

RADIO ULSTER - TALK BACK PROGRAMME: WEDNESDAY 5 MAY 1993 AT APPROXIMATELY 12.30-1.00pm

INTERVIEW WITH PETER ROBINSON AND BOB COOPER RE: SHORTS REDUNDANCIES

INTRODUCTORY REMARKS BY DAVID DUNSEITH:

A recent announcement by Shorts that several hundred workers were facing redundancy sparked off claims that Protestant workers would bear the brunt. DUP MP Peter Robinson claims he has evidence that the Fair Employment Commission recommended this to ensure that the Roman Catholic proportion of the workforce remained in balance. Mr Robinson also claims Shorts have been advised to scrap the last in first out procedures called service scores to ensure compliance with Fair employment legislation. Bob Cooper, Chairman of the FEC, came in to answer the charges made in his presence by the East Belfast MP Peter Robinson.

Peter Robinson:

First of all Shorts don't operate a last in first out policy. The issue of length of service is only one of the factors which makes up the service score and the latest Code of Practice from the Labour Relations Agency supports the view that service should be one of the factors in any of the redundancy issues and therefore it isn't as straight forward in terms of the law as Mr Cooper would have you believe. Indeed this hasn't really been tested in the law when it is only one of the factors in terms of redundancy and not the sole factor in terms of redundancy. I would have thought that there is a very good case for the Protestant workforce within Shorts, anyone who is made redundant claiming that there has been discrimination on the basis of their religion because they were taken on on the basis that the service scores would include the length of service that they have. The present agreement with the Trade Union includes that aspect of length of service and it is the Fair Employment Commission who is attempting to change the law so that the people who are Protestants, who have been there for a long period of time, will be discriminated against. If Mr Cooper would get his own workforce sorted out maybe it might serve him better rather than to try to sort Shorts out.

David Dunseith:

Sorry, I'd like to get back to the other part of the question - do you have proof positive, do you have documentary evidence of any sort which shows or indicates that Shorts and the Fair Employment Commission have been involved in singling out Protestants for redundancy?

Peter Robinson:

Yes, I have the correspondence between Shorts and the Fair Employment Commission which makes it clear, and I have quoted in the newspaper articles which you have in front of you, the passages from the Fair Employment Commission communication which indicates that they want the procedure changed because it is likely to adversely affect and impact upon Roman Catholics. So that is the reason they are doing it. There is no other reason they are doing it other than the fact that if it was to proceed under the present regulations it would affect Roman Catholics and they want it to affect Protestants rather than Roman Catholics.

David Dunseith:

There is the wording, in fact I am reading it "could adversely impact on efforts to increase the Roman Catholic proportion of the Company's workforce".

Bob Cooper:

That's right and that's quite different from saying that Protestants should be singled out and on the point Peter has made about this not being tested the Lord Chief Justice made it clear in the case which was being considered by the Court of Appeal, and I read the words "reliance to any significant extent on length of service not total reliance on length of service but reliance to any significant extent would have an adverse impact on any attempt to remedy the workplace imbalance" and the company therefore in that particular case was concerned to implement the Fair employment legislation. We are only concerned with implementing the fair employment legislation. We would give exactly the same advice to a

company in Derry for example, Londonderry - the company which Peter's colleague Gregory Campbell is always concerned about and rightly concerned about where there is a very substantial under representation of Protestants and where the company has had to adopt measures to try and increase the proportion of Protestants. In those circumstances if the company were to use to any extent last in first out or reliance on preference on the basis of length of service our advice would be exactly the same that that would be still unacceptable.

David Dunseith:

But surely the fact is, and you say it is all about upholding the law. Surely the effect is that if there is redundancy coming up and it's on this question of last in first out and you argue about whether that's an element in it or not and obviously it is but the effect is likely to be if you are trying to keep the proportions right then in a case like Shorts where there has always been more of a Protestant workforce than Catholic the effect will be that the long serving Protestants will have to go otherwise the figures will be out of kilt.

Bob Cooper:

The effect will be that there will not be a preference simply on the basis of service and that more Protestants, though not exclusively Protestants, will be affected by that. That's what the effect will be and can I make one very important point and that is this that Shorts over the last number of years employ more Protestants than they have ever employed at any time in the Company's history since the war and the reason they have been able to employ more Protestants is because they have been able to get orders on the basis that they have an equal opportunities policy and both communities have benefited from that and that is I think all to the good that both communities have benefited from the fact that Shorts is committed to equality of opportunity.

David Dunseith:

So if we didn't have, and that is the point he is making, if we did not have that equality of opportunity in Shorts there may not be enough work there for all of the workers to do.

Peter Robinson:

Well, of course that is tomfoolery and nonsense and well Mr Cooper knows it. At the end of the day the people who are buying the materials that Shorts are making buy it because it is good quality and it is at the right price. They couldn't care less whether it was made by a Prod or whether it was made by a Mick to be honest. The fact still remains that if you cut away whether it is a Protestant workforce or a Catholic workforce in the majority if you are the worker who's been there for twenty or thirty years for the company you'll feel a very strong gripe if somebody who has been there for a very short period of time stays in the company when redundancies come and your service counts for nothing and that's what Shorts are about to do at the behest of Mr Cooper and the Fair Employment Commission.

David Dunseith:

Let me turn to the other side of the coin, the point made by Bob Cooper. He mentioned the case in Gregory Campbell's area. I mean if the same thing were happening, and you are indicating it is happening there, and an attempt was being made both by the employer and the Fair Employment Commission to ensure that there was a fair distribution would you still argue against it?

Peter Robinson:

That's what the answer to my last question indicated. I'm saying that if it's a Protestant workforce or a Catholic workforce the fact is the length of service is bound and should be something that is taken into consideration by any employer when he is considering redundancies. You can't simply wipe off the length of service, loyal service that people have given to a company, as if it doesn't have any account at all. It must count for something.

David Dunseith:

Isn't it difficult to sell that proposition to workers who've been with Shorts, or any other company, for maybe twenty/twenty five years that you've got to go and somebody who came in three or four years ago is going to stay?

- Bob Cooper: I can certainly understand that and I can certainly understand people's feelings but the fact of the matter is that it is important that this society provides fair employment. It is important that fair employment legislation should be properly applied and it is important in particular for this company that they are seen to be fair employers and, if in fact they were using criteria which had an adverse impact and which in fact negated the effect of all their programmes, in those circumstances that would be unlawful and there can be no question of singling out people from one community or the other but they must apply criteria which do not have an adverse impact on the under represented community.
- David Dunseith: Right, but the sentence Peter Robinson alluded to your own housework that it had to be brought into order. Have you?
- Bob Cooper: Yes indeed we have had considerable success on that.
- Peter Robinson: What are your figures?
- Bob Cooper: Our figures are more than 50% of our employees are Protestant. We still wish to see It's more than 50%. It varies it's about 52%/53% or something like that.
- Peter Robinson: In a community that is 60% Protestant.
- Bob Cooper: We are working on it and we continue to work on it and we should say exactly the same that length of service, if it was used as a criteria if we ever had redundancy, would be discriminatory against the Protestant community.
- David Dunseith: You have heard clearly both sides of the argument you will have your say on Tel No. 325757.

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