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Materials

Workers' Party of Ireland

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## Fair Employment

Sinn Fein

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# *Fair employment*

The following is a brief analysis of the Northern Ireland "Fair Employment Bill" which is now before the Westminster Parliament.

"Protestant girl required for housework. Apply to Hon. Mrs Terence O'Neill, Glebe House, Ahoghill, Co Antrim" - small advertisement quoted verbatim from the Belfast Telegraph November 1959.

The fostering of sectarian divisions was basic to the Unionist ethos. It was in the field of employment that the policy hit hardest. Thus government spokesmen in the 1920s, 30s, 40s, 50s and 60s advocated a policy of economic boycott of Catholics. Following from the government's lead, private enterprise with an anti-Catholic bias was inevitable.

The Fair Employment Bill is based on the findings of the working party set up in August 1972 to 'consider what steps either with regard to law or practice should be taken to counter religious discrimination where it may exist in the private sector of employment in Northern Ireland'. Thus it has taken two years to bring forward a Bill based on the recommendations of the working party. Yet emergency legislation can be passed within a matter of hours at Westminster.

The first weakness of the Fair Employment Bill is that its sanctions, for those in breach of it, are too mild. For example in 1961 government industry was responsible for 22.5% of all manufacturing industry employment: by 1972 this share had risen to 44%. Yet the Working Party Report rejected recommendations that grants and loans should be withdrawn from employers who refuse to affirm or carry out policies of non-discrimination despite the patent influence for good of such sanctions in the government backed sectors. Were the government really in earnest about bringing discrimin-

ating firms to heel then this important sanction, which can be applied to nearly 45% of manufacturing employees, would have been included in the government's anti-discrimination armoury.

Under the Bill if a person alleges discrimination the complaint is to be investigated by a Fair Employment Agency which first of all decides if there is a case. If the Agency feels that discrimination was committed, then it will attempt a settlement accompanied by an undertaking. If conciliation fails the Agency can take the case to the county court. Either party can appeal against the Agency decision and of that of the County Court in turn. It is not clear from the terms of the Bill whether legal aid will be available to any would be complainant. The deterrent effect of such a lack is too obvious to need comment.

Finally the County Court only has jurisdiction to hear and determine any action in which the amount decided does not exceed £300. The amount awarded by the Agency or claimed by the applicant may well exceed this sum.

Following a breakdown on attempts at conciliation by the Fair Employment Agency, damages can be awarded for the expenses realistically incurred by the injured person in connection with the subject matter of the complaint and secondly for loss of employment, occupation or benefit. In the original Bill damages could be awarded for 'injury to feeling' but this provision was dropped under an amendment moved by Viscount Brookeborough.

Finally the Bill does not apply to employment in private households or to firms of less than 25 employees during the first two years of its operation. With regard to domestic employment, the famous advertisement



quoted above, which sought an employee for the household of Captain Terrence O Neill, then a Minister in the Stormont Government and later Prime Minister, would be still quite legal.

These loopholes would need to be closed before the Bill could be considered to be a serious attempt to tackle even a tiny part of the legacy of 50 years of Orange Unionism.

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### BUILDING SOCIETIES

The following statement was issued by Mairin de Burca, Director of Housing Sinn Fein, following the announcement that the Banks were to reduce the bank rate.

"The refusal of the Building Societies to date a reduction in their mortgage rates from today following the 1¼% drop in the Bank Rate merits immediate inquiry by the Government!

Thousands of householders with variable mortgage loans face the Shylock rate of 12½% before the end of this month, while the societies continue abusing their social function with inexcusable management costs and suspect advertising campaigns.

As the National Prices Commission investigation into Building Societies was allowed to become an academic exercise, bearing little relation to the activities of Irish Societies, some form of sworn public inquiry would prove a useful exercise.

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**PAY YOUR AFFILIATION FEE NOW!**

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### COMMEMORATION

The North West Area (Donegal/Derry/Strabane) will be holding a commemoration to the memory of the Drumboe Martyrs on March 17th (St Patricks Day).

The commemoration is in memory of four Republicans murdered by Free State forces in March 1923 in Drumboe, Co Donegal.

The speaker at the Commemoration will be Malachy McGurran, Vice President of Sinn Fein and the ceremony will be chaired by Seamus Rogers M.C.C.

The parade will assemble at Johnston's Corner at 2.30 and march at 3.00pm to Drumboe Castle, where the killings took place.

All areas, particularly in the North are encouraged to organise transport to the Commemoration in order to ensure the biggest turn out possible.

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### BOOKSALE

Preparations for the Booksale which will be held in May in aid of the International Affairs Department, are now well under way.

However more books are needed. Members of most Cumainn have books they no longer want. Why not donate them for the booksale, and help the most important work of this department to continue.