – social partners, employers, union officials, employee representatives and employees – with an opportunity to highlight key concerns, share information and engage in social dialogue - based primarily on their own practical experience and insights. As such it made a valuable contribution to the overall learnings from this project.

Conclusion

This report has provided a summary overview of the proceedings at the four regional seminars that the National Centre for Partnership and Performance, in conjunction with ICTU and IBEC, hosted on the subject of ‘Information and Consultation – A Case Study Review of Current Practice’.

At each of the four regional seminars, the NCPP presented a detailed discussion of the key lessons and findings from its case study review of current information and consultation practices in fourteen public and private sector organisations. In addition to providing an overview of the range of practices and procedures that organisations are currently utilising, these presentations focused primarily on the potential benefits associated with good practice in relation to informing and consulting with employees. In particular the NCPP’s research highlights that informing and consulting with staff can contribute to improvements in overall performance, competitiveness, employment relations and the capability to manage and anticipate change. Creating opportunities for employee voice and dialogue also generates tangible benefits for staff. The NCPP’s work, however, also reveals the various challenges that organisations will have to address in seeking to comply with the requirements of the Directive. Although these challenges are very real, the Directive should be viewed as an opportunity to mainstream practices and procedures that are designed to enhance commitment, improve problem solving, and achieve key organisational goals. Finally the NCPP highlighted a number of principles of good practice that employers, employees and employee representatives should consider when designing their own organisational level arrangements for informing and consulting.

This series of seminars also provided the main Irish social partner organisations, the Irish Congress of Trade Unions and the Irish Business and Employers Confederation, with an opportunity to articulate their views on both the implications of the European Employee Information and Consultation Directive and also on the broader issues of employee involvement and participation. The ICTU expressed their strong support for this new Directive highlighting that not only did it confer on employees a core fundamental employment right but also that it represented a real opportunity to make a crucial difference as to how enterprises seek to manage change and resolve problems. In particular the ICTU stipulated that the forthcoming transposition legislation must be viewed by individual organisations as a significant opportunity to build trust, to harness staff support for change and to encourage joint problem-solving solutions within companies. It was also considered critical, however, that this legislation incorporated a number of key principles in relation to employee representation and the role of employee representatives.

Although generally supportive of the aims associated with new Directive, IBEC stressed that it was critical that the transposition legislation should not in any way impede competitiveness or organisational flexibility. It was specifically important that the transposition legislation embraces the full diversity of approaches to employment relations that exist within Irish businesses, including those organisations that operate on the basis of direct employee engagement. As such the legalisation should establish a general framework, within which there would be sufficient flexibility for individual organisations to customise and tailor arrangements in accordance with their own preferences and employment relations culture. It was also considered important that the forthcoming legislation satisfactorily addresses a number of other issues of potential concern for IBEC and its member organisations.

The eight case studies that were showcased at the series of regional seminars confirm that organisations are adopting a relatively progressive and open approach to informing, communicating and consulting with employees and/or employee representatives. Indeed, one organisation demonstrated that it had negotiated a new agreement with its trade unions that will establish a comprehensive and sophisticated consultative framework. This company-level agreement moreover pre-empts the forthcoming transposition legislation. Although the Directive has served to focus attention on the issue of employee information and consultation, the case studies strongly suggest that organisations have also clearly identified communicating, informing and engaging with staff as an integral part of their business and organisational strategies. It is particularly evident that the more progressive organisations have recognised that employee involvement, underpinned by effective mechanisms for voice and dialogue are not additional extras but rather integral elements of their strategies for achieving change, innovation and higher performance.

Interestingly one of the largest trade unions in the country also confirmed that improving the quality of employee participation and fostering a partnership-style ethos was an integral part of their collective bargaining agenda. In this context enhancing current practice in relation to employee information and consultation was viewed as especially important as it provided a strong foundation for achieving other key elements of the union's integrative agenda.

Finally an integral part of each of the four regional seminars was an open debate and discussion amongst all of the delegates. This social dialogue provided all of the participants – social partners, employers, union officials, employee representatives and employees – with an opportunity to highlight key concerns, share information and debate both specific issues that had been articulated in the formal presentations and also more general concerns relating to the European Employee Information and Consultation Directive. These discussions reaffirmed the strong support that exists amongst all the various stakeholders for the general aims and objectives of the new Directive. This dialogue, however, also revealed the very real challenges that organisations will have to address not only in seeking to comply with the requirements of the Directive but also in realising the full potential associated with enhanced employee involvement and consultation. The fact that this deliberation drew strongly on the practical experience and insights of practitioners ensured that it made a valuable contribution to the overall learnings from this project.

Appendix A

Attendance List for Information and Consultation Conferences, 2004

NCPP Offices, Dublin

*Tuesday 18th May
2004*

Gary Acton
GE Interlogix

Adrian Beatty
IBEC Midwest

Liam Berney
Congress

Ann Blair
GE Interlogix

Derek Bryan
Beckman Coulter

Tony Byrne
Dublin City Council

Kevin Callinan
IMPACT

John Campion
ESB

Sheila Counihan
Barnardos

Ultan Courtney
Cantrell & Cochrane

Hugh Cousins
TESCO Ireland

Deirdre Curran
NUIG

Patricia Curtin
FAS

Pat Daly
Medtronic

Esther-Mary Darcy
WHB

Majella Darcy
Superquinn

Pat Delaney
IBEC

Tony Dobbins
IRN Publishing

John Dolan
Allianz

John Donovan
Vhi Dublin

Donal Duffy
Irish Hospital Consultants

John Fitzgerald
Dublin City Council

Mark Fitzgerald
Bausch & Lomb Ltd

Finbarr Fitzpatrick
Irish Hospital Consultants

Jerome Forde
Allied Irish Banks Ltd

Norbert Gallagher
IPC

Pat Gallagher
Baxter Healthcare SA

Rory Gammell
Intel

Chris Gavigan
LANPAG

Kevin Gavin
Bord na Mona

Frances Gaynor
DETE

Declan Glynn
TUI

Jack Golden
CRH plc

Libby Gribbon
Marks & Spencer

John Guinan
Bank of Ireland

Eugene Hanly
Roches Stores

Gillian Harford
AIB Group

Michael Hayes
SIPTU

Sean Heading
ETS

Dr Fraser Hosford
Forfás

Fintan Hourihan
Irish Medical Organisation

Eddie Humphreys
Nestle (Ireland) Ltd

Marie Hunt
Skillnets

Tom Kellely
Enterprise Ireland

Frank Kelly
Dublin City Council

Jack Kelly
Dublin Health Services
Branch

Ben Kenny
An Post

Jennifer Lee
Jurys Doyle Hotel Group

Frank Leetch
Electric

Damian Lenagh
Aer Rianta

Larry Lynam
Tegral Metal Forming

Brendan MacPartlin
School of Bus & Humanities

Mary MacSweeney
Dublin City Council

Gerry Maguire
Dublin Bus

Finbar Maguire
TEEU

Colette Mason
Dell Ireland

Belinda McCarthy
National Maternity Hospital

Michael McDonnell
CIPD Ireland

John McGarry
Deloitte and Touche

Ray McGee
Labour Relations Commission

Michael McGinty
Dublin City Council

Liam McSpadden
Beckman Coulter

Declan Morrin
Labour Relations
Commission

Ray Mullen
Royal and Sun Alliance

Keiran Mulvey
Labour Relations Commission

Noel Murphy
ESB

Jack Nash
SIPTU

Martin Naughton
SIPTU College

Pat Neill
ATGWU

Ide Ni Fhaolain
GMIT

Peter Nolan
IMPACT

Pól Ó Duibhir
Department of Finance

Claire O'Connor
National Disability Authority

Catherine O'Donovan
Dublin City Council

Terry O'Neill
Skillnets Ltd

Turlough O'Sullivan
IBEC

Niall O'Donnellan
Enterprise Ireland

Breda O'Toole
IDA

Michael Owens
Vhi Dublin

Johnny Parkes
Electric Paper Company

John Peters
Tegral Metal Forming

Rosemary Platt
IBOA

Tony Plunkett
Glanbia House

Breda Power
DETE

John Power
Irish Hotels Federation

Paddy Reilly
ESB Group of Unions

Peter Rigney
ICTU

Adrian Sanders
GE Interlogix

Jerry Shanahan
AMICUS Union

Sean Silke
Medtronic

David Silke
NESF

Paul Smith
SIPTU

Paul Sullivan
Dublin Institute of
Technology

Gerry Talbot
GMIT

Paul Teague
School of Mgmt & Economics

Vivienne Tegg
South Eastern Health Board

Tony Tobin
SIPTU

Liam Tobin
NBRU

Sean Tracey
ESB

John Travers
Consultant

John Treacy
Irish Sports Council

Barry Twohig
New Ireland Assurance

Mary Twomey
Forfas

Krizan Vekic
Marino Institute of Technolo-
gy

Donie Wiley
AIB Bank

Jane Williams
SIA Group

University of Limerick (Main Campus)

*Thursday 17th June
2004*

Adrian Beatty
IBEC Mid-West Region

Therese Brady
Lighthouse Organisational
Consultants

David Breen
Castlebar and District
Trades Council

John Brennan
IBEC Western Region

Chris Chapman
Athlone/Carlow Institutes
of Technology

Frank Connell
Stryker

Marie Connolly
Shannon Development

Niamh Cordon
Mentor Graphics

Michael Cusack
Wyeth Nutritionals

Breda Fogarty
INO

Mary Gallagher
IRETEX packaging Ltd

Tom Griffin
Andersen Ireland Ltd

John Harrington
Fujisawa Ireland Ltd

Michael Keenan
Limerick City Council

Nelius Kennedy
Aughinish Alumina

Jackie Madigan
Chorus Communication

Dan Miller
TEEU

Denis Mulcahy
Mid Western Health Board

Dolores McKee
Clare County Council

Marcus McMahon
Shannon Regional
Fisheries Board

Andrea Murphy
Vhi Healthcare

Marie Nagle
Irish Nurses Organisation

Leona O'Connell
Hamilton Sundstrand
Shannon

Niamh O'Connor
Shannon Aerospace Ltd

Liz O'Keeffe
Roche Ireland Limited

Trudi O'Sullivan
FEXCO

Mary Jo Parker
Veritas Software
International Ltd

Grainne Power
Halifax Insurance Ireland

Lorraine Powell
Veritas Software
International Ltd

Maria Quaid
Schwarz Pharma Limited

Helen Rouine
INO

Denise Shaw Kelly
Brothers of Charity Services,
Limerick

Robert Sillery
Brothers of Charity
Services, Limerick

Joe Wallace
University of Limerick

Fiona Walsh
Schwarz Pharma Limited

Ruari Walsh
Mary Immaculate College
Limerick

John Whelan
Fujisawa Ireland Ltd

Fergus Whelan
ICTU

**Silver Springs Hotel,
Cork**
*Thursday 14th October
2004*

John Brennan
IBEC

John Buckley
Eli Lilly

Mary Cahill
IBOA

Dolores Callanan
IMPACT

Jean Curran
Waterford Institute
of Technology

Michael Dineen
Irish Nurses Organisation

Tess Donovan
Cork University Hospital

Patrick Dorrington
SHB Partnership Committee

Patsy Doyle
Irish Nurses Organisation

John Enright
Cork County Council

Patrick Evans
HSNPF

Paddy Flanagan
Cork City Council

Gerry Forde
Wexford County Council

John Flynn
Cork City Council

Mary Fuller
IMPACT

Gary Geaney
Cork County Council

Dolores Geary
Cork Institute of Technology

Carmel Griffin
True Temper Ltd

Michael Hennessy
G W Biggs & Co. Ltd

Jean Kent
Cork County Council

Imelda Kind
Cork County Council

Julia Kelly
NCPP

Finbarr Long
Cork City Council

Louise Lynch
Pepsi Co.

John Moloney
Cork City Council

Pat Moore
Cork County Council

Kevin Morrisson
Southern Health Board

Jim Moynihan
True Temper Ltd

Bernadette Murphy
Cara Partners

James Murphy
EPS Ltd

Eileen MacSweeney
IMPACT

Maria McCarthy
Cork University Hospital

Noel McShane
Hood Textiles

Matty O'Callaghan
MANDATE

Ken O'Connor
Heineken, Cork

Ulrick O'Connor
Cork City Council

John O'Donovan
Cork City Council

Arthur O'Farrell
IMPACT

Siobhan O'Regan
Avery Dennison

Terry O'Regan
Henry Ford & Son

Pearce O'Shea
Cork Institute of Technology

Paula O'Sullivan
Fexco

Patricia O'Sullivan
Mia-Com Eurotec Operations

Teresa Owens
Cork County Council

Joe Power
Waterford Institute
of Technology

John Power
IMPACT

Anita Power
Dulux Paints Ireland Ltd

Kieran Quigley
Suir Engineering Ltd

Ger Stack
Cork County Council

Damian Thomas
NCPP

Con Twomey
Allianz

Claire Walsh
Wexford County Council

John Walsh
Southern Health Board

Fergus Whelan
ICTU

**Nuremore Hotel,
Carrickmacross**
*Friday 29th October
2004*

Christy Blake
Tara Mines

Muriel Bryan
Rye Valley Foods,
Kerry Group

Maurice Cashill
Labour Relations
Commission

Caroline Croucher
Littelfuse Ireland

Janice Coleman
Celestiga

Richard Dalton
Littelfuse Ireland

Tommy Duffy
Lakeland Diaries

Tony Dunne
ESBOA

Tony Fitzpatrick
INO

Dermot Gates
Boxmore Plastics Ltd

Chris Hudson
CWU

Paul Hughes
Rangeland Foods Ltd

Mai Kearns
Our Lady of Lourdes Hospital

John Kelly
Tara Mines

Julia Kelly
NCPP

Mary Kennedy
Dundalk Institute
of Technology

Heidi Loughheed
IBEC

Michael Lynch
Wellman International
Limited

Tom Malone
NEC Semiconductors
Ire Ltd

Ashley Meehan
Bose

Aileen Morrissey
Mandate

Mark McAlister
Labour Relations Agency

Margaret McCall
Rangeland Foods Ltd

Pat McCabe
Bitech Engineering

Michael McCoy
Gerflow

Robert McDaid
Sligo Council of Trade Unions

David McGrath
Labour Relations Agency

Olivia McMahon
Pemstar Ireland

Patricia McQuillan
Labour Relations Agency

Caroline McQuaid
Rye Valley Foods,
Kerry Group

Harry O'Brien
MANDATE

Joe O'Loughlin
Atlantic Industries

Eoghan O'Neill
Tara Mines

Michael O'Reilly
Boxmore Plastics Ltd

Cathal O'Regan
National Centre for
Partnership and Performance

Joan Ryan
Monaghan County Council

Majella Sheridan
Cavan County Council

Bernard Sheridan
Westmeath County Council

Damian Thomas
National Centre for
Partnership and Performance

Vincent Turley
Monaghan Mushrooms Ltd

Richard Tighe
Gerflow

Claire Walsh
IBOA

Fergus Whelan
ICTU

**National Centre for
Partnership and Performance**

16 Parnell Square
Dublin 1, Ireland

Telephone 353.1.814 63 00
www.ncpp.ie

The National Centre for Partnership and Performance was established by the Government in June 2001 to support and facilitate change through partnership in the Irish workplace.

The Centre's mission is to:

- Support and facilitate Irish organisations in the private and public sectors, to respond to change and to build capability through partnership
- Bring about improved performance and mutual gains
- Contribute to national competitiveness, better public services, higher living standards and a better quality of work life
- Develop a vision for the workplace of the future.