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Some recent developments regarding
Equality of Opportunity for the
Catholic Community in Northern Ireland.

1. Three recently published documents throw light on some of the issues in the way of the achievement of full equality of opportunity for the Catholic community in Northern Ireland.

Judgement by the Fair Employment Tribunal (FET) of
discrimination by the Eastern Health and Social Services
Board (EHSSB).

2. The EHSSB is the largest employer in Northern Ireland with a workforce of over 32,000. With the assistance of the Fair Employment Commission, a Catholic laundry worker brought a religious discrimination action before the FET. The laundry worker alleged that, despite her better qualifications, she had not been appointed to a permanent position in an internal competition. The other candidates, all Protestants, were appointed.
3. In its first judgement since the amendment of the complaints provisions of the Fair Employment Act, the FET ruled that unlawful discrimination had occurred. The judgement is wide ranging and trenchant in its criticism of EHSSB practices in the workplace. The judgement will be particularly useful for the Fair Employment Commission in its efforts to reach voluntary binding agreements with employers on the introduction of affirmative action measures. The main implications of the judgement are:
 - the FET emphasised the importance of the Code of Practice prepared by the Fair Employment Commission. The Code is not itself legally binding. However, the FET judgement clearly indicates that failure by employers to observe the fair employment practices in the code will be

central to findings of discrimination.

- one of the Code recommendations is that employers should prohibit the display of "flags, emblems, posters, graffiti" so that "no worker feels under threat or intimidated." The FET strongly criticised the EHSSB for not observing these requirements. Apparently, "Orange" music was played in the workplace. The Union Jack was also displayed as were pictures of the royal family and a photograph of a staff member with either Paisley or Molyneaux.

- the Code also requires management to take an active role in promoting fair employment. Thus, the FET criticised EHSSB management for adopting an equal opportunities policy on paper only.

- the FET also emphasised that requirements specified for a particular job must be relevant to the carrying out of the actual work. The FET underlined that employers must ensure that requirements are neither directly nor indirectly discriminatory.

"1990 Labour Force Survey (LFS) - Religion Report."

4. The Report was prepared by the NI Department of Economic Development (DED.) It is based on a sample of 8,424 individuals. It defines an individual as "economically active" who is over 16, either in work, in a training/apprenticeship programme or is unemployed but looking for work. The figures below all relate to the economically active population. Important findings relevant for the achievement of fair employment are:

- the male unemployment rate for Protestants is given as 11%; for Catholics, 22%. Thus, the unemployment differential is 2:1 - significantly lower than the 2.5:1 figure which other surveys suggest. It is not possible to say if the LFS figure represents a real narrowing of the differential or arises from a sampling error in the survey.

- the unemployment breakdown by age-group is also of interest. In the 16-24 age-group, Protestant unemployment is 15%, Catholic 24%. However, in the 25-39 age-group, the Protestant rate is 9%, the Catholic rate 21%.

- the breakdown of the economically active population is given as 60% Protestant, 40% Catholic. This breakdown tends to confirm other indications that the Catholic percentage of the economically active population has risen in recent years (see below.) Previous claims that fair participation could be achieved with a 63/37 workforce split appear increasingly implausible.

- other figures reveal significant Catholic disadvantage. 51% of Catholic male school leavers have no qualification - the Protestant figure is 39%. One in five Catholics unemployed one year ago had found work - the Protestant figure was one in three.

- the breakdown of employees in industry revealed a Protestant/Catholic split of 69/31 in manufacturing; 47/53 in construction; and 62/38 in services. In managerial level jobs, the breakdown was 74% Protestant, 26% Catholic.

Fourth Report on Equal Opportunities in the Northern
Ireland Civil Service

5. - the total number of NI Civil Servant is 29,057. 23,862 are in the non-industrial, and 5194 in the industrial sector of the service. The male/female breakdown is 57.7/42.3. The Protestant/Catholic split is 56.6/35.9. (7.5% are classified as "Not Determined" (ND.) This figure includes staff educated outside Northern Ireland.)

- the Report reveals continuing under-representation of Catholics in many areas of the Civil Service. For all Class A posts - above Counsellor/PO level (including technical grade equivalents) - the breakdown is: Protestant 71.8%, Catholic 16.8%. For level B - First Secretary/AP - the breakdown is 69.9% Protestant, 18.3% Catholic.

- within these totals, there are some particularly striking imbalances. The following examples indicate individual departmental Class A breakdowns:

Economic Planning and Development: 74.5% P, 8.5% C, 17% ND

Health and Social Services: 70.9% P, 12.8% C, 16.3% ND.

Environment: 83% P, 6.4% C, 10.6 ND

- there is a separate breakdown for the general civil service (i.e. excluding all Departmental and technical grades.) The breakdown here for Class A (PO and above) posts is 77.7% Protestant and 14.3% Catholic. (The ND figure is 8%.) At the class B level (AP/First Secretary)

the breakdown is 73.1% Protestant, 23.2% Catholic. (ND 3.7%) This gives a breakdown for all Class A and B posts of 79% Protestant, 21% Catholic.

- the Report comments on estimates of Protestant/Catholic potential applicants (i.e. with either sufficient O or A levels) for the lowest entry grades. Without deciding on any particular figure, it suggests that the Protestant proportion of all potential qualified applicants is between 55 and 62%; the corresponding Catholic range is between 38 and 45%. These estimates are indicative of the uncertainty regarding the relative percentages of young Protestants and Catholics coming on the job market. Given the significantly higher proportion of Catholic (51%) to Protestant (39%) male school leavers without any qualification, it seems likely that the gap between the total of all Catholic and Protestant school leavers is, at least, near the narrow end of the Civil Service estimate.

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