



~~RESTRICTED~~ D.M.

Miss Boyle 29/7

Mr. Miller 28/7.
Mr. Lynch
Mr. Kitch

1. Secretary
2. Mr. Hanley
3. Dr. Payer - 2/8

HCS/615/92

cc: D Davidson

FROM: D FELL
25 JUNE 1992

cc PS/Mr Atkins (DED&L)
PS/Mr Hanley (DENI, B&L)
PS/PUS (B&L)
Mr Loughran
Mr Carvill
Mr Thomas
Mr Spence
Mr Watkins
Mr Alston
Mr Bell

J. Coote.
M. Strange

Miss Kitch Mrs McQuillan 1/7
CFC 555 19/8

Mr Sutton 17/8

Please file on Fair

Employment file

OK 14/8

PS/SECRETARY OF STATE (B&L)

FAIR EMPLOYMENT

At the Ministerial meeting on 18 June, the Secretary of State expressed some concern about the recent publicity about cases of religious discrimination at Queen's University Belfast (QUB) and asked for further information. I suggested that it might be best to consider this matter in the context of a wider paper on fair employment generally, and undertook to let the Secretary of State have such a paper. I now attach this paper, which has been prepared by DED. The Secretary of State may feel that this would form an appropriate basis for discussion on fair employment issues.

The paper makes a reference at Paragraph 16 to the pressure which QUB is coming under from the highly critical lobby group "The Campaign for Economic Equality" on its fair employment record. The Secretary of State will, I think, be interested in the attached letter which the Vice-Chancellor of QUB has sent to his fellow UK Vice-Chancellors in defence of the University's performance.

David Fell

DAVID FELL

GR.30727

H.E. DIVISION

Date: 1-7-92

No: 64-6

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Secretary's Office

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No. 26.6/22.

PSH 29.6.92

No. 29.6/10

24/6 No: 63-11

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FAIR EMPLOYMENT

4.2 Catholics are more likely to experience long-term unemployment (68% of the long-term unemployed being Catholics); and

INTRODUCTION

1. This note is designed to provide an overview of progress on the fair employment front and to place the recent publicity about cases involving Queen's University in context.

2. The solution exists, what Bob Cooper has called, the "track" approach of -

BACKGROUND

2. Employment equality remains one of the critical social and economic issues in Northern Ireland. Looking back to the original civil rights demands of the late 1960's/early 1970's, employment equality is the issue on which least progress has been possible on the ground, though the policy and the legal framework for tackling the matter are firmly in place.

3. The slowness in achieving change is essentially because the problem is very deep-rooted. While unlawful discrimination by employers is the single most significant cause of inequality, there are other contributory factors - such as the availability and geographical distribution of employment opportunities and differences in educational achievements and skill levels between the two sides of the community.

4. The reality remains, however, that -

4.1 Catholics are more likely to be unemployed than Protestants, in particular 23% of Catholic males are unemployed as against 9% of Protestant males;

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- 5.3 stiff criminal penalties are available if employers do
- 4.2 Catholics are more likely to experience long-term unemployment (68% of the long-term unemployed being Catholics); and
- 7. 4.3 Catholics remain seriously under-represented at professional and managerial levels (71% Protestant: 29% Catholic).
- 5. The solution rests on, what Bob Cooper has called, the "twin-track" approach of -
- 5.1 eradicating discrimination and promoting good employment practices; and
- 8. 5.2 targeting Government's policies and programmes on the most disadvantaged areas, increasing job opportunities and enabling the two sides of the community to compete on equal terms for such vacancies as exist.

FAIR EMPLOYMENT LEGISLATION

6. Good progress is being made in implementing the greatly strengthened legislation which came into effect on 1 January 1990. The key provisions are:

DISCUSSION

- 6.1 indirect as well as direct discrimination in employment is now unlawful;
- 6.2 employers have to register with the Fair Employment Commission; monitor the religious affiliation of employees (and for large employers, job applicants); submit annual monitoring returns to the FEC; review their employment practices at least once every 3 years; and, as necessary, take affirmative action.

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- 6.3 stiff criminal penalties are available if employers do not comply and these are under-pinned by economic sanctions including loss of public sector contracts and grants.
- 7. Earlier this year the Commission published detailed information about the religious composition of workforces of over 25 employees, based on the 1991 monitoring returns. There was considerable opposition from employers' organisations to this step which was regarded by others as a crucial test of the Commission's (and Government's) resolve to approach the issue of fair employment much more openly than in the past.
- 8. Still to be tested are the provisions in the legislation requiring employers to take affirmative action (with goals and timetables, but not quotas which are illegal) aimed at securing fair participation by Catholics and Protestants.
- 9. A flaw in the part of the legislation dealing with individual complaints of discrimination had to be tackled last year and this delayed the hearing of cases by the Fair Employment Tribunal. Cases are now proceeding, though a sizeable backlog exists.

DISCUSSION

- 10. The implementation of the legislation is now proceeding relatively smoothly. By and large, employers and employees have co-operated with the FEC in processes which might have been expected to heighten community tensions.

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11. However, the publication of monitoring information and the reporting of decisions on individual complaints of discrimination - such as those concerning Queen's University and the Eastern Health Board - have provided ammunition for those who claim that extensive discrimination remains and that Government is failing to take strong enough action. The counter argument is, of course, that the legislation is biting hard and that these examples show it is working.
12. Nevertheless, there is a presentational problem here and it will be necessary to seek appropriate opportunities to reinforce Government's strong commitment to eliminating discrimination and promoting fair employment - as the Minister of State did following the biannual meeting on 22 June with the FEC's Chairman.
13. The different attitudes of the NI political parties on fair employment need to be borne in mind. The SDLP (backed by the Irish Government) are basically supportive, but remain impatient at the speed of change. The two unionist parties are hostile to the Fair Employment Commission, believe that it is biased against Protestants, and seem at times to be reluctant to accept that there is even a serious problem to be addressed. There is on the other hand limited, though encouraging, evidence that the fair employment legislation is gaining acceptance amongst the majority of Protestants.
14. Another important dimension is the MacBride campaign in the USA, the efforts to raise fair employment issues in the European Parliament, and the attempts by those close to Sinn. Fein to mount boycotts against employers who have few Catholic employees.

DEPARTMENT OF ECONOMIC AFFAIRS
JUNE 1992

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15. A recent development is a MacBride-initiated attempt to organise a boycott of the Northern Ireland football team in the 1994 World Cup in the USA on the basis that the NI team uses Windsor Park - the home of Linfield Football Club which is strongly loyalist.
16. The recent publicity about 9 fair employment cases involving Queen's University has prompted "the Campaign for Economic Equality" to urge Bombardier and Du Pont to withdraw funding from industrial research projects at the University, to call on the US Congress to withdraw funding from IFI, and to write to University Vice-Chancellors in GB and ROI calling upon them to sever all academic and cultural ties with Queen's. Queen's has vigorously defended its approach to equality matters and has initiated an audit by independent consultants of its employment policies and procedures.
17. Thus, the MacBride campaign and the actions of NI-based supporters are likely to remain significant problems. As far as MacBride is concerned, the tactics are to continue to explain to American audiences HMG policies on fair employment and to oppose strongly those whose real aim is to damage the Northern Ireland economy.
18. Finally, a very important related matter is the commitment made when the legislation was passing through Parliament that there would, after 5 years, be a fundamental review of all the factors which impact on employment equality. This review is the responsibility of the Central Community Relations Unit (which reports through Mr Hanley). The Unit is currently finalising a paper for publication which will indicate how progress is to be addressed.

DEPARTMENT OF ECONOMIC DEVELOPMENT
JUNE 1992

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From the Office of the Vice-Chancellor
Vice-Chancellor Dr Gordon Beveridge

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7626

18 June 1992

A Message to the Presidents, Vice-Chancellors and Principals of all British and Irish Universities from Gordon Beveridge, Vice-Chancellor, The Queen's University of Belfast.

Gentlemen,

Equal Opportunities and Fair Employment at The Queen's University of Belfast

I understand that Mr Oliver Kearney, Honorary Secretary of an organisation in Belfast called "Equality" may have written to you on or about 5 June 1992. He is said to have written to the Vice-Chancellors and Presidents of all British and Irish universities calling for a boycott of Queen's for its "culture of discrimination" against Roman Catholics, requesting an immediate severance of all academic and cultural ties with us.

As you may wish to know something of the background to this matter I am writing to all my colleagues, so please excuse the circular form of this letter.

Northern Ireland Legislation

This part of the UK has its own particular fair employment legislation designed to deal with religious discrimination. The monitoring/controlling body, initially the Fair Employment Agency, now re-established as the Fair Employment Commission, carried out a thorough investigation of Queen's and the University of Ulster and in 1989 issued a public report on our employees' perceived religious background, under the headings of NI Protestants, NI Roman Catholics, "others" (i.e. those from outside NI who, whether of Protestant, Roman Catholic or of other or no religious background do not require to be identified). All companies and organisations with more than 10 staff are now required to monitor their staff composition and submit an annual return to the FEC.

Mr Kearney's figures are misleading in that they include those staff described as "others" together with NI Protestants, despite the fact that these staff may be Protestant, Roman Catholic or of other or no religious backgrounds. The corrected comparable figures based on our 1992 FEC monitoring return are as follows:

RELIGIOUS BREAKDOWN OF ALL CURRENT QUB STAFF

	<u>Protestant</u>	<u>Roman Catholic</u>	<u>Other</u>	<u>Total</u>
Staff by category	1554	582	542	2678
% all staff	(58.0%)	(21.7%)	(20.2%)	(100%)
% NI-only staff	(72.8%)	(27.2%)	-	-

We have installed, as required by law, specific procedures to ensure that our recruitment and selection procedures are fair and to ensure that selection is on merit only. We are expected to demonstrate that we attract applications from people representative of the religious mix of those economically active in the Province (about 38% NI Roman Catholics). We are judged publicly by some solely on our population statistics which are influenced by historical employment factors and current factors outside our control. Queen's University's employment history reflects that of the Province.

Notwithstanding that, the religious composition of the staff at the University shows a marked increase in Roman Catholic representation in recent years. Excluding non-Northern Ireland staff to whom we are not required to assign a perceived religion, the 1989 FEA Report showed Roman Catholic representation at 20.7%. Our 1992 monitoring returns to the FEC show Roman Catholic representation at 27.2%. Monitoring information suggests that this is a trend which will be continued.

RELIGIOUS BREAKDOWNS OF ALL CURRENT N.I. STAFF

<u>OVERALL</u>	<u>Protestant</u>	<u>Roman Catholic</u>
1987 (F.E.A. Report)	79.3%	20.7%
1990 (E.O.U. Report)	76.0%	24.0%
1991 (Monitoring Return)	74.8%	25.2%
1992 (Monitoring Return)	72.8%	27.2%

(The above figures do not take account of non-Northern Ireland people)

As far as applicants for employment are concerned, detailed applicant flow details were not available in the 1989 FEA Report. However, 1990 and 1991 monitoring figures respectively revealed that Roman Catholics represented 40.1% and 41% of applicants for vacancies. Under our latest monitoring return Roman Catholics represent 44.5% of applicants. The number of Roman Catholic appointees has also risen steadily in recent years and our 1992 monitoring return shows that they are being appointed in numbers broadly consistent with their representation in the community.

Roman Catholic representation in the administration of Queen's, which in the past was below average, has also increased significantly in recent years.

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The 1989 FEA Report indicated that 10.8% of administrative staff were Roman Catholic. Since then, this figure has increased steadily, and 24% of administrative staff are Roman Catholic. These figures clearly indicate a trend of increasing Roman Catholic representation which can be expected to continue; this interpretation is consistent with recent monitoring information which shows that over the previous three years the numbers of Catholic appointees to administrative posts have been in line with their representation in the wider community.

Overall we believe that we are achieving the desired Fair Employment effects, but as the law stands we cannot change the historical situation nor are we able to address factors outside our control which can affect employment trends, unless staff are preferentially dismissed and an illegal quota system implemented. We believe that we should be judged upon our present practices and attainments.

Policy

We have a strong and total commitment in the University to fair employment and equal opportunity, and I have re-affirmed, and will continue to do so, our policy of full compliance with both the spirit and the letter of the law.

Action

We have been taking significant affirmative action already (positive discrimination, sometimes called reverse discrimination, being illegal) and we have implemented fully the course of action recommended by the Fair Employment Agency 3 years ago, following its investigation into the University's employment practices. Such investigations have been carried out as a matter of course in many of Northern Ireland's larger employers e.g. the NI Civil Service, local authorities, major industries and in large employers in the services sector etc. Queen's has taken steps to ensure that all its recruitment and selection procedures are in line with the Fair Employment Code of Practice. As well, Queen's has introduced a wide-ranging training programme in equal opportunities awareness, throughout the University, including specific training in recruitment procedures. Each member of staff is being issued with a copy of our Equal Opportunities Code of Practice.

Few organisations within Northern Ireland have committed more resources and shown as much dedicated commitment to equality of opportunity as Queen's, and our recent monitoring information shows the positive result which we have obtained.

From January 1990 until February 1992, we have, for example, recruited approximately 800 new staff from around 11,000 applicants and have considered many of our existing staff for promotions, re-grading, and for internal appointments eg to Directorships of Schools. From all of those individuals we have had only nine complaints to the Fair Employment Tribunal (of the FEC). I accept that even one such complaint is one too many, but I believe that in any complaint which is found to be valid, the problem will have arisen as a result of procedural error and not because of religious discrimination.

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Present Situation

A small number of people from the Northern Ireland community have criticised our equal opportunity practices on the basis of outdated monitoring information and the existence of these 9 cases, not all of which have been brought by Roman Catholics. Mr Kearney is one of that number.

I completely refute his statements. The University does not discriminate in its personnel practices and there is certainly no "culture of discrimination" within Queen's as he claims.

The outcome of our practice is positive and in our recruitment we now achieve a "success rate" which represents in overall terms, a situation in which the religious background mix of the economically active population in NI is mirrored in those who apply for jobs in the University and in those who are appointed to them. I believe that this is a record which can not be faulted.

I am not surprised however to find that some imbalances still exist in some areas of the University for historical reasons and because vacancies do not arise across the academic and non-academic staff spectrum in a uniform manner. Universities in general, but also employers in NI, traditionally do not have a high staff turnover rate, which slows down the impact of our present success in recruitment on our total staff population.

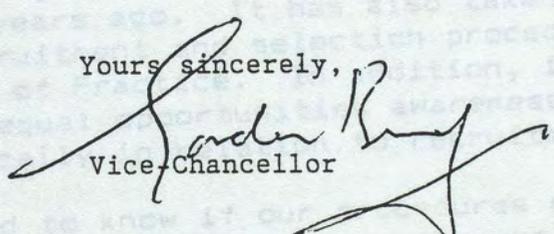
I will be very pleased to supply more information if you care to call me.

Conclusion

You will obviously draw your own conclusions from Mr Kearney's missive. I know Queen's and I know that while we suffer from historical factors common to most organisations in the Province and from an often blinkered external view of our progress, nevertheless I am very pleased with the progress we have made in upholding the spirit and the letter of the NI Fair Employment legislation.

With kind regards.

Yours sincerely,


Vice-Chancellor



The Queen's University of Belfast

5 June 1992
NO EMBARGO

PRESS

QUEEN'S ANNOUNCES EQUAL OPPORTUNITIES AUDIT

Queen's University Vice-Chancellor Dr Gordon Beveridge today underlined the University's commitment to its policy of equality of opportunity.

Re-affirming the University's policy of full compliance with both the spirit and the letter of the law, he announced that he is commissioning an audit to be carried out into its employment policies and implementation procedures.

The review will be undertaken by an independent team of eminent external consultants with wide experience in the area of fair employment and equal opportunities. In particular, they will examine the appropriateness and effectiveness of the University's procedures and practices in relation to these areas.

The Vice-Chancellor, Dr Gordon Beveridge, expressed confidence that the audit would testify to the steps already taken.

He said: "The University is, and has been, fully committed to equal opportunities policy, and wishes to reassure all the people of Northern Ireland and our friends abroad of this fact. Queen's has implemented the course of action recommended by the then FEA, following its investigation into University employment practices three years ago. It has also taken steps to ensure that all its recruitment and selection procedures are in line with the FE Code of Practice. In addition, it has instigated University-wide equal opportunities awareness training, including training specifically in relation to recruitment procedures.

"We now need to know if our procedures enable our policies to be carried out effectively across the whole range of employment practices in the University. Our intentions are not in doubt; our aim now is to see how we can ensure that those intentions are implemented in every detail."

He added: "This audit underlines our commitment to equal opportunities not only in theory but also in practice and will assist the University by helping us to determine our procedures for the future."

When completed, the report will be presented to the Senate of the University.

For further information contact:

Stephan Tel (0232) 245133 Ext 3087

476 No: 03-11.....

EQUALITY



THE CAMPAIGN FOR ECONOMIC EQUALITY

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June 1992

AN OPEN LETTER TO
The Vice-Chancellors of Universities and University Colleges
throughout Britain and Ireland

Dear Vice-Chancellor

You will be aware that the Queen's University of Belfast is the premier academic institution in Northern Ireland. For many decades its graduates have formed the backbone of the Northern Ireland Civil Service and Public Services, and the University is closely interlinked as a powerfully-influential force, with every facet of commercial, economic, and social development in the State.

Queen's is heavily endowed by the business sector and from the public purse, and reciprocates with the endowment of academic honours to senior civil servants and business people. Professorial Fellowships and Honorary Doctorates are commonly bestowed upon Churchmen and retiring civil servants, and a former Head of the Northern Ireland Civil Service is the present Honorary Treasurer of the University.

Clearly, Queen's University Belfast could have been a powerful force for the promotion of social betterment and the resolution of inter-communal conflict in Northern Ireland.

It is, then, all the more distressing that the University is currently the focus of widespread public concern and agitation over numerous allegations of Job Discrimination and Inequality of community representation in employment.

In December 1989 the Fair Employment Commission published the report of an investigation into employment practices at Queen's which recorded that of almost 3,000 employees, a total of 16% were Catholics of Northern Ireland origin, while the Catholic population today is estimated at approximately 42%, and the Catholic proportion of Higher Education students is about 51%.

The F.E.C. Report demonstrated that Catholic Inequality was maintained throughout every Faculty and every level of employment opportunity with astonishing mathematical symmetry.

'92 14:55 UNIVERSITY OF WARWICK

P.3/5

(A copy of the relevant section of the 'Directory of Discrimination, Northern Ireland 1991' is enclosed for your further information.)

A further F.E.C. Monitoring Report published in March 1992 showed that of 2554 employees surveyed by the University in 1991, 20.3% were Catholics of Northern Ireland origin.

The University is currently the subject of a series of complaints of religious discrimination to the Fair Employment Tribunal and Elected Members of the Senate have expressed alarm at what one has described as a "culture of discrimination."

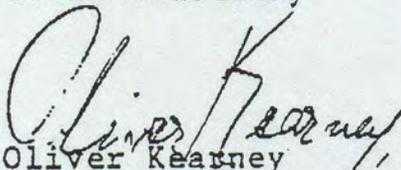
For many decades, Job Discrimination and Economic Inequality has been identified as an endemic and pervasive element of Northern Ireland society, and is considered by reputable observers to be fundamental to the persistent conflict in our society. It cannot realistically be expected that employers will actively seek to eliminate such inequality, whilst a "culture of discrimination" pervades the premier academic institution in the State.

There is an overwhelming imperative for Queen's University to give inspirational leadership to society in rooting out this endemic system of Economic Apartheid, by publicly adopting and implementing a vigorous programme of Affirmative Action, accompanied by declared Goals and Timetables for redressing the communal inequality which has been systematically engineered for generations.

Until such action has been instituted, we believe your University (College) has a profound moral obligation to demonstrate its distaste for the "culture of discrimination" which pervades Queens University, by immediately severing all academic and cultural ties, and isolating it from association with civilised institutions.

We shall be greatly obliged if you will kindly place this request before your Members of Senate as a matter of the utmost urgency, and recommend immediate severance of all associations with the Queen's University of Belfast.

Yours sincerely


Oliver Kearney

hon. Secretary to EQUALITY - the Campaign for Economic Equality.

'92 14:55 UNIVERSITY OF WARWICK

Queens University and Ulster University**Religious Proportions of Employees**

	Protestant & 'Other'	Catholic	Total Nos. of Employees
Queens University	84%	16%	2991
Ulster University	83.6%	16.4%	2402

Comparable Employment Categories - both Universities

Comparable Employment Categories	Queens University		Ulster University	
	Protestant & 'Other'	Catholic	Protestant & 'Other'	Catholic
Academic	90.7%	9.3%	85.1%	14.9%
Administration	91.3%	8.7%	78.9%	21.1%
Clerical	82.4%	17.6%	81.6%	18.4%
Computer	68.1%	31.9%	95.5%	4.5%
Technical/Technician	80.8%	19.2%	81.0%	19.0%
Senior Library & Library Staff	79.3%	20.7%	91.2%	8.8%
Research & Analogous	81.2%	18.8%	68.1%	31.9%
Other admin. Staff	-	-	77.1%	22.9%
Miscellaneous (e.g. Bar Stewards etc.)	82.6%	17.4%	75.0%	25.0%
Maintenance	93.0%	7.0%	89.4%	10.6%
Manual - Full-Time	-	-	83.2%	16.8%
Manual - Part-Time	-	-	88.1%	11.9%

Queens University

Religious Proportions of Employees by Faculty/Employment Division

Total Employees by Faculty/Division	Protestant & 'Other'	Catholic	Total Employees
Arts	90.5%	9.5%	189
Education	79.2%	20.8%	53
Agriculture/Food	90.9%	9.1%	99
Engineering	82.6%	17.4%	282
Medicine	83.9%	16.1%	440
Law	83.3%	16.7%	54
Science	84.5%	15.5%	529
Economic & Soc Sc	92.5%	7.5%	120
Administration	89.5%	10.5%	239
Other Centres	81.4%	18.6%	102
Computer Centre	70.7%	29.3%	99
Libraries	72.6%	27.4%	157
Students Union	71.0%	29.0%	124
Other Staff	86.5%	13.5%	496
Totals	84.0%	16.0%	2991