



TUI-08125-PM/BH

24th November, 2008.

TO: THIRD LEVEL BRANCH SECRETARIES

CC: Executive Committee

Re: Toward 2016 – Third Level Update

Dear Colleague,

I wish to update you in regard to the situation relating to the payment of the 2.5% salary increase due with effect from 1st September, 2008. This increase, as you will be aware, is the last increase due under the first phase of the Ten-year national agreement “Towards 2016”.

At its meeting on Friday, 21st November, the Executive Committee considered in depth five documents which were required by the Department of Education and Science as a prerequisite to the payment of the 2.5%. Copies of these documents are attached.

Document 1 - Quality Assurance

This represents the agreement in respect of Towards 2016 demand on Quality Assurance. The Union position is clear that there is agreement to undertake the completion of QA1 forms electronically subject to the retention by the lecturer of the ownership of the form and to security provision. The attached document relates to the ownership issue and both parties have agreed to consult with the information commissioner in respect of this ownership issue.

Document 2 - Academic Contract

The provision under “Towards 2016” for the negotiation of a new Academic Contract has not been completed by agreement between the parties. The insistence by institute management that the Union would make concessions in respect of contractual issues prior to the commencement of negotiations has been rejected by TUI and in the final stages of negotiation this proposal was withdrawn by institute management. Management has sought that the focus of this provision be addressed to short term discussion in relation to cost saving practices in the light of the serious financial difficulties facing the institutes. **The Union has succeeded in this regard in its attempt to ensure that all cost saving initiatives which might have sectoral implications will be dealt with through a central forum. It is imperative that in order to make full use of this that any procedure which is suggested within your institute be immediately referred for national discussions under the provisions of this clause.** Further guidelines will be issued in relation to this in the immediate future.

Document 3 – Apprentice Year

The original agreement “Towards 2016” and the action plan provided for the apprentice term to be adjusted. The principal impact of this will be the adjustment of the break between block 2 and block 3. One of the issues preventing the implementation of this clause related to those lecturers who were lecturing on both apprentice courses and on non-apprentice courses. This difficulty has now been resolved in accordance with measures set out in this document. A clause in the document as originally proposed by institute management provided for the possibility of the break between block 2 and block 3 not being a break of 10 consecutive days as is custom and practice. This clause has now been removed.

Document 4 – Grievance Procedures

A revised grievance procedure has been agreed. It must be noted that this procedure retains the status quo ante provision.

Document 5 – Discipline Procedure

Lengthy negotiations between the Union and institute managements have led to what is believed by the Executive Committee to be a satisfactory discipline procedure. It is a complex document and contains many safeguards designed to protect members. In considering this document the Executive Committee has agreed to a training regime for branches to ensure full understanding of this document should it be implemented. One of the keys to the success of the use of this document is early **advice by members to the branch should any issue of a disciplinary nature be taken against them**. The earlier the information that can be provided to a branch the better the protection that can be given to members. All members should be advised of this.

Payment of 2.5%

On the basis of the above agreement, the action plan in respect of the 2.5% payable with effect from 1st September, 2008, will be forwarded to the Education Sector Performance Verification Group with a recommendation that payment is made to all members with effect from the due date. It is understood that this will be agreed by the Secretary General of the Department of Education and Science and that payments will be made before the end of the calendar year.

Branches should make contact with institute management to ensure that such payments are made without delay.

A CAC meeting is being organised in the near future (3rd December) which will elaborate on all of the issues referred to above and will, it is hoped, clarify a number of issues arising from them. Branches will be kept fully informed of any development in relation to any of these documents.

Yours sincerely,



Peter MacMenamin
General Secretary

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