

Issued by the Medical Laboratory Scientists Association (MLSA).

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Medical Scientists to take Industrial Action if HSE does not engage this week

Medical Scientists preparing for Industrial Action this December

Medical Scientists have notified the HSE that the sector is ready to serve notice of industrial action next week, if the employer does not engage immediately to finalise implementation details of a Labour Court recommendation on pay and career development issues.

The Medical Laboratory Scientists' Association (MLSA) said the notice follows an ongoing failure by the HSE, Department of Health and Department of Public Expenditure and Reform to meet with the Union to resolve the dispute.

In June 2023, the Labour Court issued a recommendation that the parties should immediately engage and finalise outstanding issues to allow the implementation of a report on the profession – no later than 1st January 2024.

The Devine Report was published last January and addressed the key issues in the dispute. It found no reason why Medical Scientists should be paid on average 8% less than colleagues in Biochemistry labs. The report recommended that pay scales for the grades should be largely aligned.

MLSA Chairperson Máiréad Moynihan said Medical Scientists are highly frustrated and angered at the delay in implementing the independent report by Conal Devine.

“This ongoing disregard by the HSE for Medical Scientists, and for the binding recommendation of the Labour Court, is no longer acceptable or tenable for our members. Industrial Action has been sanctioned unless meaningful progress is in place by the end of this week, Friday November 24th.

“If we do not make sufficient progress on implementation of the Labour Court recommendation by 1st January 2024, notice will be served next week and the action will take place in mid-December, affecting all public hospitals across the country.

“The MLSA will continue in its efforts to avoid the action going ahead, but has been left with no alternative due to the ongoing inaction of the employer.”

After a lengthy industrial relations campaign on the same pay dispute, Medical Scientists previously took two days of industrial action in May 2022.

The action was suspended at the request of the Labour Court, who asked the Union to engage once more with the employer at the Workplace Relations Commission (WRC) and to refer all outstanding matters back to the Court. Both the MLSA and the employer side undertook to be bound by the recommendation of the Labour Court.

Following intensive talks at the WRC, the MLSA accepted a proposal from the employer to conduct an independent assessment of Medical Scientist grades, which led to the commissioning of the Devine Report.

The Devine report was initially accepted by the employer, but bilateral discussions on its implementation were unsuccessful.

Following another failed hearing at the WRC, the dispute ended up back at the Labour Court which last June made a binding recommendation that the two parties should immediately engage and finalise outstanding details, and that the recommendations of the Devine Report be implemented no later than January 1st 2024.

One meeting of the parties occurred in July, at which the employer agreed to forward a Principles document on the implementation details within a few weeks, but nothing has been forthcoming since despite several requests from the Union.

MLSA General Secretary Terry Casey said members want the report's findings implemented in accordance with the Labour Court recommendation, and without further delay.

“Our members do not want to take this action. However, we have no choice if the dispute resolution mechanisms of the State are not followed and respected by the employer.

“It is critical for our public health services and our hospitals that this issue is resolved. The Medical Laboratory Scientist sector has an ongoing recruitment and retention crisis. Up to 20% of approved Medical Scientist posts are unfilled in hospitals across the country, which is in significant part due to ongoing unfair pay and conditions.

“There must be an equitable pathway and career structure for Medical Scientists to recruit and retain sufficient staff to provide the service which our health service and patients need.

“These employment issues need to now be finalised with the HSE, Department of Health and the Department of Public Expenditure and implemented.” Mr Casey concluded.

Further Information

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Medical Laboratory Scientists Association (MLSA)

The MLSA is the Trade Union representing Medical Scientists, the scientific professionals who carry out critical diagnostic testing of patient samples. It represents more than 2,000 Medical Scientists employed in public voluntary hospitals, HSE hospitals, private hospitals and the Irish Blood Transfusion Service. www.mlsa.ie