

DÁIL ÉIREANN

AN COMHCHOISTE UM GHNÍOMHÚ AR SON NA HAERÁIDE

JOINT COMMITTEE ON CLIMATE ACTION

Dé Céadaoin, 18 Nollaig 2019

Wednesday, 18 December 2019

The Joint Committee met at 2 p.m.

Comhaltaí a bhí i láthair / Members present:

Jack Chambers,	Paul Daly,
Marcella Corcoran Kennedy,	Alice-Mary Higgins,
David Cullinane,	Ian Marshall,
Timmy Dooley,	Michelle Mulherin.
Tom Neville,	
Carol Nolan,	
Thomas Pringle,	
Eamon Ryan,	
Sean Sherlock,	
Bríd Smith,	
Brian Stanley.	

I láthair / In attendance: Deputies Michael Fitzmaurice and Michael Lowry.

Teachta / Deputy Hildegarde Naughton sa Chathaoir / in the Chair.

Business of Joint Committee

Chairman: We have received apologies from Deputies Deering and Heydon. I propose we go into private session to deal with some housekeeping matters. Is that agreed? Agreed.

The joint committee went into private session at 2.10 p.m. and resumed in public session at 2.49 p.m.

Supporting a Just Transition: Discussion (Resumed)

Chairman: I welcome members and viewers who may be watching our proceedings on Oireachtas television to the Joint Committee on Climate Action. Before I introduce our witnesses, at the request of the broadcasting and recording services, I ask members and visitors to put their mobile phones on flight mode or to switch them off as they interfere with the sound system.

I extend a warm welcome to Mr. Kieran Mulvey, the just transition commissioner, to our proceedings.

I wish to advise the witness that by virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to the committee. However, if they are directed by the committee to cease giving evidence on a particular matter and they continue to so do, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable.

Members are reminded of the long-standing ruling of the Chair to the effect that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I call Mr. Mulvey to make his opening statement.

Mr. Kieran Mulvey: I am at the back end of having had ‘flu so if my voice begins to break members will understand the reason for it. I thank the Chairman and members of the committee for this opportunity to address them. As they will be aware, the Minister for Communications, Climate Action and Environment telephoned me a few weeks ago and asked if I would be willing to act in the capacity of a just transition commissioner in regard to the midlands. Up to that, I was not altogether very much aware of the debate that had gone on in terms of just transition in its wider sense but I was aware of what was happening in the midlands regarding both the ESB and Bord na Móna, as the two major State companies involved in the area. Since that telephone call, I started some of the preliminary work that I consider necessary to do. That has been limited in scope because of the time available but I have managed to begin to meet most of the main players involved, namely, the Minister, and his departmental officials. I have further meetings arranged with them early in the new year and also with the cross-departmental team in the Department of An Taoiseach. I have had a meeting with the National Economic and Social Council, NESC, regarding the research being undertaken by it on the issue of just transition both on what is required in terms of Irish climate change policy and on what may be happening,

particularly in Europe, and the projects and policies being adopted in Europe. I have received voluminous documentation from them, which I hope to read at some stage over Christmas. I have just dipped in and out of it in terms of the technology, scope, policy, direction and the issues not only in Ireland but in Europe.

My first belief on getting this role was on the need to begin to meet the main players involved. I had a long meeting with the chief executive of Bord na Móna and his senior management team on their plans and what they were doing in response to the decision of the ESB and other ongoing issues with respect to plans they had in anticipation of decisions further down the line towards 2027, which now need to be brought forward with a greater degree of urgency.

I had a discussion with the chief executive of the ESB. We have not been able to arrange a meeting but are scheduling one for the first week of January with his senior management team to get their view on their decision, their continuing existence in the midlands, the industries that continue to operate there and what potential exists there.

I have also been in contact with and have received correspondence from the group of unions represented by Willie Noone, whom I would have known in a previous capacity when I was director general of the Workplace Relations Commission, WRC, and Patricia King. Even though industrial relations are not directly within my remit or terms of reference, I see it as being important to meet the workers and their representatives in the context of what is happening there.

One of the big issues I raised with the Minister when I met with him was the type of support I would get for this project to immediately start running with this. My view was that I needed some support around secretariat arrangements and meetings but, more importantly, around people on the ground both in the Department and in the local midlands region. I am in the process of sorting that out but a number of decisions I have agreed with the Department and the midland transition team is that the office would be based in the midlands. It would not be a Dublin office transferring to the midlands. There would be an office available in Tullamore in Offaly County Council and its chief executive, Anna Marie Delaney, and particularly, Sarah Morgan, the major person involved in the transition team who is doing most of the work for the regional transition team, will be available. Michael Goodwin from the Department will be seconded for a period over the next number of months to assist me in meeting the parties and establishing a number of issues around the funding. We are designated funding for this of €6 million from the Government directly in the context of the immediacy of the issues plus €5 million to come from the ESB. I am still finalising this and I am nearly there but my view is that this would be a fund in the region, in escrow, under the auspices of the local authorities in the region that would readily be available once we recognise which projects need to be given some seed money, development money or go-ahead money. I am very keen that would be in place and that we would not have to go through a bureaucratic multi-layered procedure to seek approvals and the inevitability of that taking weeks and months when people are looking for money to commence, initiate or continue with projects.

I had a meeting with the regional development team in Tullamore on 29 November. My impression from that meeting is that an enormous body of work is being done on the ground already. That regional team, including the regional business transition team whose members I have yet to meet, has been up and running for some time. A great deal of work has been done on the ground in the context of the original timescale but some of that will now have to be truncated in light of the ESB's decision.

The Minister indicated he would like me to give him a report by the first quarter. I see that

very much as being the end of March or earlier if we can move matters forward.

As I stated in my submission, I see myself largely conducting this transition commissioner posting very much on the ground. I have been through this in the role I had relating to urban renewal in the north inner city. When I did that report, I learned it is of vital importance to meet people in their own locality and circumstances where they can outline their concerns, ideas, proposals and hopes for what can be done in their region. I also learned the importance of meeting the local authorities. There is some discussion about how many local authorities are involved but the central ones are Longford, Westmeath, Offaly, Laois, Roscommon and north Tipperary and this may extend to Kildare. Immediately, a number of local authorities are involved. I met the chief executives of some of them recently. I will involve myself in meeting the local authorities directly and then meeting the public representatives, both at Oireachtas level and at local level, who are a vital component of representation of their constituencies in the region with respect to the effects this will have upon them.

In the context of the terms of reference and having an-inclusive approach, it is important to meet the State agencies regarding employment issues. I refer not only to Bord na Móna, the ESB or other local employers in the region but to what the local enterprise offices, LEOs, IDA Ireland and Enterprise Ireland are planning or envisage will be planned for the regions and what issues are involved in placing either industry, services, call centres or whatever it may be in the region. A strong point put to me during a meeting was the constant and continuous migration from the club close to the Shannon but also east of the Shannon towards the Dublin region, with such migration thereby not sustaining the population, services and industries in the region. I will place a big emphasis on employment creation, development, sustainability and retention.

On the day in Tullamore, the education and training boards, ETBs, Skillnet and the Springboard programme made presentations regarding identifying the skills among the current workforce, in particular Bord na Móna's, and how they might be adapted to new industries in the area, including Bord na Móna's incubation industries. It was also about identifying what needed to be done in respect of those Bord na Móna employees who wished to take up further skills training or educational opportunities. The bodies are mapping that issue actively, not only in survey form but through one-to-one interviews with employees. This will also involve the Athlone Institute of Technology, the board of which I was on for a number of years, and Maynooth University.

There is significant tourism potential in the region. It is a sector that needs to be explored. There is extraordinary interest among young people in climate change. They are leading the agenda and the fight. As part of that, it is important to use some of Bord na Móna's utilities as an information area. Bord na Móna is identifying one or two locations, not just in the midlands, but perhaps across the rest of Ireland, for visitor centres for the sole purpose of identifying climate change actions.

I am conscious that community groups of all descriptions are the backbone of any community. The appropriate groups in this circumstance are those that are involved in leisure, sporting and specific community activities. As such, it is important that they be included in whatever discussions take place. I am also arranging for visits in January, weather permitting, to all of the sites that Bord na Móna and the ESB have in the region. As part of that, I hope to meet local industries that employ reasonable or sizeable parts of the local population.

Overlaying all of this is the constant education that I will undertake in respect of climate change itself and how it affects the region. In particular, this will look at the regeneration of the

wetland bogs and Bord na Móna's programme to restore them to their natural condition, etc.

It is a large-level programme. Between now and the end of March, I plan to listen to what is being proposed by the regional transition group and other groups in the area, their concerns, proposals and ideas, and will try to put it all together in various segments in a co-ordinated way with a view to determining what can be funded from the Central Fund. A midlands-wide activity is being undertaken. It is not centred in any particular area or on a particular level of activity. In the meantime, I have arranged another session with the National Economic and Social Council, NESC, and the Department of the Taoiseach on Government proposals in respect of climate policy. I am conscious that the EU's secretariat technical assistance to regions in transition, START, coal initiative group visited the region recently. I will try to ascertain what came of that visit. It has the potential to unleash a considerable level of European funds, not only for this kind of climate change transition, but for the regeneration and transition of our regions that have been relying exclusively on these carbon fuel-based industries.

To date, I have undertaken a number of meetings. I am trying to finish work and ensure there is movement. The first three months of next year will be very active in terms getting a number of projects off the ground and assessing who can apply and receive funds from the grants that have been allocated or transferred to this fund.

I reiterate this work is midlands-based in terms of operation, the secretariat and the fund being available in the region.

Chairman: I thank Mr. Mulvey for his presentation.

Deputy Jack Chambers: I suggest that Senator Paul Daly speaks now so he can attend a vote in the Seanad.

Chairman: Yes. This is a 15-minute slot and Senator Daly can speak first as I know he must attend a vote.

Senator Paul Daly: I compliment Mr. Mulvey on his report and the amount of ground that he has already covered. I come from the midlands and I would like his opinion on the following. Is he well enough resourced? Is his brief correct by virtue of the fact that the goalposts have been brought forward from 2027? Based on his report here today, his work ethic and on what he has planned, he is ideally positioned to have things in place for what was meant to be 2027. How does he feel now that the target has been brought forward due to recent events? I apologise for having to leave but I must attend a vote but I will pick up Mr. Mulvey's answer afterwards.

Mr. Kieran Mulvey: I will have to raise the resource issue because I have only begun to realise the scale of this project. The Minister has made it known that whatever resources are necessary will be made available to me.

Deputy Jack Chambers: I thank Mr. Mulvey for his presentation and attendance. We welcome his appointment and wish him well in his work. I am concerned about his initial remark that he is a one-man band. When was he initially approached to become the just transition commissioner? His appointment was announced on 8 November. When did he receive the initial phone call to consider the appointment?

Mr. Kieran Mulvey: The day before the ESB's announcement, whatever that date was. I do not have my diary with me.

Deputy Jack Chambers: Was that 6 November?

Mr. Kieran Mulvey: Yes, I think.

Deputy Jack Chambers: Was Mr. Mulvey consulted at all about the terms of reference for his position?

Mr. Kieran Mulvey: No, I was not.

Deputy Jack Chambers: Does Mr. Mulvey feel that the terms of reference for his new role are correct?

Mr. Kieran Mulvey: I consider them to be extremely wide-ranging. An enormous amount of work must be undertaken within a short period, but it is important to get things right. It is only as I work through this that I shall realise whether additional resources are needed either fiscally or in personnel terms. I have been very impressed with the services Offaly County Council have already given to me and by the availability of staff in the Department of Communications, Climate Action and Environment. I caution that if this work is to be done, it will require more feet on the ground, so to speak.

Deputy Jack Chambers: What provision has been made to provide a secretariat to support the work of Mr. Mulvey?

Mr. Kieran Mulvey: The Department is still evaluating the requirement. I visited the offices of Offaly County Council and had a long discussion with its chief executive officer. The county council is very keen to locate the office there and provide staff.

Deputy Jack Chambers: When does the Department expect to provide what has been requested?

Mr. Kieran Mulvey: At the beginning of the new year I will have a very clear view of what is available in terms of secretariat, resources, etc.

Deputy Jack Chambers: Does that situation delay any potential decision to support the midlands in the coming months? When does Mr. Mulvey expect to make decisions on the funding allocation announced as part of the budgetary process?

Mr. Kieran Mulvey: I would hope in the first three months of next year. I will not wait until the end of March. If there are projects ready, and I am reassured by the support of the local community and by the Department that it is ready to move, then I do not see a reason not to start funding these straight away. It is important that we have early wins that are substantial, sustainable and rational.

Deputy Jack Chambers: Representatives of ICTU were before the committee and expressed concern that workers were being excluded from the process of engagement in the terms of reference. Does Mr. Mulvey feel that there could, or should, be further scope to broaden the terms of reference to include and reflect some of those concerns? Mr. Mulvey mentioned Willie Noone who was one of the people who reflected that position in his submission to the committee.

Mr. Kieran Mulvey: The issue here is not to overlay or replace the existing industrial relations processes and procedures that deal with the normal issues of pay and the terms and conditions of employment, etc. The terms of reference are such that I have no direct involvement in

those matters and it is important that those processes are allowed to continue because if people feel there a different process is in place, they will not utilise those to the full. I am clearly of the view that there must be engagement with the workers on the wider strategic and operational issues that will affect the midlands and the existing and future employment of those workers. That does not include getting into pay, terms and conditions because if I got into those issues, I would never get out of them, in my experience. One would be negotiating for months when other, well-established institutions exist to do that.

Deputy Jack Chambers: I am going to hand over to my colleague, Deputy Dooley. I wish Mr. Mulvey well in his role.

Deputy Timmy Dooley: I will continue in the same vein by wishing Mr. Mulvey well. He has certainly demonstrated the capacity to work with people in everything he has done and I am encouraged by the importance he has placed on the need for boots on the ground and understanding the potential in the various regions.

I am disappointed by the terms of reference, and while that is not Mr. Mulvey's issue, I would like him to comment on it and to see how those might broaden. While the need for an initial focus on the significant impact to the midlands is well recognised, there will also be significant impacts in other areas. I speak in particular of the west Clare area and the decision by the ESB to reduce activity at Moneypoint. As Mr. Mulvey knows, the proposal was that the burning of coal at Moneypoint would end by 2025 and communities, politicians and leaders generally were working towards that. There is more renewable energy on the grid now so the ESB does not need to generate the same amount of electricity at Moneypoint, and that has accelerated the reduction in staffing. Some 100 ESB employees will be affected, as will the many contractors, subcontractors and maintenance people who are often forgotten about, without at all minimising the impact on ESB workers. There are smaller, self-employed people who will be impacted in much greater numbers. The decision to reduce activity is having a significant negative impact in the greater west Clare area where there is not much potential for other employment. The county council and local businesses have set up a committee to engage with the Government. The Minister for Communications, Climate Action and Environment, Deputy Bruton, has indicated a willingness to talk about matters and to look at making further funds available to the whole just transition process.

Does Mr. Mulvey see the role of a just transition commissioner as being only about the midlands? Has he had any discussion with the Government about broadening the role? The just transition commissioner will have a bigger role than the one envisaged and a bigger secretariat and more staff will be required. We are talking about ending the extraction of turf and burning of peat for fuel generation today which touches on the coal industry in west Clare, but there are many other elements of our economy that will have to change significantly over the coming years if we are to meet our targets, including the distribution of fuel and moving away from using home heating oil and gas. That will impact on many places and sectors. I hope that Mr. Mulvey can put his stamp on this role and establish an appropriate institution to assist in the change that is required.

Mr. Kieran Mulvey: I am conscious of the specific terms of reference of my role. I have always been of the view that reality is different from a term of reference and sometimes we need to expand the walls, as it were. If another issue is of the same nature and impact, maybe some of the lessons that are being developed could simultaneously be informed to other communities. Terms of reference are not about establishing a barrier outside which one shall not go. I have been reading documentation from the National Economic and Social Council, NESC, which

sees the issue of climate change as a nationwide, not just a regional, issue.

I will be talking at length to the ESB about its facilities in the midlands, some of which can be further utilised for the community. The ESB has top level offices, well-stocked facilities, car parks and the usual paraphernalia. It would be terrible to see those things go to rack and ruin without seeing whether there are chances to put incubation industries, call centres, delivery centres or whatever in their places. I have not had that discussion with the ESB but I will bring it up with its representatives.

Deputy Tom Neville: I will be brief because many of the questions I was going to ask have been asked already. I understand that Mr. Mulvey is at the initial phase of his work, in a reconnaissance stage of formulating a plan for where his role will go. He is turning over stones all the time to see what is there. He mentioned education, identifying skills, how workers can adapt and that there are one-on-one interviews. I have, in the past, raised the issue of older workers who have been in a job for 20, 25 or 30 years in more traditional industries. They will face challenges if they want to continue in the workforce because of changes in the required skills and the psychological changes involved. The types of industries from which those people are coming often offered a job for life. I would like Mr. Mulvey's thoughts or comments about that.

Will there be a lead local authority? Mr. Mulvey mentioned a number of local authorities. What is the general mood about this initiative from the people he has spoken to?

Mr. Kieran Mulvey: Bord na Móna is still going through its analysis of how many workers will be retained in renewing the wetlands because that will require staff for a period of time and there is talk of re-employing approximately 100 workers in that area. Bord na Móna is also doing a number of incubator industries that are coming near market stage or that are still being piloted that are particular to the boglands of Ireland. It is doing good initiatives in that area, some of them around the horticultural industry.

The big issue about retraining workers to get them into skill areas they have not been used to is how they can utilise their existing skills in a new industry. That is where the education and training boards, Springboard, Skillnet and third level institutions will be vital. There will be a particular issue around those workers of an age profile who expect another ten years of full-time employment before their pensions kick in. The difficulty is how to identify for them whether they want to depart the company entirely or retrain.

The other issue that was raised is around new retrofitting initiatives in the area, particularly for Bord na Móna built accommodation in the midlands with which we are all familiar. That sounds marvellous but refitting is a costly and highly skilled process.

Deputy Tom Neville: Yes.

Mr. Kieran Mulvey: It is not a matter of putting up a few panel boards and knocking a bit of insulation between them. It is much different from that now. It is a question of how we can realistically analyse it.

Deputy Tom Neville: Mr. Mulvey has identified what it is they want to do. The challenge, however, also is in identifying opportunities for that cohort. It can be difficult to identify those opportunities in the normal jobs market and we as a market are failing this cohort of people. People of 55, 56 or 57 years old walk into my office regularly and state that no one will hire them because they are too old. Those people could and want to work for another ten years at least. I have mentioned a few times the covert discrimination that exists regarding people close

to retirement and decisions being made to not hire them. That is a particular challenge.

Mr. Kieran Mulvey: Yes, I take note of that comment. I have been through that aspect and other things during my lifetime when there were redundancies in or closures of manufacturing industries. I refer to what happens to individuals in those areas usually classified as general operatives.

Deputy Tom Neville: Manual labourers.

Mr. Kieran Mulvey: Yes, I am conscious of that perspective. I have already raised the question of whether we might identify the number of people who might be in that category and who may not be re-engaged in the wetlands project for the regeneration of the bogs.

Deputy Tom Neville: If that can be done, there would be an opportunity to use the process as a blueprint to marry across to other industries within the market. My other question, just to remind Mr. Mulvey, was on whether there will be a lead local authority.

Mr. Kieran Mulvey: Yes, there is. It is not so much a lead local authority, but the lead will be the office in Tullamore. Offaly County Council has offered to do that and Ms Sarah Morgan has been leading the regional team there. All the regional CEOs sit on that body, as well as local and national politicians. I am not going to replace something that already works. I want to work with something that is clearly active on the ground and has the requisite support, knowledge, experience and contacts. I will be also keen to meet each of the local authority CEOs and chairmen to get their points of view. Some of them are slightly concerned that they might get lost in the definition of the “midlands”.

Deputy Tom Neville: Finally, on the softer side of things, what is the general mood regarding what is happening at the moment? That can be difficult to quantify.

Mr. Kieran Mulvey: Certainly on the day I was there, the mood was very positive. It was my first engagement and I probably operate by instinct most of the time. I have found great engagement and support and a great level of activity. Many ideas are floating around and I almost asked at one stage what they need me for. Many ideas were being brought forward in the midlands region and I found Bord na Móna, in particular, proactive. I will need more engagement from the ESB. It is also a matter of getting out to those companies already in the region that are sizeable employers and seeing what opportunities might be there. It will be also necessary to create more positivity. In addition, I will have to get information from the IDA and Enterprise Ireland. Not every call centre, online centre or depot has to be placed in Dublin.

Deputy Tom Neville: I agree with Mr. Mulvey.

Mr. Kieran Mulvey: There are plenty of places available in the midlands. We have a good road network, so why are we draining people from the area and putting them into a metropolis that cannot house them and to where it takes people two hours to get to work in the morning and two hours to get home in the evening? I will be certainly trying to direct many of those factors.

Deputy Tom Neville: I thank Mr. Mulvey.

Chairman: We move now to Sinn Féin. Are Deputies Cullinane and Stanley sharing their time?

Deputy David Cullinane: We are sharing seven minutes and eight minutes. The Chair might indicate when eight minutes are up.

Chairman: Deputy Cullinane is taking eight minutes?

Deputy David Cullinane: I am. I welcome Mr. Mulvey. His reputation speaks for itself, as well as his experience. There is no issue in that respect. He mentioned in his opening statement that he had done some work for the Government in various areas as well. I am aware of some of that. There are different opinions regarding where the just transition is at the moment. I do not know if Mr. Mulvey saw the exchanges between committee members and representatives from the Irish Congress of Trade Unions, ICTU. They were critical of Bord na Móna. Mr. Mulvey just said that Bord na Móna is proactive, while the representatives from ICTU had a polar opposite view and they represent that workforce. Has Mr. Mulvey seen the interaction between the committee members and the representatives from ICTU?

Mr. Kieran Mulvey: I did not see it, but I read the transcript.

Deputy David Cullinane: Does Mr. Mulvey have an opinion on what he read?

Mr. Kieran Mulvey: The announcement made in November, for one reason or another, by one of the major State companies, the ESB, on receipt of planning permission, has had an effect on subsidiary industries. One of those was its main supplier, Bord na Móna. I am well aware of the normal interaction between unions and employers. I was referring only to what I saw on the day regarding Bord na Móna's presentation of how it was trying to adjust to this situation. I was not getting into the industrial relations aspect or how it was trying to create alternative industries and the kinds of numbers that could be involved in that process.

Deputy David Cullinane: Regarding a just transition, however, the industrial relations element is critical. We are talking about saving jobs and supporting workers. The trade unions were clearly and starkly stating to us that there was a refusal, in their view, by Bord na Móna to engage seriously with the union. As the union saw it, the company was engaged in the process of deunionising the workforce. It is not for this committee to take sides, but it is our responsibility to probe the questions being put to us. If we have ICTU and its leader saying this to us, then this is not just the cut and thrust of union versus company interaction, of which I am well aware. It is a different situation when the leader of ICTU is stating the just transition has got off to a poor start and that, in her view, Bord na Móna was operating to a strategy of deunionising the workforce. That is a strong statement.

I am looking at Mr. Mulvey's opening statement. I know he has only just been given the terms of reference, but many meetings have taken place with the Department, the company and others. That is all good work. The union's view, however, is that the just transition has got off to a poor start because much of the scoping work being done regarding the terms of reference should already have been put in place. Does Mr. Mulvey accept that ICTU's views are not just the normal cut and thrust of exchanges between a company and trade unions? The union has a serious concern about the level of engagement with Bord na Móna, and the Government by the way, not just regarding industrial relations issues but with all of the so-called supports the union was told would be put in place for workers. Does Mr. Mulvey accept that there is a great deal of work to be done to convince the workers and the trade unions that the Government is serious about a just transition and that Mr. Mulvey has a clear role in making sure that happens?

Mr. Kieran Mulvey: Yes. I have already spoken to Mr. Willie Noonan and I have known Ms Patricia King for 25 years and worked with her on many things. They wrote to me on 10 December and I am arranging a meeting with them for early in the new year. I will be listening to what they have to say, and I have heard what they have said already.

Deputy David Cullinane: Is there an office of a just transition commissioner or is it just Mr. Mulvey and the terms of reference at the moment?

Mr. Kieran Mulvey: An office will be set up.

Deputy David Cullinane: I am not talking about a physical office. Is it an office with support staff and a secretariat?

Mr. Kieran Mulvey: Not yet.

Deputy David Cullinane: Is it envisaged that will be in place? How many staff will there be?

Mr. Kieran Mulvey: I do not know yet.

Deputy David Cullinane: Is this not part of the problem? We do not know how many staff there will be or what supports will be put in place. Is there a budget for Mr. Mulvey's office?

Mr. Kieran Mulvey: It will be part of the €6 million and the €5 million. Those are all of the funds of which I am aware.

Deputy David Cullinane: That is it.

Mr. Kieran Mulvey: No, I was not given a specific budget.

Deputy David Cullinane: Mr. Mulvey was not given a specific budget, he does not have a physical office yet and he is not working to any plan, other than the terms of reference he was given. That is what I was referring to regarding the perception of those on the front line whose jobs are the ones we need to protect and those we need to convince that climate action will be done in a fair and just way. Everything I am hearing from Mr. Mulvey today, including his opening statement, reaffirms the view being given to us by others that we are off to a poor start. Mr. Mulvey has no physical office and no support staff. He has had a series of meetings, which is great, but that is it so far. Is Mr. Mulvey's job simply to pull together the various strands of what the Government has said it will do in the budget? I refer to the €11 million. Is that essentially Mr. Mulvey's role?

Mr. Kieran Mulvey: I do not see it that way at all. I see it as going down on the ground in the midlands, through the body that is already established there, and working with it to meet the community groups and all the vested interests, including the Irish Congress of Trade Unions, and coming back with ideas from them that we can support and develop.

Deputy David Cullinane: That is within the confines of the €11 million. Mr. Mulvey has no budget beyond that. Mr. Mulvey has €11 million and he can go and consult and there can be great plans, but if the money is not there for them, all they are are great plans.

It is not even a budget of Mr. Mulvey's. It is €11 million that was allocated for certain purposes, which is why I am saying that, if Mr. Mulvey does not have additional funding, he himself may have ideas and he may consult, but that is all they are. Has Mr. Mulvey been told that he can lobby for additional funding?

Mr. Kieran Mulvey: I have not.

Deputy David Cullinane: That would be a concern to me because Mr. Mulvey is saying that his role would be beyond what was already committed and that he can look at other ideas.

My final question relates to the regional transition team and the regional enterprise team that Mr. Mulvey talked about in his opening statement. Are there members of the community on those teams? Are there members of the unions or the workforce on any of those teams?

Mr. Kieran Mulvey: There are.

Deputy David Cullinane: Will Mr. Mulvey give us in written format after this meeting a breakdown of what that will look like? I would be interested to see. Mr. Mulvey mentioned them in his opening statement but I would like to get more detail.

Mr. Kieran Mulvey: I can get from the regional teams the full list of their membership-----

Deputy David Cullinane: Perfect.

Mr. Kieran Mulvey: -----which includes trade union representation.

Deputy David Cullinane: I wish Mr. Mulvey well. He has an important role. There are questions about the limitation of his terms of reference, which are not for Mr. Mulvey. None of the criticisms that I would have are directed at Mr. Mulvey. They are more directed at the lack of planning and foresight that we have seen in the Government in this area.

Chairman: Deputy Cullinane is eating into Deputy Stanley's time.

Deputy Brian Stanley: I welcome Mr. Mulvey. The committee felt strongly that there should be a just transition commissioner. My party, Sinn Féin, would have argued for it to be established on a permanent basis and resourced. Deputy Cullinane covered that and I will not go back over it.

We are trying to conduct a ten-year catch-up of what is happening and there are a few things I wanted to say to Mr. Mulvey. The issue of the unions has been laid on strong. I have met the management of Bord na Móna on a number of occasions on this. I met the management team for two and a half hours recently on this issue and I am aware that it is trying to do a number of things. However, there is that view - I put it to them - about the unionising of the company. Unfortunately, the evidence of what has happened with some of the subsidiaries that they have set up would indicate that. However, I welcome the fact that they are trying to diversify. They have a history of diversifying into waste management and into a number of other areas. At one stage, they even made septic tanks.

There are a number of big semi-State companies here. There is Coillte, Bord na Móna and ESB. The point I am trying to communicate to Mr. Mulvey is that the three of these have a significant role. I am a former employee of Bord na Móna. All my family worked in Bord na Móna for a number of generations.

The midlands have been the power generation hub of the country for a long time. They can be again with renewable energy. They need biomass. We are bringing it from South America and Mr. Tom Donnellan told me the last day I was with him that there is even some coming from Russia. We need biomass. We need to move into biogas. We need to move into solar. We need to move into the full range of renewables. We have the sites.

Mr. Mulvey mentioned already about the sites, and he is correct. There are sites. I do not want to see jackdaws flying in and out of them and bushes and thistles growing up around and within the car parks of the sites that are there. Along with the landmass and the bogs, these can be used for carbon sequestration. I wanted to emphasise that point to Mr. Mulvey. However,

that means Government action now in terms of getting a biomass supply chain in place. That involves Coillte. It involves the Department of Agriculture, Food and the Marine. It involves Bord na Móna cutaway bogs. It involves the ESB. There needs to be buy-in. My sense of it is that the ESB has not yet entered this game. It is a bigger company. The ESB has more resources than Bord na Móna, but from meeting the different management groups, it has not yet entered this game.

On the just transition, the just transition team is in Tullamore in Offaly. Offaly will be part of the constituency after the election and I have a considerable interest in it. I deal with people from Offaly every day of the week. Laois has lost 300 Bord na Móna jobs gradually. There was no just transition there. There are large sites in Laois belonging to Bord na Móna. There is the Cúil na Móna plant sitting on the crossroads of the M7-N80 and the main railway line. In fact, a branch of the railway line goes into the old Cúil na Móna factory. That is why it was built on that site. There has been nothing done there in terms of a just transition or replacement jobs. What I am saying strongly to Mr. Mulvey, and I have said to the Minister and his predecessors, is that Laois must be included in the just transition. I recognise that this is a double whammy for Offaly. It is a considerable hit for Offaly. Laois has been transitioning out of it over the past 20 years. I realise that the impact is not as great but it has had an impact. Mountrath has one of the lowest incomes per head of population in the country because many people there used to work in Bord na Móna, and the effects of that going have been seen there.

The other point I wanted to make to Mr. Mulvey is about training. We have a good education and training board, Laois and Offaly Education and Training Board, under Mr. Joe Cunningham. I am not arguing with that. Bord na Móna and the ESB turned out good apprenticeships over the years. Mr. Mulvey mentioned that we need the skills for retrofitting. We also need skills for generating new energy and the new technology there. With Bord na Móna and the ESB, there is a history that needs to be utilised. I suggest the centre at Mount Lucas in Offaly, which is already being used as a training centre, be made a national training centre for renewable energy, retrofitting and energy conservation technology.

Chairman: Will the Deputy let Mr. Mulvey answer? There is only a minute and a half left for an answer.

Deputy Brian Stanley: Sorry, I know time is short.

Mr. Kieran Mulvey: One of the things I need to establish, and I am arranging, is site visits to get a good idea of the areas Deputy Stanley is talking about, what is in those areas, the potential of utilising their existing facilities so that they are not disposed of, dispensed with, sold off or neglected, and to retain the utilities and the facilities that are down there. Certainly, the regional board that I am dealing with seems representative of a considerable number of interest groups and public authorities in the region and I must work with them as best I can.

Deputy Brian Stanley: There is no Laois input into it.

Mr. Kieran Mulvey: I will raise that with them.

Deputy Brian Stanley: If Mr. Mulvey is visiting places, Cúil na Móna was for horticultural feed. That is being phased out quickly. In fact, B&Q, which is its biggest customer in England, has said to stop sending it after this year. The company does not want to see it or hear about it after this year. That is a large site at Cúil na Móna and there is no Laois representation on that transition team.

Chairman: The Deputy's time is up.

Deputy Brian Stanley: Mr. Mulvey might provide a couple of quick responses.

Mr. Kieran Mulvey: I will look at that.

Deputy Bríd Smith: I thank Mr. Mulvey for coming here today. I will start with the broader meaning of just transition and how it is interpreted. I had a look at the International Labour Organization standards of what that means and a look at the Paris Agreement, and when I then read the just transition terms of reference that Mr. Mulvey has been handed I thought they are very narrow. Would Mr. Mulvey comment on that?

I also see quite a big gap in Mr. Mulvey's terms of reference. They state that the commissioner will engage with all relevant stakeholders, the first of which on the list are Bord na Móna and the ESB, and quite rightly so, because they are the first to decarbonise and the industries will be affected considerably. No. vii explicitly states: "The Commissioner will not have a direct role in relation to industrial relations matters in Bord na Móna who will continue to work with the Joint Industrial Relations Council established under the Workplace Relations Commission." Why does Mr. Mulvey believe the ESB has been excluded from that given that it also has internal industrial relations machinery for normal day-to-day issues? Why does Mr. Mulvey believe the ESB is not mentioned in No. vii whereas it is explicitly mentioned in the list of stakeholders with which Mr. Mulvey must engage? He might answer those questions first.

Mr. Kieran Mulvey: I will have a look at the ILO standards. I did not realise the ILO-----

Deputy Bríd Smith: The ESB is excluded from the part that states the just transition commissioner cannot have an industrial relations role whereas Bord na Móna is explicitly included. I believe the reason is that Bord na Móna management had an input in framing these terms of reference. It was obvious when we had the discussion with its representatives when they came before the committee that they did not want anything to do with the Workplace Relations Commission and they did not want Mr. Mulvey to have anything to do with a just transition in respect of internal industrial relations issues. This comes down to the definition of a just transition. Upskilling, replacing the jobs, greening the community and all the rest of it are important, and one will see that in the ILO definition. However, the way workers are treated when they are losing their jobs matters also. That was very much a feature of what happened in the Spanish coal industry where more than €150 million was provided for the workers in a similar size workforce.

I say all of that because I honestly believe that what is going on with the Bord na Móna workers will sow the seeds of bitterness and discord among the workers and their families for a long time unless it is addressed. In an email I got from a relatively young employee of Bord na Móna he stated that he had to look hard at his options for the past 12 months and decided there was a real opportunity to be part of the change that the company and the country need. He is very positive about that. He further stated that he firmly believes now that the understanding of the Government of the word "just" in just transition is closer to the sports brand Nike slogan than it is to the word "justice" enshrined in our Constitution since the foundation of the State. There is no justice in a just transition as we know it. That is the direct experience of the workers. This is not one of the workers we described earlier who has ten years left and might want to work out his time. This is a relatively young worker starting out whose opportunities may be enhanced because of his age. As Mr. Mulvey can hear from the tone of the email, he is already embittered by the attitude to just transition. If Mr. Mulvey, as a just transition commissioner,

is excluded from that discussion and has no role to play in what happens to workers in terms of the actual experience of losing their jobs rather than their experience of upskilling and so on, I believe we have a problem. That is an important point.

Mr. Mulvey stated he is not bound by the terms of reference and that he believes they could be broadened. I hope he could play a role in that regard because it could not have been clearer that the Bord na Móna management was hostile to the idea of going to the WRC. It was equally clear from the ICTU representatives that there was no other way around dealing with issues such as redundancies, pensions, etc. I hope I have made myself clear on that. Mr. Mulvey might speak to it.

From the point of view of the workers, it is also important to raise the issue of pensions. There are two defined benefit pension schemes in Bord na Móna. One is already in deficit and the other is barely above water, so to speak. Is there anything Mr. Mulvey can do to ensure that the pensions of all Bord na Móna workers and retired workers are secure as the pressure comes on workers to leave the company and for peat production to cease? This process has been pushed forward very quickly. It should have happened more slowly.

In that regard, Mr. Mulvey stated in his briefing document that he had a long briefing session with the chief executive of Bord na Móna and senior management. Will he expand on the nature of that engagement? Did it include job creation, upskilling, pensions, redundancies, etc.? I imagine it did not but I would like to hear Mr. Mulvey's response.

I have a note indicating that workers feel very strongly about the current level of training. That is an issue that is within Mr. Mulvey's remit. They say training is basic, *ad hoc*, inadequate for their needs and appears to be nothing more than a box-ticking exercise. Mr. Mulvey will find it reasonable for workers to want to have a just transition into jobs that are not precarious or minimum wage and that instead have some degree of permanency. They have had all of the benefits of being in a permanent, pensionable, good job for long periods but it appears now that they will be pushed into precarious, low paid and temporary employment. I seem to have mislaid my note detailing a case I raised with the head of Bord na Móna when he was here.

Chairman: Does the Deputy want to Mr. Mulvey to respond to those questions? I am conscious of the time.

Deputy Bríd Smith: Yes, I will come back to the other issue.

Mr. Kieran Mulvey: I have been in contact with the representatives of the group of unions and I will be meeting them in early January to listen to their representations to me directly.

Deputy Bríd Smith: On the definition of a just transition, does Mr. Mulvey have any views on it? Has he read material on it?

Mr. Kieran Mulvey: I am reading material on it. I have not come to a firm view one way or the other but I believe the genesis of just transition is about what happened in the coal and steel communities in Europe, the devastating effect of the closure of coal mines and various other mines the length and breadth of Europe, and the ability and capacity in those areas. I recall when I was going over as a union representative to the European Trade Union Confederation, ETUC, in the 1970s and 1980s hearing about the devastating effect of the closure of mines on Liège and Asturias. Where it has been decided under either international, European or national policy that we have taken a particular stance on the production and usage of fossil fuels, that requires the industries that produce them to close. A transition period is normally given for that

but there is a rapidity about it now. Part of that justice argument is that those who are affected by it should not get thrown on the same slag heap as the product they were producing.

Deputy Bríd Smith: That is very well put.

Mr. Kieran Mulvey: I have indicated to the group of unions in Bord na Móna that I will meet its representatives.

With regard to the introduction to the terms of reference, because of difficulties that may arise I sometimes go back to the terms of reference to see what they actually say. They state: "... focusing initially on communities and workers affected by the ending of peat harvesting ...". I take that in a broad sense. How are the workers affected? What are their immediate concerns? What is their livelihood and what will it be? What alternatives exist for them?

On my meeting with Bord na Móna, by and large, it was a briefing for me on what the company was doing, its their plans, etc. I did not get into the issue of industrial relations because I did not believe it would be productive at that stage. That does not preclude me from getting into it at a future stage.

Deputy Bríd Smith: It is good to hear that. Mr. Mulvey described it very well. The reference I was looking for was the Bord na Móna workers in Mountdillon. In an exchange with the CEO of Bord na Móna, he informed me that the only people made redundant in Mountdillon were seasonal workers. In fact, 75 seasonal workers were let go but 75 permanent employees were put on seven days' notice. That was only revoked when a large demonstration took place and following trade union intervention.

I have a final question. No. ix of the terms of reference states the process "will be reviewed after two years to see if it fulfils the aim of ensuring a Just Transition for the Midlands." Does Mr. Mulvey believe this timescale is too late for the Bord na Móna workers, whose industry is shutting down much quicker, and could he argue for a review within a much shorter space of time - something more like six or nine months?

Mr. Kieran Mulvey: I agree with the Deputy. Two years seems an awful long time away. I actively hope to move after I have had sufficient briefing on the issues and engagement. I think I said at the meeting that I do not see this being two years. There is a rapidity about this that requires an earlier judgment or judgment call about supporting alternative arrangements around sustainability of employment, creation of employment, sustainability of communities and looking at alternatives.

Deputy Eamon Ryan: Did Mr. Mulvey enter into a contract with the Government to take on the job?

Mr. Kieran Mulvey: I have no contract.

Deputy Eamon Ryan: Is there any timeline for how long he will be a commissioner?

Mr. Kieran Mulvey: It says two years. It may or may not be two years.

Deputy Eamon Ryan: Is the work full or part time?

Mr. Kieran Mulvey: It is part-time work.

Deputy Eamon Ryan: Mr. Mulvey said he had already met NESC twice.

Mr. Kieran Mulvey: No, I met NESC once and then got a follow-up-----

Deputy Eamon Ryan: The Government's climate action plan said that NESC would carry out a review of our transition plans. How does Mr. Mulvey's appointment fit within that review? Will NESC separately look at what we are doing in terms of just transition? Will Mr. Mulvey's role change?

Mr. Kieran Mulvey: I have the advantage of having been in NESC for ten years in the 1980s and 1990s so I have an idea of how it operates in terms of constituencies and the presentation paper. We had a broad discussion about largely the plan of action or the development in the same way as it had been asked to look at national and international practice. The point I made to it was that there was no point in me doing or proposing things that were directly in contravention with what it was saying. Second, I also said that I did not necessarily see anything it might be doing as preventing me from practically putting in place measures. The role of the NESC involves having a policy oversight not just of what might be happening in the midlands but what might also have a national effect in other areas of the country where there are specific challenges around this.

Deputy Eamon Ryan: We have a Bill before the Dáil entitled the Just Transition (Worker and Community Environmental Rights) Bill 2018, which involves a really proper mediation service with all the resources we think are needed. My concern is that this seems to be a short-term stopgap that involves an approach that is not properly resourced or planned to an emergency PR situation with which the Government has difficulties. Regarding the €11 million in this just transition fund, Mr. Mulvey said he did not want to be bureaucratic and get caught in the weeds. Does he have authority to sign off on the allocation of funds within that?

Mr. Kieran Mulvey: At a recent meeting with the Department officials, I raised the fact that authority needs to be devolved to two or three people to authorise the expenditure and approval of whatever projects would be agreed and discussed at the regional transitional level but also the input from myself on these.

Deputy Eamon Ryan: Who would those two or three people be?

Mr. Kieran Mulvey: One would be the senior official from the Department dealing with it, Michael Goodwin, while the second person would be Sarah Morgan. My view was that it would have to fit into oversight and appropriate budgeting so that nobody off his or her own bat could sign for an amount of money. My view was that it was not sufficient that I would make that decision - I am not an Accounting Officer - but we would make it through the local authority structure.

Deputy Eamon Ryan: Mr. Mulvey would have to agree.

Mr. Kieran Mulvey: Yes.

Deputy Eamon Ryan: Is the Department of Public Expenditure and Reform happy with that?

Mr. Kieran Mulvey: The Department is engaged in discussions with the Department of Public Expenditure and Reform about two things, one of which is putting the fund in the local authority for the region. I did not get the impression the Department was keen to hold on to it. I would have to say that, based on experience, sometimes Departments prefer to give the problem to somebody else.

Deputy Eamon Ryan: It is in the Department's budget allocation.

Mr. Kieran Mulvey: Yes, it is. That is-----

Deputy Eamon Ryan: Is Mr. Mulvey's position a paid one?

Mr. Kieran Mulvey: We are discussing that. People like me who are and have been public officials do not work for a normal fee. My fee will be €297 per day.

Deputy Eamon Ryan: Mr. Mulvey's reputation is exemplary. There are concerns about the scale of the problem and challenge we face. Mr. Mulvey is also in a public position as chairman of Sport Ireland and sits on the board of UCD and Independent News and Media and all of those must be busy. Being chairman of Sport Ireland is not a small job.

Mr. Kieran Mulvey: I am also on the board of An Post.

Deputy Eamon Ryan: And, I am sure, others.

Mr. Kieran Mulvey: I am no longer on the board of Independent News and Media.

Deputy Eamon Ryan: My apologies for that. I do not mean to in any way question Mr. Mulvey's credentials. I am just saying that the Department and the Government's approach here is not commensurate with what we have heard from other international experience. The best examples of just transition in other countries involve a whole infrastructure helping in this process. Mr. Mulvey has been given an almost impossible task. Regarding the idea that there is a concern about the movement of all economic activity to Dublin, which is true, and Mr. Mulvey's role in addressing that and using this opportunity to redress the whole economic development of the midlands, which is what we need to do, I do not think it can be done under the terms of reference and structures and support systems Mr. Mulvey has been given.

Mr. Kieran Mulvey: It is a step in the water. For reasons of which we are all aware, this has come sooner rather than later. Trying to think this out, it would have been better if there had been more time in which to do it but the ESB made a particular decision that had a massive domino effect.

Deputy Eamon Ryan: It is true but anyone could see this coming.

Mr. Kieran Mulvey: I have no difficulty. I assume it might emerge six months into this that there is a need for a new bigger effort around it. My view largely is that if this is required, I will certainly say it. I will not be behind the door and not say it. If I find after three months that I cannot deal or cope with all of it or that it needs a greater input, I will have no hesitation in saying that. I do not want and will not allow drift. One creates an expectation and if one does not deliver it, it is worse than if one had never started at all.

Deputy Eamon Ryan: I agree fully. A six-month review makes sense. It will include the reality that we are probably looking at stopping the extraction of peat for horticultural production and 50,000 houses being retrofitted per year in our climate action plan when we are only retrofitting a couple of hundred at the moment. We need 20,000 workers for that. We probably need a similar number of people to work on the re-wetting of bogs. I could go on. All of these things have material input into a proper just transition plan for the midlands. What Mr. Mulvey will find in the next six months is that it is almost impossible for us to be able to do that justice with the resources and timelines he has. I wish him well. I am not being personally critical but I do think the approach taken by the Government has put him in a very difficult position.

Deputy Thomas Pringle: I thank Mr. Mulvey for his responses. Probably some of my questions will be duplications of others given that so many people have spoken before me. I want to tease out some points. Mr. Mulvey said he will meet the unions in the new year. What is the role of the unions? Will they be as important as Bord na Móna and the ESB in terms of their response and what they can bring forward? It has been my experience that the unions probably have been one of the best in terms of what a just transition would look like and what it could involve. What is Mr. Mulvey's view on this?

Mr. Kieran Mulvey: I do not see the unions in the same corporate sense as the two employer groups mentioned by the Deputy because of their role. I have been always of the view that just because workers go in the front door does not mean they leave their brains behind them. Unions have made a valuable contribution to change in many places in which I have been involved which would never change in a month of Sundays, where there was then a crisis and a real change. I expect that the individuals here and the people who have been working in the bogs over the years know as much about how to run the company as the corporate management who have been given a specific responsibility. It is also a matter of trying to maximise their capacity, especially those who wish to stay on working in the region and in the industry, and to determine how best that can be done so that their skills, knowledge and memory are utilised to the maximum. To me, they are an invaluable component of what change may take place.

Deputy Thomas Pringle: Other speakers mentioned the refurbishment of houses and such to make them more climate-friendly. When Bord na Móna was at the committee previously, it said that would not be part of its remit or anything that it would consider. If that comes out of the discussions that Mr. Mulvey has had, how will that be implemented? Bord na Móna seems to be the corporate body that should have the responsibility, in my mind, to do that, but how will that develop and work? How that develops will be very important for the success of the project.

Mr. Kieran Mulvey: I have read only a little bit about retrofitting but it is bigger than people think it is. To engage in a programme of retrofitting dwelling houses in the midlands is a substantial investment that will require highly skilled companies and workers to carry it out, because the whole concept of retrofitting has changed significantly from the outer cladding of houses to inner insulation, to the roof, panels and everything else. Many specialist companies operate in retrofitting, though not necessarily in Ireland. I do not think that this is an easy solution or that it is easy to reskill to become a worker in that industry. We then have to establish what companies are likely to be engaged to do this and what social contract we put them into to engage local employment. It is a bigger issue than people anticipate it to be. There is also a question of how one undertakes the contracts. Does one go from estate to estate? How does one procure the company that will do it? If houses are retrofitted, is there an obligation on those whose homes are retrofitted to actually stay in them and not sell them the following week? These are all considerations that will have to be addressed. That is a little beyond my expertise.

Deputy Thomas Pringle: There is an issue of whether Bord na Móna or ESB may have an ulterior motive in refusing to do that. We need to look at it independently to see if it is feasible anyway and that is where this has come from. Just transition in the midlands is obviously very important. It is the first of quite a few that may develop in this country in the coming years. One that I would think of is not so much with regard to companies but how households would transition from using fossil fuels to renewable energy and how that would be managed. That will be very important. How will Mr. Mulvey make sure that the lessons from this will come together to improve the next project, and that each step will be an improvement, since this project will not be perfect?

Mr. Kieran Mulvey: From my own experience in inner city regeneration, we laid out a medium-term plan and a long-term plan in a multiplicity of areas, including crime, drugs, education and social services. The midlands is a different type of project but the principles are the same. How does one lay out a plan that highlights and segments the particular priorities and how they would be done over a period of time? I do not know whether the issue the Deputy raised will be in that or not. This will be well documented. It will be tested. I am sure that some will succeed and others may fall by the wayside. It will have to be documented because others will have to learn from either the successes or the failures. Hopefully there are no failures but at least we will document what works and what does not work. I imagine that when we come to lay out the planning, we will detail the projects that may be undertaken and why others were not accepted.

Senator Alice-Mary Higgins: I thank Mr. Mulvey. Does he agree that the kind of change we are seeing with companies such as Bord na Móna, which is effectively planning to cease its main activity, is not a normal operational or day-to-day moment for the company but relates to strategic direction for that company?

Mr. Kieran Mulvey: It is getting out of its main business. It has significant implications. It had a market for a product and we now accept that we should not be putting up smokestacks. It is a significant change, such as trying to change the Titanic a mile from the iceberg. It is close to it but it has an opportunity to change. I have heard that it is making a good effort to change and to look at viable enterprise propositions, including having to rehabilitate the wetlands and peatlands.

Senator Alice-Mary Higgins: There is a delicate nuance here about what is operational in the normal day-to-day and what is actually strategic and major. From our perspective, looking in as a committee, and from some of our earlier discussions, this is not a normal matter. There is a question of what are industrial relations in the normal sense and what is just transition. It is not simply whether Mr. Mulvey values unions, since I have no doubt he does, and it is in his remit to discuss with unions. What matters are discussed will be important because when there is change on this scale, there is a question of what issues become industrial relations or not. When ICTU spoke to us, it was specifically about some of the concerns, with deunionisation being mentioned. There was an issue of moving to redeployment versus voluntary redundancy, for example. There is the issue of those being redeployed, or voluntary redundancy and who is able to access it. Where there is change on a major scale, those industrial relations issues can become just transition issues.

I want to look at two specific aspects of Mr. Mulvey's mandate. It states that he does not have a direct role in industrial relations matters in Bord na Móna, though it interestingly does not rule him out from them in the ESB. Perhaps he might have a more hands-on role with ESB. It states that he can recommend optimal structures or processes for the co-ordinated and effective delivery of just transition in the midlands. I know Mr. Mulvey mentioned established bodies. I presume he is referring to the regional transition team. He has the remit to suggest other processes. A process that was specifically put forward here and recommended by ICTU and others was the involvement of the Workplace Relations Commission, not in a role of resolving disputes, but chairing an examination of work and industrial relations issues in the broadest sense and workers' rights issues in the context of just transition. Under the Silesia declaration, the Government and many other Governments have committed to participatory and representative processes of social dialogue as one of the principles for any just transition and work in this area. That is not simply a question of whether workers have good ideas and if they can give us

some good input. It is about their entitlement to have representatives in some structure of social dialogue. The Silesia declaration talks about decent work and quality jobs. I recognise Mr. Mulvey is looking to good practice, and I hope we can contribute to good practice by what we do in Ireland. Mr. Mulvey mentioned warehouses and call centres. It is worth noting that the state of coalfields report in the UK found that call centres which replaced coal jobs with poor quality employment and poor quality contracts had terrible results in terms of pay, conditions and morale in that area. This was in contrast to the Ruhr valley coal companies, where workers looked to redeployment into new industries of equivalent standing and status.

Chairman: I will have to bring in Mr. Mulvey so the Senator can get her answers.

Mr. Kieran Mulvey: What I do not want to do in the whole of this process is end up doing what I did in my last job, namely, negotiating the resolution of disputes between unions and management. If I do that, I will have no time left to do the bigger job. That is why I am being cautious on this. The second thing is that the ESB has always prided itself on, and has been very strong on, the independence of its own industrial tribunal. The commission used to supply the chair of that over the years but I know, because I wear the scars on my back, how independent both the ESB workers and management are about their own processes and non-third-party interference.

It has not been similarly the case with Bord na Móna. Over the years, Bord na Móna did not enjoy the best industrial relations. There were different disputes and issues over the years, such as issues over the closure of plants, seasonal working, harvesting and the whole lot. While I am aware of all of this, there are processes and procedures to resolve these. The Irish Congress of Trade Union has made the point that it perceives, believes or has actually experienced - I do not know which and I am not going to make a judgment on it - a resistance from the management in Bord na Móna to get back down into this kind of negotiation. There is an advisory service at the Labour Relations Commission which was established to create harmony where it does not exist, particularly after bad industrial dispute situations. It is a mechanism by which an officer of the commission can sit with the parties and resolve the issues.

In fairness to the regional group I met recently, and I made this point earlier in my presentation, we sometimes need to separate fact from fiction. This is where I believe the one-to-ones are important in the context of Bord na Móna. There is no point forcing a worker who does not want to do something, and would prefer to retire or take a package, into reskilling as a retrofitter if that is not what the worker wants to do. That exercise is ongoing to find out what is the desire of workers and what they want, and that is going to be an important part of the exercise.

I am very conscious, and it is one of the concerns of the unions, that when alternative employment is set up, particularly by Bord na Móna, it has not reduced or diminished terms or conditions of employment. That is understandable.

In regard to other industries that might be established, or people going into other industries, we will have to decide on this. From what I know from the IDA and Enterprise Ireland, they are not exactly queuing up to establish industries in the midlands. We are going to have to incentivise this in some way around the regional funding that happened in the countries the Senator mentioned in order to say, "This is where we want you to go and this is what we are prepared to provide and to supply you with." When I talk about call centres, I am not necessarily talking about call centres *per se*. There are distribution warehouses and there are other areas where goods are coming in. An Post on Black Friday had 1 million parcels going through the system. There are other areas where we could have distribution for what is a changing economy. The

important thing is quality, sustainable jobs to keep the community in the community.

Chairman: I have to move on. I call Deputy Marcella Corcoran Kennedy.

Deputy Marcella Corcoran Kennedy: I welcome Mr. Mulvey and congratulate him on his new role. It is not the first time I have met him as he was in Offaly for a very engaging afternoon. It was a great opportunity for him to see at first hand what is going on there with the regional transition team led by Offaly County Council. I very much welcome the fact his office is going to be based there and it is great he is getting the support from Ms Sarah Morgan and all of the team there.

In thinking about the just transition, the important thing is looking at how the midlands is going to transition from being a centre for energy generation using fossil fuels to being a centre for energy generation using renewable energies. I would be interested in us thinking a little about the brown to green strategy that Bord na Móna has for its wind farm projects, a couple of which are already up and running. There is also a lot of interest in the development of solar farms and some local businesses are very proactive in terms of energy storage, battery storage and all of that. Again, there are local people with plenty of ideas so there is opportunity.

One thing we can welcome is the fact Bord na Móna has decided to diversify rather than just shut up shop, which it could easily do because its main function was to harvest peat for energy generation. When its main client, the ESB, is gone, the question is what it is going to do, so I welcome very much the fact it is looking at new business. I would, of course, support Senator Higgins in regard to the need for good, well paying jobs, which is what we want.

Will Mr. Mulvey be engaging with the START secretariat? As he knows, the European Commission has the platform for coal regions in transition and the Minister, Deputy Bruton, asked that we be considered as part of that. We have been accepted and the START team came to the midlands to meet all of the local authorities and other stakeholders at the beginning of this month. Will Mr. Mulvey meet with START representatives and liaise with them because it would be crucial to do so?

Mr. Kieran Mulvey: Yes, I will.

Deputy Marcella Corcoran Kennedy: I note Mr. Mulvey listed all of the various agencies he will be meeting in the course of his work. I look forward to engaging with him further in that regard and I know the regional transition team does as well. A point is how the regional transition team will fit with the regional enterprise team. At the minute, they seem to be merged to a degree and that could be something Mr. Mulvey might have to think about. I wish Mr. Mulvey the best of luck in his role.

Mr. Kieran Mulvey: Thank you. I will be engaging with the START team. I was only aware of its visit the day before it was going to happen, so I will have to deal with that because part of the brief is to find out the international situation. I gather they are the people I need to talk to on that.

On the structures, I will have to make an assessment as to how that liaison works. I have a view that we might need one or two sub-committees. In particular, I would like to put the education people together and put the enterprise people together, and bring them all together as one entity and talk for maybe half a day or a day about what is happening, what could be happening, what potentially is in the pipeline and what the opportunities are for creating and sustaining employment and retraining workers. We need a dedicated time to do that and to get

all of the ideas out. I was very impressed on the day by Pádraig Dolan's-----

Deputy Marcella Corcoran Kennedy: It was Pádraig Boland from the ETB's midlands skills centre.

Mr. Kieran Mulvey: It was an excellent presentation on the work they were doing and I heard them saying they were doing it out of their existing budget. That is a group we could give start-up money to, and say, "Get on with it, because you are doing really good work and we really want you to dedicate yourselves to the Bord na Móna group of workers and what they are doing".

Deputy Marcella Corcoran Kennedy: I have one question on the steering group within the Department around looking at what is required for retrofitting. Will Mr. Mulvey engage with it in the near future, given it will be crucial to do so?

Mr. Kieran Mulvey: I will. I did ask about it but I believe they have not completed their own thinking on it.

Deputy Michael Fitzmaurice: I wish Kieran the best of luck in his new job. I have been listening to him for a while and I appreciate someone who talks straight and calls it like it is. I will give it to him straight. In my opinion this has come out of the blue for Deputies and the workers. I shall give Mr. Mulvey the background. We were brought in one year ago and told of this just transition over seven or eight years to 2025 or 2027. Currently there is mistrust by the workers and many politicians with what has gone on. This has come like a bolt from the blue and has been brought forward by five or six years. Mr. Mulvey spoke about Bord na Móna, which is looking at a fish project and herbs and so on, but these are six or seven years away to be quite frank. Some 300 to 400 Bord na Móna workers have been already thrown on the scrap heap and have been given redundancy. The coal yards in Galway and Sligo are where the people also have mistrust. They took the redundancy as they had no other choice.

Going back to Seán Lemass's time and Shannon Airport, is Mr. Mulvey prepared to look for something in those areas that would give a tax incentive to try to bring in businesses to set up? Is Mr. Mulvey prepared to look for that? Can Mr. Mulvey get agencies such as Enterprise Ireland and IDA Ireland to have a person strategically positioned who will deal with the areas? In my tally, while Galway and Roscommon gave the peat across to the stations at Shannonbridge and Lanesborough, I believe that eight counties will be affected by this. Mr. Mulvey referred to a fund but I ask him to write down one name.

I have fought with the National Parks and Wildlife Service, NPWS, over the years but there are people in the service who have done re-wetting such as Jack McCauley. Mr. Mulvey referred to re-wetting giving X amount of jobs, and we would have been involved with the NPWS on this previously. The fund of €5 million will cover about 17 diggers for 240 days, along with the people who need to do the drawings and the engineers. Figures are being kicked out there at the moment. I am aware that Mr. Mulvey is just starting to look into it. He has spoken also of retrofitting and he rightly pointed out that people must first get trained in retrofitting. If I am a sub-contractor in Donegal or in Cork, however, and if I am keener than anybody else for the work then I will get that job. There is also a question mark over Bord na Móna's €5 million. Has that work to go out to public tender? If so, then I and my one digger - for example - would be more efficient. Does Mr. Mulvey understand this, or else there is no point in saying that this fund would be available?

Mr. Kieran Mulvey: I do, yes.

Deputy Michael Fitzmaurice: There are many figures being thrown out to keep people quite at the moment. This funding needs to be nailed down. Will Mr. Mulvey indicate if there will be a representative from every one of the affected counties? Will the team be comprised of people we know? Will Mr. Mulvey also address the aspects I have asked about?

Chairman: I want to allow time for Mr. Mulvey to answer as our time slot is running out.

Mr. Kieran Mulvey: I thank Deputy Fitzmaurice. I am conscious of the mistrust among the unions being articulated a number of times. I will just have to meet with them and hear that at first hand.

On the incentivising, I will have to check to see is the State's liberty to incentivise. I would have thought, given what was addressed earlier and mentioned at the start, that there would be empathy in Europe for those regions undergoing this change, and that the state-aid rule would be relaxed with regard to incentivising or subsidising industry. We would just have to say that we cannot have a situation whereby an area of a country has a vital economic activity up to now and it suddenly disappears. We must get alternatives in, and renewable energy and so on. It will depend; I must be briefed and informed about that. I believe there is always a national imperative to break down the centralisation of the provision of industries and services in our cities, and particularly in Dublin. It is creating all kinds of problems, including around housing, traffic and transport arteries. The centralisation of offices and the distribution of industry in Dublin especially creates a myriad of problems.

I have only recently found out that the National Parks and Wildlife Service owns some 80% of the bogs in the State. It owns more bogs than Bord na Móna, and they are spread out over the State. It is one of the biggest landowners. It is all about the tracks and trails now and it is trying to get new industry support and new outdoor activities and so on. I will meet with the NPWS to get its view and experience. I have heard about the NPWS experience of wetlands replenishing the bogs.

On the issue of procurement and the industry, there is no point in creating a separate system for retrofitting - or any other system. If this goes to procurement and if it is above a certain threshold, companies from the UK, for example, who probably have more experience in Europe, can come in and - they must be awarded the contract. Where is the sense in that? We need to measure and plan it well.

Deputy Michael Lowry: I welcome Mr. Mulvey's appointment. I see a problem around the workload involved. There is a huge job of work to be done here, which involves a massive amount of consultation and interaction with many groups. I feel it is necessary for the Government. I can see Mr. Mulvey's initial role in terms of leadership and guidance in bringing together the various organisations and community groups, interstate agencies and inter-departmental groups. I cannot see this going any further with regard to a comprehensive plan or a plan that can be implemented to assist.

I want to be parochial in that the just transition is all about the midlands, but Littleton in Tipperary, which I represent, was always part of the Bord na Móna family. Our problem is that the peat briquette plant closed with the loss of 120 jobs, but we have not had a just transition. We seem to have been completely and totally left out of the loop. Nobody from Tipperary or from the county council is represented at the regional meetings Mr. Mulvey has had. I see from the

list of meetings that there has been no contact with anybody about Tipperary or about Littleton. I want to make it clear that this is not just about the people who have lost their jobs in Littleton. We sat down, the unions played a leadership role, and we came to a conclusion around redundancy. We had 90% agreement and everyone was reasonably happy, but the issue is not just about the jobs that were lost, it is also about the future of the communities where Bord na Móna exists. Littleton in Thurles employed 120 people. It was the central and integral part of the local economy. The community was built around the factory, and suddenly we have devastation and we have no alternatives.

There is massive infrastructure there such as the 10,000 acres of bogland between Littleton and the Laois border. There is a vast number of buildings and infrastructure such as water and sewerage, energy etc. in that area. We have a lot to attract alternative industry there. Somebody needs to sit down to look at the options, come up with a formula and devise a plan for it. We have not been included in the just transition up to now. Will Mr. Mulvey please ensure that Littleton is included in the overall plan? Will he offer to meet with our county council as the lead body? We have a community action group established. Perhaps Mr. Mulvey could meet with the group and with the Oireachtas representatives from Tipperary. I want to be realistic. There are people who think this implies there would be jobs on the horizon immediately. Others have been led to believe they will receive a retrofit grant because they worked at Bord na Móna. I accept that we are a long way from detailing what might be available, but I ask that Littleton not be forgotten and that it be included in Mr. Mulvey's deliberations. I ask that we be consulted and be part of whatever proposals are made. There was a closure but there has not been a transition.

Mr. Kieran Mulvey: I have agreed with Bord na Móna to a number of site visits, one of which will be in Littleton. I will let the Deputy know when I am coming to Littleton, and there will be an opportunity to meet local representatives, the local authority and the local community.

Chairman: I thank Mr. Mulvey on behalf of the committee and congratulate him on his appointment to his new role. We wish him every success and look forward to working with him.

The joint committee adjourned at 4.31 p.m. until 2 p.m. on Thursday, 9 January 2020.