

AONTAS MÚINTEOIRÍ ÉIREANN



TEACHERS' UNION OF IRELAND

# *Preliminary Agenda*

**Annual Congress 2010**

**Ennis**

**PLEASE NOTE**

**Standing Orders Report No. 1 requires  
Branches to indicate their priority motions in  
each section.**

**Amendments to resolutions and priority motions  
must be submitted to reach Head Office on  
or before 5.00 p.m. on Tuesday, 16th February 2010.**

# Preliminary Agenda 2010

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# CONGRESS 2010

## STANDING ORDERS REPORT NO. 1

To expedite the business of Congress, Standing Orders Committee recommends the following:

1. Branches take motions under every heading in the Preliminary Agenda and number them from one to ten, and further, if necessary, in order of priority.

With regard to Sections A and B Conditions of Service 2nd Level and Conditions of Service 3rd Level:

- (a) Second Level Branches only to prioritise/amend Section A
- (b) Third Level Branches only to prioritise/amend Section B.

On receipt of the information, Standing Orders Committee will collate the priority listings to decide the order of the motions within each section.

2. Branches, the Executive Committee or the Security Fund Committee may submit amendments to motions.
3. Motions have been composited or subsumed under Rule 31(b) where deemed appropriate. The names of the Branches whose motions have been composited are listed before composite motions, where more than one motion from a Branch is composited into a single composite motion this is denoted by (X2) where two motions from a Branch are composited, (X3) for three motions, etc.

In the event of a Branch being dissatisfied with the compositing of it's motion it should address this by way of an amendment to the printed motion so as to reflect the Branch's view.

4. Each Section will be given a time allocation. Motions will be discussed in order of priority.
5. To facilitate replies to challenges under Rule 31(c)(ii), Standing Orders Committee request that Branches submit in writing details of such challenges to the Chairperson, Standing Orders Committee no later than 5.00 p.m. on Tuesday, 30th March 2010.
6. A number of motions are seeking to direct members in a particular course of action. Where this course of action involves industrial action the motion in question is deemed to be in order only on the understanding that the provisions of Rule 141 will be utilised before such action is embarked upon even though not specifically stated in the motion.

**Aidan Brogan**  
**Ronan Callanan (Chair)**  
**Brigid Dellamere**  
**Kevin McMahon**  
**Ivor O'Donovan**  
**Margaret O'Driscoll**

## APPEALS TO EXECUTIVE COMMITTEE

Motions 240 (Co. Longford), 321 (IT Carlow) and 322 (IT Tallaght) were ruled by the Standing Orders Committee not to be in conformity with the existing section of the rule book under rule 17(ii). In accordance with this rule the branches have appealed this to the Executive Committee. Once the Executive Committee has determined the issue branches will be advised. Meanwhile, branches may treat the motions as though they are in order.

# PRELIMINARY AGENDA 2010

## Motions for Congress

### A. CONDITIONS OF SERVICE – 2ND LEVEL

**1. Co. Meath**

Congress demands that all teachers properly qualified be awarded the allowance for special education.

**2. Dublin City PP**

Congress instructs the Executive to ensure that all arrears owing to qualified staff in VECs be paid with immediate effect.

Members of this Union should not be penalised due to extraneous issues ongoing between the DES and the Teaching Council.

**3. Dublin City PP**

Congress instructs the Executive that any proposed agreement of major importance to TUI members working in an educational sector must first be put to a ballot of the eligible membership in that sector.

Congress instructs the Executive that no process of implementation or referral to the Teacher Conciliation Council can take place without a clear mandate to the National Executive from the membership.

**4. Dublin City PP**

Congress instructs the National Executive to ensure that all members working on BTEI programmes gain full recognition for these hours when their Contracts of Indefinite Duration are drawn up.

BTEI hours are equivalent to mainstream hours for the purpose of CIDs based on fixed term service and should be listed in a CID as hours subject only to transfer and not to statutory redundancy.

**5. Dublin City PP**

Congress instructs the Executive to ensure that educational institutions recognise that hours worked on a fixed term basis in what are termed non-mainstream programmes (e.g. special needs hours funded by the HSE, BTEI ...), but which are clearly not substitution hours, form a legitimate part of a Contract of Indefinite Duration should those hours be part of the 4th year of a fixed-term contract.

**6. Dublin City PP**

Congress instructs the Executive to seek appropriate advice on the matter of revised Contracts of Indefinite Duration based on 8 years of service and to ensure that this advice is available to Branch Officers advising members of their entitlements.

**7. Dublin City PP**

Congress instructs the Executive to ensure that all VECs comply with Circular Letter 0011/2009 and implement its provisions with immediate effect.

**8. Co. Carlow**

This Congress instructs the Executive to oppose any change in teachers' contracts which includes substitution and supervision and a nine-to-five timetable.

**9. Co. Dublin**

Congress deplores the arbitrary amendments to contracts issued by County Dublin VEC.

**10. Galway City**

Congress instructs the Executive to take action to ensure qualified part-time teachers contracts accurately describe terms and conditions of position held and thereby end the practice of VECs not awarding CIDs correctly e.g. VEC citing lack of funding as an objective ground for not awarding a CID.

**11. Co. Offaly**

That the Executive work with the Department of Education and Science to make all teaching contracts of employment standardised nationally.

**12. Co. Cork**

Congress directs the Executive to pursue the implementation of the recommendation of the Labour Court in relation to pay of Directors of Outdoor Education Centres.

- 13. Dublin City PP**  
Congress instructs the National Executive to act urgently on the issue of terms and conditions of service for ESOL teachers in VECs throughout the country.
- Congress also instructs the Executive and full-time officials involved in the resolution of this ongoing case to adopt a more pro-active approach in having the issues involved, including the yellow-pack terms and conditions for qualified teachers which must be a matter of grave concern to all members of this Union, raised in the appropriate forums.
- 14. Co. Meath**  
Congress asks that criteria decided for teaching appointments be made known to candidates prior to interview as a matter of course. Such criteria should be agreed with TUI so that interviewees can prepare properly for interview.
- 15. Co. Donegal**  
Dhéanann an comhdháil cáineadh ar Oifigí an Chéard Chumann an ait a dtug siad cead an Béal Scrudú Gaeilge 2009 a reachtail I gceithre lá i nait cuig lá. Rinneadh na hathraithe seo gan ceadunas na mbaill. Tharla an laghdú mar gheall ar an aighneas tionsclaíochta a bhí le tharlú le linn na scruidraithe Béal Scrúdaithe 2009. Tá muidinne ag iarraidh nach dtarlóidh a leithidí arís.
- Congress condemns the situation whereby Union Officials, without any advance approval of members, agreed to cram the Oral Irish Examination over 4 days instead of 5 as a result of proposed Industrial Action and that this Congress direct there be no reoccurrence of this.
- 16. Galway City**  
Congress demands that the number of language support teachers currently in schools is increased not decreased.
- 17. Dublin City PP**  
Congress instructs the Executive to seek legal advice as to whether VECs are in breach of the Fixed Term Act 2003 by not awarding Contracts of Indefinite Duration to teachers who have completed 4 fixed term contracts in night school programmes.
- 18. Dublin City PP**  
Congress instructs the National Executive to demand that VECs be subject to the Freedom of Information Act with immediate effect.
- 19. Co. Louth**  
Congress directs the Executive of the TUI, to take whatever action necessary to ensure that all teaching appointments to the VEC sector, with the terms of Memo V7 Contract (or 32/92).
- 20. Co. Meath**  
Congress demands that Leaving Certificate Oral examinations not be held immediately after periods of holidays.
- 21. Co. Monaghan**  
Congress instructs the Executive to direct TUI members to discontinue with the assessment components below from the beginning of the school year 2010-2011. Where possible this should be done in collaboration with the ASTI. From September 2010 any subject that has an additional examination(s) in the form of a brief project, task etc. for which the teacher is not remunerated by the State Examination Commission, that there would be a directive from the Union instructing members that part of the Examination would not be undertaken in the class or facilitated by the teacher. In other words this examination would not be done.
- 22. Co. Laois**  
Congress calls on the Executive to take immediate action to ensure the pupil teacher ratio is restored to 18:1.
- 23. Tipperary SR**  
This Congress calls on the Government to restore the pupil-teacher ratio to a minimum of the 2008 levels.
- 24. Co. Carlow**  
This Congress instructs the Executive to oppose any redeployment of teachers across the teaching sectors. This redeployment would seriously jeopardise the job-security of teachers on fixed-term contracts in VEC schools if teachers from other teaching sectors could be moved into a VEC school.
- 25. Co. Meath**  
Congress demands that any redeployment scheme be resisted at all costs.
- 26. Dublin City PP**  
Congress instructs the National Executive to urge employers that operate old part-time return payment systems to move to a web based return system.

**27. Co. Louth**

Congress further recognises that current contracts in relation to substitution and supervision cause members on a regular basis to be in breach of the Organisation of Working Time Act 1997 and that this practice should be no longer allowed to continue.

**28. Dublin City PP**

Congress demands that the pre-1987 Secretarial Teachers (now permanent) receive:

- Incremental credit for the back service
- Pension recognition for the back service
- Seniority points for previous service.

**29. Co. Wexford**

That Congress will enter into negotiations with Department of Education & Science to secure alternative student places commensurate with those lost due to the proposed abolition of Senior Traveller Training Centres.

**30. Co. Clare**

That the resources for the Centres of Education (STTCs) are ring fenced to ensure a phased, managed and strategic transition into the mainstream VEC Adult Educational Services within a realistic timeframe.

No cutbacks to be implemented until such time as a plan is put in place.

That the recommendations in the Traveller Education Strategy are fully implemented, and until such time as those recommendations are put in place that no further cutbacks to the STTC network will take place.

**31. Co. Cork**

Congress demands that any attempt to order teachers to engage in involuntary unpaid extra work be rejected.

**32. Cork City Schools**

Congress instructs the Executive not to enter into any negotiations which will increase the teaching week above 22 hours, regardless of whether the additional time is for teaching or administrative purposes.

## **B. CONDITIONS OF SERVICE – 3RD LEVEL**

**33. Donegal Colleges**

That Congress rejects any attempt by IOTI to change the academic contract in any way that might have a detrimental effect on member's conditions of service.

**34. Cork Colleges**

Congress instructs the Executive to ban all course development in E-Learning and Distance Learning until such time as an agreement is reached with the TUI.

**35. Galway-Mayo IT**

Congress instructs Executive to have the applied ethos of the education provided by the Institute of Technology sector enshrined in any new national strategic plan. This should include a commitment to significant amounts of practical delivery mechanisms that include the use of laboratory, tutorial and project elements.

**36. Cork Colleges**

That Congress directs the Executive to negotiate a rate for internal examiners of Masters and PhD theses equivalent to the rate currently paid to external examiners.

**37. Galway-Mayo IT**

Congress notes that the rate of payment for the correction of examination scripts in the Institute of Technology sector has fallen significantly in real terms over the last decade. Congress instructs the Executive to negotiate a substantial increase in the rate for correction of examination scripts and in particular for the correction of those scripts associated with semesterised modules. Congress also instructs the Executive to negotiate an appropriate rate for the correcting of formal continuous assessment (i.e. assessments which contribute to a final mark).

**38. Cork Colleges**

Congress instructs the Executive to negotiate a rate for the correcting of Practical Apprenticeship examinations and this rate is not less than the existing script correction rate.

**39. Cork Colleges**

Congress instructs the Executive not to allow any change to the finishing date of 20th June and that no proposed change to this date is put to members as part of any package being voted on.

**40. Dundalk IT**

Congress instructs the Executive to immediately implement industrial action as decided by last years Congress on the Labour Court Recommendation on incremental credit which has been reneged on by the Official side.

**41. Cork Colleges**

Congress instructs the Executive to negotiate, as a matter of urgency, all issues around the development and delivery of all level 9 taught courses.

**42. Limerick Colleges**

Congress instructs the Executive to withdraw completely from all third level negotiations until such time as LRC 18366 is fully implemented for both external and non-external lecturer appointees.

**43. Galway-Mayo IT**

Congress directs the Executive to seek a long service increment to be included in the Lecturer Scale in the Institute of Technology sector as currently applies to the existing Lecturer Scale II.

**44. IT Blanchardstown**

In considering the following in relation to semesterisation and modularisation:

- the fact that it was agreed to by TUI in Sustaining Progress (articles 24.4 and 24.5) at the specific request of the Official side
- the fact that the Official side knew full well that its introduction would result in slightly fewer weeks lecturing per year
- the fact that it has significant workload implications, notwithstanding the slightly shorter number of lecturing weeks per year
- the fact that the McCarthy report tried to use the existence of semesterisation and modularisation—specifically the associated slightly fewer weeks lecturing per year—as a means to extract further changes to the terms and conditions of Lecturers in Institutes of Technology

and, until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw from semesterisation and modularisation in all Institutes of Technology and to direct members only to cooperate with the traditional “three terms lecturing/one terminal exam” approach to course delivery.

**45. Dublin Colleges**

Congress recognises, after a three-year trial period, that the experiment of imposing Semesterisation and Modularisation on Programmes in Third-level Institutes has been a failure. Academic standards and structures have suffered, compelled to conform to convoluted systems. Student-centred learning has disintegrated, as educational content has been lost, with a shift to fragmented rote learning caused by an endless succession of exams and assessments. The administrative efficiency gains predicted by Management have never happened; instead there has been an exponential increase in bureaucracy.

Congress calls for the dismantling of Semesterisation and Modularisation and a reversal to yearly-based structures, real education and learning that works.

**46. Cork Colleges**

That Congress directs the Executive to secure full negotiating rights for the TUI for our new third level sector Contract Research Staff.

**47. IT Carlow**

That Congress instructs the Executive that the following items of conditions of service in the third level sector are sacrosanct and not up for negotiation:

Lecture hours: Lecturer 16, Assistant Lecturer 18;

Class sizes, Term Times, Annual holidays, Holy Days, Delivery Methods.

That this Union will not engage in discussions on any of the above (especially not under the threat of pay cuts), and that, should ICTU decide to engage in discussion on the above without consultation, this Union immediately withdraw from ICTU.

**48. IT Blanchardstown**

Congress instructs the Executive to withdraw, at Third Level, from the voluntary protocol which protects examinations during industrial disputes.

**49. Dublin Colleges**

Congress instructs the Executive of the TUI to begin negotiations with the Department of Education for a reduction in teaching hours from 18 to 14 hours per week for all new Assistant Lecturers in the Institute of Technology sector in their first two years, to facilitate the extreme workload necessary for new lecturers.

**50. Cork Colleges**

Congress directs the Executive Committee, as a matter of urgency, to bring the long running claim by post-PCW (1998) Structured Lecturers II to a determination.

**51. Dublin Colleges**

Congress instructs the Executive of the TUI to call on the Department of Education to provide adequate and appropriate support for the assessment of large class groups, through the provision of tutor demonstrator hours.

**52. Cork Colleges**

Congress instructs the Executive not to allow any change to the 1.5 weighting for lecturing after 6:00 p.m. and that no proposed change to this weighting be put to members as part of any package being voted on.

**53. Dublin Colleges**

This Congress notes the decision of the Rights Commissioner of July 2006 that assistant lecturers who had been deemed to be unqualified were entitled to incremental credit. This Congress further notes that on foot of this decision, a claim was made on behalf of a number of lecturers who were being denied incremental credit because of their qualifications. After a period of over two years this claim has still not been granted. The Congress therefore instructs the Executive Committee to instruct the General Secretary to bring this claim to the next Industrial forum meeting so that the matter can be processed, and failing this that the General Secretary should take the claim back to the Labour Court.

**C. CONDITIONS OF SERVICE  
- GENERAL**

**54. Dublin City PP**

Congress instructs the Executive to investigate means of taking appropriate action against employers who persistently deny members their full legitimate entitlements to Contracts of Indefinite Duration.

**55. Dublin City PP**

Congress instructs the Executive to engage expert legal advice to clarify all relevant matters relating to Contracts of Indefinite Duration and to publish guidelines, based on these findings, which Branch Officers may refer to in their dealings with members who have an entitlement, or potential entitlement, to a CID.

Many CID claims have been ruled upon in different forums and the outcomes are often contradictory thus confusing Branch Officers who attempt to advise members on this important contractual matter.

**56. Dublin Colleges**

Congress instructs the Executive to call on the Department of Education to introduce a special Dublin allowance for all staff working in the greater Dublin area.

**57. Galway-Mayo IT**

Congress instructs Executive that there should be no increase in weekly class contact hours associated with any 3rd level lecturing or 2nd level teaching contract.

**58. Tipperary SR**

Teachers who are expected to travel to inservice courses use their cars on the same public roads, pay the same amount for fuel, tyres, insurance, road tax etc. as politicians, CEOs, Judges. Teachers also pay the same hotel expenses for overnight stays and pay the same for food. Payment by the Government of vastly different rates of expenses to cover the costs incurred to different groups is clearly unfair and consequently unconstitutional.

Congress instructs the Executive to institute a campaign to firstly establish the fact that this inequality is unfair and secondly to bring about a standardised payment of reimbursement of actual expenses incurred to all groups on all business carried out on behalf of all the state agencies.

**59. Dublin City PP/Birr Gallen**

Congress instructs the Executive to re-negotiate the present Job-sharing arrangements to make them more family friendly, so that teachers have more flexibility in the percentage of hours they wish to have off. Currently teachers can only job-share for 50% of the scheduled hours. Teachers should have the choice to work 1, 2, 3 or 4 days in a job-sharing arrangement.

**60. Co. Meath**

Congress demands that in all future negotiations the Union take cognisance of the full import of the protection of employees 2001 and 2003 Acts, including the exclusions of a written contract requirement or a time based requirement for certain entitlements under the acts and that existing agreements be revised in accordance with this.

**61. Dublin City PP**

Congress instructs the National Executive to ensure that all educational organisations in which TUI members are represented comply with the terms of Employment Information Act 1994 by supplying employees with the information specified under the Act within the requisite period of two months from the commencement of a contract.

There can be no circumstances in which an educational institution funded by the DES and in which the TUI has members can be allowed to be non-compliant with the law.

**62. Co. Kildare**

Congress instructs the Executive to negotiate that no further worsening of conditions or no further increased productivity without commensurate increase in pay should be tolerated.

**63. Athlone IT (Out of Order)**

That existing conditions of service for teachers and lecturers are non-negotiable.

## **D. HEALTH AND SAFETY**

**64. Co. Carlow**

That an immediate review be conducted on the present bullying and harassment procedures.

**65. Dublin City PP**

Congress instructs the National Executive to provide specialised training for Branch officers in the Code for Bullying and Harassment.

**66. Co. Dublin**

That the TUI negotiate with IVEA to ensure that all VEC officials and school management be trained in the proper procedures to deal with bullying incidents.

**67. Co. Dublin**

The TUI negotiate with the Department of Education and Science and IVEA to ensure that all schools colleges and centres have an anti-bullying charter for teachers and other staff, in place which stipulates the rights of all to a safe work place free from harassment and bullying.

**68. Co. Dublin**

In light of current child protection guidelines and the legal implications of this for School Management and Guidance Counsellors, that TUI negotiate with the relevant authorities to ensure that there are proper emotional and financial supports and resources in place both in schools and in the wider community to address this issue, particularly in the current economic climate.

**69. Co. Galway**

In view of the increasing use of computers and IT in schools, Congress calls on the Executive, to negotiate with the Department of Education and Science for the extension of a free eye test in line with other Public Sector workers who enjoy this benefit.

**70. Co. Donegal**

Congress calls on the Executive to ensure that the Health and Safety of the teachers is regarded as equally as important as that of the student.

**71. Co. Donegal**

Congress directs the Executive to seek the appointment of speech coaches to each province with the aim of providing voice training to staff. This is a health and safety matter.

## **E. EDUCATION CUTBACKS**

### **72. Co. Carlow**

That TUI do everything possible to safeguard the rights and welfare of our students, teachers, school management and staff from further decimation of the education system.

### **73. Co. Carlow**

That the TUI support and participate in a nationally coordinated approach from the Parents Associations, School Trustees, Management Bodies and Teacher Unions to oppose the current indiscriminate cutbacks to the country's Education system.

### **74. Executive Committee/Shannon**

Congress calls on the Executive to demand a marked improvement in funding for public education, not in spite of, but because of, the financial and economic crisis and to campaign for priority to be given to investing in education and in the future prospects of young people by insisting that it is the best stimulus package to get us out of this economic crisis.

### **75. Limerick City Schools**

Congress deplores the cuts in the 3rd level allowance and instructs the Executive to put every possible pressure on the Government to reverse them and to ensure that this essential support for adult students remains.

### **76. Executive Committee/Shannon**

In the light of recent scape-goating of teachers by the media, Congress calls on the Executive to insist that quality public education is a right which should be made available to all, and that public education must be provided with sufficient resources, qualified and well paid personnel, and that its social value is recognised.

### **77. Co. Carlow**

That the TUI demands that the DES retains An Comhairle um Oideachais Gaeltachta agus Gaelscolaíochta (COGG) as the statutory body which provides teaching resources and services to Irish medium primary and post primary schools. 35 of the 58 Irish medium schools are under the aegis of the VEC sector.

### **78. Dublin City PP**

Congress instructs the National Executive to implement effective media strategies to ensure that the general public is properly informed about the conditions in which many teaching staff members have to work. The TUI has to highlight:

- The lack of funding available to carry out basic repairs to school premises
- Health and safety issues
- The cutting of psychological services and language support .

These points should be contrasted with the aspirations expressed in the mission statement of the Department of Education:

'The mission of this Department is to provide high-quality education which will

- (a) enable individuals to achieve their full potential and to participate fully as members of society; and
- (b) contribute to Ireland's social, cultural and economic development.

Chief among my Department's priorities are the promotion of equity and inclusion, quality outcomes and lifelong learning; planning for education that is relevant to personal, social, cultural and economic needs; and enhancement of the capacity of the Department for service delivery, policy formulation, research and evaluation.'

### **79. Co. Galway**

Congress instructs the Executive to conduct a PR campaign to highlight the negative impact of education cuts on services.

### **80. Tipperary SR**

This Congress calls on the Government to restore all funding lost from non-Deis schools.

### **81. Tipperary SR**

This Congress calls on the Government to restore all Home School Liaison Officers to schools that have lost them.

## F. EDUCATION

**82. Co. Carlow**

That all Schools and Colleges in Ireland be immediately provided with high speed broadband facilities.

**83. Shannon**

That the Chinese language be offered as a subject for examination in the Leaving Certificate.

**84. Co. Wicklow**

That Congress instructs the Executive Committee, in cooperation with the ASTI to pursue a claim for pay for preparatory work relating to the course work for Design and Communication Graphics, similar to that paid for other subjects.

**85. Co. Donegal**

The TUI insist that the provision of the Education Act, 1998 in relation to the disadvantaged be enforced by the Department of Education and Science and the Government. Namely that the Committee to review the education provisions of disadvantaged children which was stood down in 2005 be re-established forthwith.

**86. Co. Meath**

Congress asks that funding be put in place to train teachers engaged in special education to meet the demands of EPSEN.

**87. Co. Carlow**

That the necessary resources be made available to schools to ensure that Individual Education Plans (IEP) are implemented for the students who require them.

**88. Co. Dublin**

Congress instructs the Executive that under no circumstances should they countenance a proposal that subject associations become the vehicle for compulsory in-service for teachers

**89. Co. Meath**

Congress demands that the Executive Committee negotiates with the D.E.S. for appointment of lab assistants for science teachers.

**90. Co. Carlow**

That the assignment of points for Link Modules in the LCVP be revised with a view to a more equitable recognition of the variety of performance between candidates.

**91. Co. Louth**

Congress instructs the Executive of the TUI, to urgently negotiate LCVP eligibility of all Leaving Cert. subjects.

**92. Co. Wicklow**

That Congress instructs the Executive Committee to direct TUI reps on N.C.C.A course Committees to impose, in any way possible, the introduction of changes to subject syllabi which could result in an increased workload for members.

**93. Co. Meath**

The Executive seeks clear direction and guidance from DES for best practice for physical education teachers in relation to the management and supervision of changing areas.

Rationale: Significant issues around the supervision of changing areas revolve around teachers' duty of care to students and safety of teachers' professional integrity. Because of the sensitive nature of changing areas and the situation where students may be in different states of undress, the matter is a serious one, requiring that in fact teachers should be directed by D.E.S. in respect of management of changing room supervision. A dilemma arises when one realises that in many other instances around the school environment, teachers will not enter sensitive areas, such as toilets, unless accompanied by another teacher. In the case of changing areas, the dilemma is essentially the same, yet the P.E. teacher is being put in a situation where he/she is being asked to enter alone. To protect teachers, a directive has to be provided by D.E.S.

There have been instances in the past where P.E. teachers have been accused of inappropriate behaviour on the basis of such intrusions. This has resulted in huge stress and personal anxiety on the part of the teacher, where his / her integrity is in question. It is not right to expose the P.E. teacher to such a risk. The D.E.S. are asked to provide the P.E. teacher with guidelines describing the supervision of changing areas. The issue pertains to the issue of management of supervision duties during the course of their teaching duties. The issue revolves around the propriety of supervision, particularly where men are required to supervise female dressing rooms and ladies required to supervise male dressing rooms.

Teachers are being directed to enter changing areas in spite of a distinct risk to claims of impropriety and possible sexual harassment! There is no D.E.S. directive in regard to proper course of action covering supervision of changing areas.

The membership seeks guidance from D.E.S. which will diminish vulnerability which teachers are currently exposed to in supervision of changing areas.

**94. Dublin City PP**

Congress demands an increase in places available to all of our students, whether in second level school/college, Youthreach or Further Education colleges. There have been huge advantages to both parents and children when these places have been available.

**95. Co. Dublin**

That Congress calls on the Executive to negotiate with the Department of Education and Science to ensure equitable and adequate access to special needs resources across all schools.

**96. Co. Dublin**

Congress calls on the Teachers' Council to establish a pedagogic requirement for tutors working in the adult education sector in order to facilitate their registration.

**97. Co. Galway/Dublin C&C**

Congress instructs the Executive to conduct a PR campaign to negotiate a reduction in the fee paid to the Teaching Council in line with reduced teaching salaries.

**98. Co. Dublin**

Congress deplores the delay and unnecessary anxiety caused by the delay in registering newly trained teachers and calls on the Teachers' Council to put whatever resources it requires in place to expedite the process.

**99. Co. Cork**

Congress calls on the Executive to negotiate an unemployed teacher registration rate with the Teaching Council.

**100. Co. Louth**

Congress requests the Teaching Council to do more to promote and affirm teaching as a profession.

**101. Co. Cork**

Congress calls on the Executive to negotiate a part-time teachers registration rate with the Teaching Council.

**102. Co. Monaghan**

Congress calls on the Executive to allow TUI officials to negotiate that the membership fee to the Teaching Council for TUI members be reduced from its present level of €90 to €1.00 to represent the service that is currently being given by the Teaching Council to teachers.

**103. Dublin C&C**

Congress instructs TUI to negotiate with Dept. of Education and Science that no school would have to engage in WSE until the Moratorium on Promotional Posts is lifted and the other related Education Cuts are reversed.

**104. Co. Carlow**

That at least one of the team of inspectors conducting a Whole School Evaluation have experience at senior management level in a post primary school.

## G. EQUALITY

**105. Dublin City PP**

Congress demands that the Government extend full educational rights to asylum seekers. The failure of the Government to grant full educational rights to this group denies asylum seekers access to what has been stipulated under EU and UN declarations as a basic human right.

The European Convention on Human Rights and Fundamental Freedoms (Article 2, Protocol 1) states: "No person should be denied the right to education."

**106. Dublin City PP**

Congress instructs the National Executive to demand that VECs that have not conducted a disability audit under current legislation should be obliged to do so immediately.

**107. Co. Dublin**

Congress instructs the Executive to view all equality issues through a gender lens.

**108. Co. Dublin**

In the interests of gender equality the TUI ensure that all literature posters etc. produced by or supported by TUI have gender balance in their images.

**109. Dublin City PP**

Congress calls on the National Executive to ensure that the Equality Committee of TUI and the Equality Officers in Branches be given full resources to guarantee that a pro-active approach is taken by this Union to highlight failures by educational institutions, where TUI members are employed, to implement appropriately the Equal Status Act 2000 and the Equality Act 2004.

**110. Co. Dublin**

The TUI negotiates with IVEA and Department of Education and Science to provide training on Lesbian, Gay, Bisexual and Transgender issues for all school managements and teachers.

**111. Dublin City PP/Dublin C&C**

Congress welcomes the setting up of the LGBT network and considers the amendment of Section 37 of the Employment Equality Act 1998 a priority. Congress instructs the Executive to afford administrative support to the TUI LGBT network.

**112. Dublin City PP(x2)/Co. Dublin**

Congress directs that a study be undertaken of the resources needed to cater adequately for non-national students in our schools and centres and that a campaign then be instigated to obtain these resources.

**113. Dublin City PP (X2)**

Congress instructs the National Executive to demand that the DES provide appropriate training, where requested, for teachers working in diverse, multicultural classroom environments.

The DES has a responsibility to be pro-active in ensuring the promotion of equity and best practice in the application of the principles of equality in the classroom.

Appropriate time-off should be given to teachers who participate in this training.

**114. Co. Dublin**

In the interests of equality the TUI negotiate with the IVEA and DES to ensure all Equality Officers, may as a right, be released to attend TUI Equality Council meetings and training days.

**115. Dublin City PP**

Congress instructs the National Executive to demand that the DES set up an independent enquiry into any educational provider, funded by the taxpayer, that has been shown to have engaged in discriminatory practice against an employee or a student.

Educational institutions, funded through public monies, that have been investigated by the Equality Tribunal for discriminatory practices and that have been found culpable must be held accountable by the DES at the highest level of the organisation.

**116. Dublin City PP**

In light of this Union's fundamental principle of equality for all, which includes the right to choose to get married, Congress calls for equal access to marriage for same sex couples as a matter of equality. Congress believes that the exclusion of any group in society from a major social institution like marriage creates a subsidiary and secondary status for their relationships.

Congress asserts that it is deeply unjust and discriminatory that lesbians and gay men do not have access to this social, cultural and economic institution of immense legal and symbolic power.

**117. Dublin City PP**

Congress instructs the Executive to ensure that breaches by any educational institution, in which TUI members are engaged, of the Equal Status Act 2000 be rigorously pursued and publicised by this Union.

It is not enough that some educational institutions should pay lip service to equality legislation. They must be pro-active in implementing this legislation.

**118. Co. Dublin**

The TUI negotiates with IVEA and Department of Education and Science to ensure that Anti Bullying Policies on grounds of Sexual Orientation should be in place in all schools colleges and centres.

### **119. Co. Dublin**

To enable teachers to deal positively with the changing demographic situation in classrooms, it is incumbent on the Department of Education and Science and VECs to provide all teachers, not just language support teachers, with the skills to provide language support, training in translation, interpretation, cultural mediation and plurilingualism.

Congress instructs the Executive to open negotiations with the Department of Education and Science and the IVEA on this issue as a matter of urgency.

### **120. Dublin City PP (Out of Order)**

In order to ensure that this Union takes a strong and principled position on equality issues, Congress instructs the Executive to expel from membership of the TUI any member who has been shown to have engaged in discriminatory practice, as defined under the 9 grounds in law, against any colleague or student.

## **H. FURTHER EDUCATION**

### **121. Co. Limerick**

Congress instructs the Executive to maintain the existing resources in centres in Abbeyfeale and Rathkeale (Travelling Education Centres). These resources need to be ring-fenced in these schools as they are special cases. Staff are worried about the possibility of re-deployment.

### **122. Co. Roscommon**

That the TUI direct people working in the Adult and Further Education sectors not to undertake any additional duties which would be the responsibility of an AEO who is not replaced .

### **123. Co. Carlow**

That the cap on PLC student numbers be immediately raised in view of the huge demand for further education courses in our schools and colleges.

### **124. Co. Donegal**

Congress notes that the failure of the Department of Education to refer to Adult and Further Education centres in relevant circulars is having an adverse material effect on the pay and conditions of members working in such centres an example of which is delays in payment of supervision and substitution each year. Congress calls on the Executive to ensure that when the Department of Education issue circular letters that pertains to centres as well as schools that the text of such circulars states this.

### **125. Co. Donegal**

Congress instructs the Executive to negotiate a nationally agreed VTOS contract and a nationally agreed BTEI contract for members in these sectors which will confer upon them the same rights and conditions of service that apply in the mainstream sector.

### **126. Dublin City PP**

Congress instructs the Executive to enter immediately into negotiations with the DES and other relevant bodies to develop procedures and protocols that allow Further Education colleges to provide higher-level courses.

Many of the larger FE colleges already provide higher-level courses to an acceptable level. Expanding this further will allow a more flexible delivery of training and education services.

### **127. Dublin City PP**

Congress demands that the TUI negotiate with the DES for extra allocation of ESOL teachers in Further Education colleges. This allocation should at, the very least, be similar to that in 2nd level schools

### **128. Co. Donegal**

Congress instructs the Executive to seek to eliminate the disparity that exists in relation to members being paid for marking FETAC Level 4 and 5 coursework. At present teachers who correct coursework at FETAC Level 4 and 5 under programmes such as BTEI, Adult Literacy and Community Education are not paid for this marking. However, teachers engaging in the same work in programmes such as PLC and VTOS receive payment for the same work. All FETAC teachers/tutors deserve the same conditions of service.

**129. Co. Donegal**

When the National Framework of Qualifications was created to provide a mechanism to compare quality assured qualifications in Ireland, it placed FETAC Level 3 in line with the Junior Certificate. As teachers who correct the Junior Certificate receive payment for marking, Congress instructs the Executive to ensure that teachers who mark FETAC Level 3 coursework receive similar payment for marking.

**130. Dublin City PP/Galway City**

Congress instructs the Executive to direct members who currently correct coursework for FETAC not to do so if payment for this service is stopped in the academic year 2009/10.

**131. Dublin City PP**

Congress instructs the Executive to demand that all Further Education colleges be allocated funding to provide an up to date library facility to support student research and learning.

**132. Dublin City PP**

Congress demands an explanation from FETAC as to why in-services are provided in some areas they are responsible for and not in others. This inequality of treatment of the entire Further Education sector is indicative of an increasingly removed attitude on the part of FETAC and is more than unhelpful for the members concerned.

**133. Dublin City PP**

Congress instructs the Executive to enter into negotiations with the DES in order to undertake a National FE Information Systems Strategy Study to set out an IT strategy for the sector.

**134. Dublin City PP**

Congress demands that the National Executive revert to its former position of demanding the full implementation of the McIver Report.

**135. Co. Carlow**

That colleges of further education be consulted widely on the new proposed management Information System which is proposed by FETAC to ensure that the new MIS will support the requirements of both FETAC and the DES.

**136. Cork C&C**

Congress calls on the Executive to ensure that the position of Director of Adult Education be exempt from the moratorium on recruitment and promotion in the Public Service.

**137. Dublin City PP**

Congress instructs the Executive to seek the removal of the following statement in the agreement on the PLC sector, the final draft of which was issued on 1st August 2008: "The PLC teacher is a second level teacher." The designation of teachers working in Further Education as second level teachers is inimical to the interests and future development of this sector.

**138. Co. Carlow**

This Congress instructs the Executive to oppose any change of PLC teacher status from teacher to tutor, as we believe it is a downgrading of our employment status.

**139. Dublin City PP**

Congress recognises that teachers working in Further Education under second level structures are being ignored by this Government and treated in a most unreasonable way.

Congress directs the Executive to take all measures necessary to resolve this ongoing anomaly including industrial action.

**140. Co. Donegal**

Congress instructs the Executive to insist on the full implementation of Circular 53/2008 with immediate effect. This circular provides for the establishment of Assistant Coordinator posts in VTOS and such posts are comparable to that of Deputy Principals. Congress further instructs the Executive to seek immediate confirmation from the Department of Education and Science that appointments to such posts are excluded under the provisions of Circular 22/2009.

**141. Cork City Schools (Out of Order)**

That all students participating in part time courses in colleges of Further Education comply with the college enrolment procedure/policy.

**142. Dublin City PP (Out of Order)**

Congress calls for the implementation of Motion 176, carried at Congress 2008, for the holding of a National Consultative Conference on FETAC Quality Assurance.

# I. INDUSTRIAL ACTION

## 143. Executive Committee

Congress condemns the draconian, unjust and unfair attack on all public servants by the Government in the 2010 budget, announced on the 9th of December 2009, which delivered:

- (a) A further savage pay cut, of between 6% to 8% for teachers and lecturers on top of a pension levy of 7% to 10%, loss of promotion opportunities caused by the moratorium, and the non payment of a 3.5% pay increase due on the 1st September 2009.
- (b) A fatal blow to a century of progress in terms of pension provisions and arrangements including:
  - the dramatic destruction of parity between pay and pensions
  - the announcement by the Government of its clear intention to use the Consumer Price Index as a basis for post retirement increases for both existing and future pensions
  - the introduction of a significantly inferior pension scheme for all new entrants to the Public Service from 2010 onwards.
- (c) The complete undermining of the long established Conciliation and Arbitration Scheme, by announcing changes to the sick leave scheme for teachers in the Budget rather than tabling such proposals for discussion at the Teachers' Conciliation Council.

In light of the above actions by an arrogant and ill-informed Government, which delivered the final fatal blow to Social Partnership because it now believes that governing by diktat rather than by consensus will better assist them to develop its ideology, Congress instructs the Executive to:

- Continue to sustain the campaign of industrial action, ideally in conjunction with other Public Sector Unions, up to and including a series of strike actions and as appropriate refuse to engage in the Government's transformation agenda; focused on reversing:
  - the pension changes proposed and imposed in the 2010 Budget.
  - the further unacceptable and unjust pay cuts.

- the action of Government in the budget which has undermined the long standing and well established principle of the right of teacher unions to negotiate changes to the conditions of service of its members through the mechanism of the Teacher's Conciliation Council.
- the moratorium on recruitment and promotions in the Public Service.

## 144. Co. Offaly

That TUI Executive will not make a decision to withdraw from industrial action in relation to pay and conditions of service until a decision has been taken to put proposed changes to pay and conditions of service to ballot.

## 145. IT Tallaght

Congress instructs the Executive to consider strikes, including partial day strikes, to reverse the pension levy and pay-cuts.

## 146. Shannon

That Congress calls on the Executive to put directives in place to reduce teachers' workload in the educational sector by 20% to compensate for the 20% reduction in pay that teachers have taken.

## 147. Donegal C&C

Congress instructs the Executive to examine all aspects of teachers' conditions of employment and practice with a view to advising the Union of the most effective and cost effective types of industrial action available to it.

## 148. Executive Committee/Co. Cork

Congress calls on the Executive to insist that in future if strike days are called that TUI would seek that all teacher unions issue the exact same instructions to members of all teacher unions as regards procedures to be followed for picket duty.

## 149. Co. Donegal

Congress instructs the Executive to issue a directive immediately instructing all members not to take on new work which has arisen due to the non appointment to education posts because of the moratorium on recruitment to the Public Service. Congress condemns the current situation whereby there is a prohibition to appointments to numerous education posts in Schools, Colleges, Institutes of Technology, Adult Education Centres and VECs. This has and will continue to have a detrimental effect on educational provision throughout the sector.

**150. IT Blanchardstown**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw entirely from Towards 2016 Partnership Agreement.

**151. IT Blanchardstown**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw from all modernisation elements in the Sustaining Progress Partnership Agreement.

**152. IT Blanchardstown**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw from the Performance Management and Development System (PMDS).

**153. IT Carlow**

Congress notes that the loss of income suffered by our members due to the pension levy and the most recent pay cuts in the budget mean that 'Towards 2016' has been broken unilaterally by the Government and that partnership in its past form no longer exists. Consequently Congress instructs the Executive of this union to take clear action to measure and benchmark the wage cuts and subsequently indicate which elements of that agreement and previous agreements our members should no longer work and/or support. These are for instance:

- The new disciplinary and grievance procedure;
- The November 2008 document on contract negotiations, etc.

**154. IT Carlow**

That Congress is appalled and deeply angered that our Executive has engaged and allowed negotiations to take place about pay cuts and worsening of our conditions of service. Congress instructs the Executive to look at our most recent ballot and its intent, and in future abide by the members' wishes and re-activate industrial action to resist pay cuts etc. This can take a number of shapes and forms such as rolling strikes, hourly work stoppages etc.

**155. Donegal Colleges**

That Congress rescinds any agreements entered into prior to the December budget 2009 for example; the Towards 2016 agreement, and withdrawal from Social Partnership.

**156. Co. Dublin**

Congress calls upon the Executive to identify the concessions 2nd level teachers gave in relation to % gained in salaries under Social Partnership Deals and Benchmarking. On foot of this Congress demand that the Executive withdraw these concessions in line with the recent levies and cuts in salaries.

**157. Dundalk IT**

Congress instructs the Executive to ballot for national Industrial action to include :

- A comprehensive work to rule to include non-cooperation with productivity clauses in recent national pay agreements.
- One day, two day and three day national/regional strikes in conjunction with other public sector unions where feasible including but not limited to action in alliance with the unions affiliated to the ICTU Public Services Committee.

**158. Dublin C&C**

Congress instructs the Executive to investigate the possibility of providing strike pay for teachers who take industrial action in the pursuit of pay claims / better conditions of service.

**159. Donegal C&C**

Congress instructs the union Executive too set up a Sub-Committee (of the Executive) to examine the Union's preparedness for industrial action. The sub-Committee to report within 30 days of its inaugural meeting.

**160. Tipperary NR**

A work to rule may be one of the methods the TUI Executive Committee might be contemplating, industrial action against the imposition of changes in the pay and conditions of TUI members by the DES.

This Congress instructs the Executive Committee to negotiate and agree any such action with all other Teacher Unions so that they may implement such action in a united way.

**161. Shannon**

That Congress calls on the Executive to ensure that those members who breach directives in relation to the moratorium on posts be charged with unworthy conduct.

### **162. IT Carlow**

Congress instructs the Executive to define the Work to Rule more clearly: The current action must be:

- (a) Extended;
- (b) Properly defined and effective;
- (c) Directed at all members.

Suggestions: Class sizes, lab sizes, electronic records (banner), E-education; submission of hand-written exam papers etc.

### **163. Shannon**

That Congress calls on the Executive to instigate a campaign of 'work to rule' to continue until pay and conditions of service for teachers have been restored.

### **164. Co. Monaghan**

Congress calls on the Executive to introduce a work to rule. Members should only do as they are contracted to do. This should only be done in conjunction with all other teacher unions. There should be an identical instruction issued by all teacher unions to its members on this work to rule. This instruction should be very specific.

### **165. Executive Committee**

In response to the termination of Partnership by the Government, Congress instructs the Executive to enforce a strict work to rule in all sectors represented by the Union.

### **166. Co. Carlow**

That Congress instructs members not to fill the void created by the moratorium on posts – thereby demonstrating the huge importance of the roles previously carried out by retired members and preserving the integrity and status of the posts and duties held within the school, Congress calls on the Executive to ensure that the review mechanism not be implemented.

### **167. Co. Carlow**

That Congress calls on the Executive to ensure that no new work will be undertaken by TUI members, i.e. course changes of any description will not be implemented under the present circumstances as is occurring in the Junior Cert Irish.

## **J. MISCELLANEOUS**

### **168. Athlone IT**

That errant bankers and developers be prosecuted vigorously and made repay the billions stolen from the Irish people.

### **169. IT Tallaght**

Congress decides that TUI:

- Request all Irish and EU Academic institutions and all members to cease all cultural, academic, sports, and other exchanges with Israel.
- Request all Irish and EU Academic institutions and all members to cease all cultural and academic collaboration with Israel, including the exchange of scientists, students, and academic personnel, as well as co-operation in research programmes.
- Urge all Irish and EU Academic institutions and all members to terminate all links with Israel.

### **170. Co. Dublin**

That Congress deplores the Government decision to shelve the roll out of National Cervical Cancer Immunization programme to 12 yr. old girls, to protect them against the HPV virus.

### **171. IT Tallaght**

Congress supports the right of all workers to engage in legal industrial action in defense of their pay and conditions. Congress instructs the Executive to extend a message of solidarity to the Garda Representative Association (GRA).

### **172. IT Blanchardstown**

This Congress expresses the strong desire that the Green Party/Comhaontas Glas withdraw from Government immediately to allow a new Government with a mandate to be elected, and instructs the TUI Executive to write to the Green Party/Comhaontas Glas informing them of the wording and outcome of this motion.

### **173. IT Tallaght**

Congress instructs the Executive that it be active TUI policy that all Institutes of Technology should withdraw from membership of the Irish Business Employers Confederation (IBEC) given its hostility to the public services sector. Furthermore, no cost-saving measures in IoTs are to be negotiated, agreed, or implemented (locally or nationally) by TUI members until the money from IoT budgets wasted in propping up this enemy of the public service is discontinued.

**174. Shannon**

That Congress calls on the Executive to demand that the Press Council and the NUJ take those journalists that have deliberately launched a campaign of hatred against public servants to task and reveal their earnings, hours worked and benefits in kind.

**175. Dublin City PP**

Congress denounces the bank bailouts and calls for making those responsible for the crisis pay for it.

**176. Dublin City PP**

This Congress rejects the various bank bail outs which impact on the living standards of the members of the TUI and endanger their future prosperity, including the bail out of speculators, builders and bankers through NAMA.

Congress will act to protect members against the threat that NAMA and the bank bail outs pose to their living standards by denouncing the NAMA project publicly. The cuts in members salaries are directly related to the billions pumped into NAMA and the various bail outs.

Congress calls for NAMA to be repudiated.

**177. IT Tallaght/IT Carlow**

Congress instructs the Executive to advise TUI members to withdraw their business from NAMA banks and to cooperate with other unions in advising all public servants to withdraw their business from those banks.

**178. IT Tallaght**

Congress instructs the Executive to advise the Trustees of TUI to move all TUI business from NAMA banks.

**179. Co. Louth**

Congress directs the Executive of the TUI, in association/federation with ASTI, INTO and IFUT, to select and promote Trade Union candidates for election to Dail and Seanad Eireann.

**180. Dundalk IT (Out of Order)**

Congress notes with dismay the pressure that excessive mortgage repayments to failed banks is placing on our members and members of other unions.

Congress instructs the Executive to put in place a support mechanism for our members including access to legal support as a first step.

Our members and workers as a whole are already contributing massively to the failed banking sector and while the wages and salaries of workers are being cut through unemployment, short-time working and pay cuts it behooves the trade union movement to look at innovative ways of protecting the living standards of workers.

Congress further instructs the Executive to explore the organisation of a campaign to withhold increases in Mortgage Payment Interest which will more than likely arise in the next year.

This would effectively be a trade union organised boycott of payment of increased mortgage interest charges along the lines of the successful Water Charges campaign in the nineties.

**181. IT Blanchardstown (Out of Order)**

Given the persistent illegal occupation and illegal blockade of the West Bank and Gaza, effectively imprisoning the Palestinian population, Congress resolves to institute a full economic and academic boycott of the State of Israel, and to campaign actively for said boycott and for the State of Israel's removal from the Euro-Med agreement, which gives preferential trade status and research funding to State of Israel.

## K. ORGANISATION

### 182. Donegal C&C

Congress instructs the Union Executive to address the perennial problem of members falling into arrears when there is a change of status or schools. There needs to be a simple procedure put in place to make transitions simple to process.

### 183. Co. Meath

Congress asks that when a crisis arises in a Branch and officers are not able to deal with the situation and contact Head Office in need of guidance that this vital information is received immediately. Timely intervention may stave off difficulties quickly.

### 184. Tipperary SR

This Union has a sub-Committee of the Executive known as the PDA. Only a TUI member who is either a Principal or a Deputy Principal can become a member of this Association. This Congress calls on the Executive to set about forming a new Association which would also be a sub-Committee of the Executive. Membership of this new Association would be confined to TUI members who are not eligible to join the PDA. Any proposals, rule changes or/and new rules necessary for this Association to come into being are to be brought to Congress 2011 for ratification. If all such proposals, rule changes or/and new rules are accepted by Congress 2011 the new Association would come into being at the close of Congress 2011.

### 185. IT Tallaght

Congress notes with disappointment that, not only were members not balloted on requirements for the last 2.5% under phase 1 of Towards 2016; the documents which the Executive signed on behalf of members were not seen in branches until the deal was concluded. Congress instructs the Executive that:

- (a) the TUI will not enter national negotiations unless the official side accepts in writing the Union's legitimate right to ballot members on the outcome and guarantees in advance of negotiations that time taken to ballot members will not be subject to any penalty, financial or otherwise;
- (b) the TUI will not sign members up to changes in policies and work practices without first informing members of the full details of the changes and allowing branches time to respond and to advise the Executive, e.g. by proposing amendments or by advising that the changes are significant enough to require a ballot of members.

### 186. Galway City

Congress instructs the TUI, its associated bodies and constituent branches, to operate and apply an Ethical Code in its dealings with all financial and banking institutions.

Such an Ethical Code would require a review of current practice, and that from now on, we only do business with a financial institution that can clearly demonstrate it's just and equitable treatment of workers, it's just and equitable treatment of customers, and that it no longer operates a system of bonus-payments for reckless behaviour.

Having decided to institute such an Ethical Code, the TUI will then undertake to inform all the relevant financial institutions of its decision.

Finally, the TUI will convey to other unions its practice of such an Ethical Code and encourage them to adopt a similar code.

### 187. Co. Dublin

That a TUI support person, who has been trained in procedures to deal with bullying incidents, be made available to the complainant and respondent, where both are TUI members. These people would investigate, support and report on bullying incidents.

### 188. Co. Dublin

That the TUI ensure that all union officials, branch officers and school representatives be trained in the proper procedures to deal with bullying incidences.

### 189. Co. Galway

Congress instructs the Executive to adjust TUI website so that all members can post comments on union-related issues.

### 190. Dublin Colleges

Congress instructs the Executive to create the position of TUI National organiser. This person would be charged with organising the staff in all Irish second and third level institutes which are not currently unionised.

### **191. Tipperary NR/Co. Donegal**

The proposal by Head Office to change the method of contacting Branches, Branch Secretaries and School/College/Centre Representatives by electronic form only in future is flawed for the following reasons:

- All Secretaries and Reps are teachers or staff who may not have daily access to computers / internet.
- All Secretaries / Reps may not be IT literate (this is not a requirement to be a Branch Secretary or a Rep.)
- Quality Internet access is restricted and problematic in many parts of Ireland depending on where one is located.
- The proposed suspension of the practice of contacting each centre representative by postal mail will add greatly and unnecessarily to the workload of Branch Secretaries, making this position less attractive and more difficult on Branches to encourage members to take up this position in future.

This Congress direct that all correspondence with Branches and Centres be continued in a parallel form i.e. both by post and electronic mail in order to ensure that the information will be received.

### **192. Co. Donegal (X2)**

Congress directs the Executive to set aside a new separate section in the Annual Report to be used for providing members with an update on the motions of the previous year's Annual Congress. Further, Congress directs that the text of each motion be printed with an account of the progress made for each respective motion at the time of the Annual report going to publication. Furthermore, that the information contained therein represent the latest developments for each motion and that the information supplied be generated no more than one month before the Annual report goes to publication. Congress further directs that where no progress has been made on a motion, an explanation of why there has been no progress be included rather than a simple statement of fact. Congress also directs the TUI Executive to similarly publish the progress on motions in TUI News.

### **193. Co. Donegal**

Congress notes with approval attempts by the Executive to reform and improve structures and accountability in TUI. In accordance with this principle and initiative Congress instructs the Executive to establish a transparent internal complaints procedure for dealing with Branch complaints about poor quality service from Head Office when the need arises.

### **194. Dublin City PP**

Congress demands that the system of prioritising motions for Congress be weighted. This weighting should reflect the number of members in each branch. Views of members could thus be effectively and democratically reflected.

### **195. Executive Committee**

Congress deems that breaching of a directive, or inducing a member to breach a directive, would be considered as unworthy conduct.

### **196. Dublin City PP**

Congress instructs the Executive to give formal recognition to Further Education as a sector in its own right.

### **197. Dublin City PP**

Congress instructs the National Executive to ensure that any member, working in a part time and potentially vulnerable situation, cannot be placed under any pressure while observing the TUI Directives.

Congress demands that any member of this Union, in a managerial position or otherwise, who exerts pressure on another member to engage in proscribed work shall be subject to the severest sanctions that this Union can impose.

Congress further instructs the Executive to ensure that such a member does not suffer disadvantage in his/her career as a result of following TUI directives.

### **198. Dublin Colleges**

Congress notes the review of TUI head office. Congress calls on the Executive to immediately appoint a second new official as recommended in the report.

### **199. Shannon**

That Congress calls on the Executive to urge members, whether they be principals, deputy principals, post holders or non-post holders, to ensure that no TUI directives are breached in their school, college or centre.

**200. Dublin City PP(x2)**

Congress demands that when conferences or meetings are organised by TUI Head Office there should be no discrimination in the rate of expenses paid between a Branch member and a member of the National Executive attending the same conference.

Equality of treatment dictates that equal payment of expenses should extend to all members engaged on official union business.

**201. Dublin City PP**

Congress demands that members in Further Education who generate a large proportion of this Union's income should receive greater representation from TUI Head Office.

**202. Co. Carlow**

That all TUI school representatives receive an honoraria per school year to offset expenditure relating to the duties associated with this position.

**203. Tipperary NR/Limerick City Schools/  
Co. Limerick/Co. Cork**

In view of the imposition of pension levies and pay cuts by the Government on all TUI members it is essential that this Congress is seen to ensure that the membership and all employees of this Union are treated equally.

Therefore in the interest of equality this Congress direct the Executive Committee to immediately carry out a review of the pay of all employees of this Union and negotiate adjustments in line with those imposed by the Government on all Union members.

**204. Co. Donegal**

Congress directs the Executive to make provision for the appointment of a person to oversee the operation of the Income Continuance Plan Scheme and to deal with any complaints from affected members.

**205. IT Carlow/IT Tralee**

Congress resolves that, throughout the greatest crisis ever experienced by public sector, employees in Ireland precipitated by Government determination to undermine the pay and conditions of public servants, the Irish Congress of Trade Unions has not only failed the members of this union and all public sector workers but has repeatedly acted contrary to their interests. Accordingly, the affiliation of TUI with ICTU is no longer in the interests of our members. Congress declares its resolve that TUI disaffiliate from ICTU and calls on the Executive of TUI to work towards the goal of establishing an alternative alliance of trade unions.

**206. Tipperary NR**

This Congress should consider its continual membership of ICTU.

**207. IT Carlow**

That Congress directs the Executive to bring a motion to the ICTU Congress, ensuring that the Executive members of ICTU shall be chosen from serving members or serving officials of member unions; and if and when such members retire from their respective union roles, then they must also retire from their Executive ICTU positions.

**208. IT Carlow**

Congress decides that, in light of the blatant betrayal by ICTU, this Union should withdraw from ICTU and instead form an umbrella body in co-operation with other public service unions.

**209. IT Carlow**

Congress resolves that no member, officer or employee of the TUI has the right to act on behalf of the members by authorising ICTU or its sub-Committees or any similar body to table proposals to the employer side without the prior approval of the Executive Committee.

**210. IT Blanchardstown**

Congress instructs the Executive to use all means at its disposal, including writing a letter of demand to ICTU, and by bringing a motion to ICTU Congress, to effect a change to the rules of ICTU so that employees and representatives of ICTU are not permitted to hold any position on any board of management of any State or Semi-State company.

### **211. IT Tallaght**

Congress instructs the Executive to use all means at its disposal, including writing a letter of demand to ICTU and bringing a motion to ICTU Congress, to effect a change to the rules of ICTU so that employees and representatives of ICTU are not permitted to hold any position on any board of management of any State or Semi-State company.

### **212. Co. Limerick**

Congress instructs the Executive to withdraw from ICTU. It was agreed that other public sector employees are voting on teachers conditions of pay. Consequently we are not in control.

### **213. Tipperary SR**

This Congress instructs the Executive to engage in a self educational process so that the Executive and the officials of the Union would have a true understanding of the phrase "Congress instructs the Executive".

### **214. Dublin City PP**

Congress directs the National Executive to implement effective strategies to counteract the media campaign to denigrate teachers and the teaching profession, and to ensure that the general public is properly informed. All teachers are being portrayed as having absolute job security. Teachers only have job security if they are made permanent. This must be stressed to the public, as it would negate the media's agenda of 'divide and conquer' between public sector and private sector workers.

It should be pointed out that the privilege of job security applies to all workers, both public and private sector, if they complete four consecutive years of service under the terms of The Protection of Employees Fixed Term Act 2003. This Act followed upon an EU Directive. We must stress that EU law prohibits exploitation and promotes security of tenure in employment.

The starting salary of teachers should be made known time and again. As the average industrial wage is often cited as €35,000, the fact that our starting salary is below that is a 'story' in itself.

Posts of Responsibilities and Special duties posts have to be explained. When 'average salaries' of teachers are quoted in the media they always include these allowances. It should be made clear how much these allowances are and how competitive it is to acquire one!

### **215. Dublin City PP**

Congress directs the National Executive to engage expert media consultancy advisers to promote effectively the interests of the members of this Union and to undertake the task of presenting to the general public, in a coherent and well articulated manner, the views of the members of this Union.

### **216. Limerick City Schools**

Congress instructs the Executive to hire an effective top class public relations company to mount a concerted PR campaign to restore the public image of the teaching profession.

### **217. IT Carlow**

That Congress instructs the Executive to engage with other public sector unions with a view to launching a union based print publication which can be made available to union members and to the general public.

### **218. Co. Donegal**

Congress instructs the Executive to put in place such procedures as are necessary in the management of members' subscriptions to ensure that members who are not paid over the summer do not automatically fall into arrears. This might include amending the membership application form to include the question 'Do you get paid over the summer vacation?' and the establishment of a system for contacting such members in September of each year to ascertain their membership status. This will reduce the number of members failing into arrears annually.

### **219. Co. Donegal**

That the procedure for becoming a member or notifying a change in membership status be simplified and that this be facilitated by the TUI website and a series of FAQs on the website and in the TUI Diary.

### **220. IT Carlow**

That Congress instructs the Executive to reveal to the membership

- the percentage of TUI members who hold permanent/CID whole-time positions, and
- how many TUI have lost their jobs over the past two years (2007-2009).

### **221. Co. Dublin**

In light of recruitment difficulties suffered by some branches TUI examine as a matter of urgency the cost of membership of TUI, in order that it be brought into line with the cost of joining other teacher unions.

**222. Co. Limerick**

A reduction of TUI subscription prices should be made in line with pay cuts of 7%.

**223. Co. Galway**

Congress directs the Executive, in a show of solidarity with the members of the Union reduce the annual subscription rate to reflect the loss of members' income as a result of the Pay and Pension levy and tax cuts since the introduction of the 2009/2010 budgets.

**224. Dublin City PP**

Congress calls for the withdrawal of the annual invitation extended by this Union to the Minister for Education on the grounds that he is participating in the worsening of teachers' conditions of service and is actively obstructing the implementation of TUI policy in all areas of education relevant to this Union.

**225. Co. Offaly**

That our pay and conditions of service are negotiated by personnel who hold no other interest which could materially influence them in relation to the performance of this function.

**226. IT Carlow**

That this Congress directs the Executive of the TUI to follow union policy as decided by all Congress resolutions at all times, and in particular when involved in negotiations on members' aspects of pay and conditions of service.

**227. Co. Donegal**

That delegates to Congress be reminded at the start of Congress for the need for a quorum and that all delegates are required to be duly diligent in relation to good timekeeping.

**228. Dublin Colleges**

Congress calls on the Executive to organise a major recruitment campaign in all the schools and colleges in which we are already organised.

**229. Dublin City PP**

Congress calls for an open election for all positions on bodies and organisations on which the TUI is represented. Membership of organisations such as ICTU should be open to all TUI members and the choice of the members should be determined by a ballot of all members. Only members of the TUI and not members of any other trade union should be nominated to represent the TUI on any body or organisation.

**230. Co. Dublin**

Congress instructs the national Executive to examine what rule changes are necessary to establish further education representatives at national level, i.e. area representatives, and to bring the necessary changes to Congress in 2011.

**231. IT Tallaght**

Congress instructs the Executive that the third level sector is now so complex and diverse that there is a requirement for two officials dedicated to the third level sector alone.

**232. Dublin City PP**

This Congress calls for a comprehensive review of the manner in which Branches of this Union are served by TUI Head Office to investigate whether the current system adequately provides for the changing needs of the membership.

This review should be conducted by an independent body that has expertise in this area.

**233. IT Tallaght**

Congress instructs the Executive to fund an increase in the weekly hours allowance for Area Representatives to one half of the weekly class contact hours of the relevant career grade.

**234. Co. Cork**

Congress calls on Head Office to provide a structured training course for branch officers in the first term on an annual basis.

**235. Dublin City PP**

Congress instructs the Executive to draw up a calendar of training programmes offered by the Union at the beginning of the academic year and this calendar should be posted on the TUI website and distributed to staff representatives in centres.

**236. Dublin City PP**

Congress instructs the Executive to draft future editions of the TUI News so that the views of members are given an adequate platform for expression.

To achieve this objective, the following is proposed:

- A letter page to which members can contribute
- A right to reply page allowing for the expression of contrary views to previous articles and matters published in the TUI News
- The setting up of a Committee of three members, drawn from different branches, to oversee production of the letter and right of reply page.

**237. Co. Louth**

Congress instructs the Executive of the TUI, that the proposals for a Federated Teachers and Lecturers' Union be given urgent first priority.

**238. Co. Dublin**

Congress instructs the Executive to continue negotiations with other Teacher Unions regarding establishing a federation of Teacher Unions, which would speak with one voice on issue of mutual importance. Progress on this to appear in Congress report 2011.

**239. Dublin City PP**

Congress directs the National Executive to fight vigorously against all forms of discrimination directed against members of this Union acting on matters of principle, or in exposing unequal or discriminatory practice. No member of this Union should suffer victimisation as a result of taking a principled stand on an issue, through acting in support of one of his/her students, or by engaging in the highlighting of injustice publicly.

Furthermore, Congress directs the National Executive that any person who is a member of this Union and whose actions result in discriminatory practice be expelled from this Union on the grounds of "unworthy conduct" as specified in Section Q of the Rule Book. This sanction will apply to any Union member irrespective of the position of authority he/she occupies in the educational field.

**240. Co. Longford (Out of Order - appealed to Executive Committee, see note page 2)**

That Congress instructs the Executive Committee to award appropriate compensation to those members of the County Longford Branch for losses incurred arising from the misinterpretation of CL 46/89 by the Department of Education and Science, as it (the Executive Committee) failed to proceed with legal action, as directed by Congress 2008, with the unanimous passing of Motion 4.

**241. Galway City (Out of Order)**

Congress instructs all Branches to make every effort to ensure that any expenditures, including those for monthly meeting venues, are only made to unionised or union-recognising businesses or services.

**242. Galway-Mayo IT (Out of Order)**

Congress instructs the Executive to enable existing elected officials to serve out the full term of their post irrespective of whether they reach retirement age within the duration of their post.

**243. Cork C&C (Out of Order)**

Congress calls on the Executive to reduce the membership subscription by the same percentage level as the pension levy and the Budget 2009 cut in teachers' salaries.

**244. Dublin C&C (Out of Order)**

TUI Executive should bring subscription rates in line with other similar teaching unions.

**245. Galway-Mayo IT (Out of Order)**

Congress instructs the Executive to reduce Union subscriptions in line with the reduction in members' pay, including the pension levy.

**246. Co. Cork (Out of Order)**

Congress instructs the Executive to reduce the TUI subscription by linking it to the 6th point of the scale or less.

## L. PENSIONS

**247. Executive Committee**

Congress condemns the proposals for reform of the pension scheme for new entrants to teaching as well as to all other aspects of public service as announced in the budget on 9th December 2009. These proposals are to:

- raise the minimum public service pension age to 66 years initially, from 65 at present to bring it into line and link it henceforth with the State Pension age;
- set a maximum retirement age of 70 years
- base pensions on "career average" earnings rather than final salary as currently applies
- uses the CPI as the basis for post-retirement increases (this for both existing and future pensioners) rather than keep pace with salaries of the grade.

Congress instructs the Executive Committee to campaign within the ICTU and otherwise as appropriate to prevent/reverse the proposals using both industrial action and political means to ensure at a minimum the restoration of the pension scheme as prevailed prior to the budget announcement of 9th December 2009.

**248. IT Tallaght**

Congress notes that many TUI members can never reach the 40 years of service required for a full pension due to the years of study and post-graduate experience required to be qualified for their posts. Congress instructs the Executive to negotiate (whenever negotiations with a new Government recommence) for a scheme whereby years of post-graduate study/work required to be qualified for a post will be counted for pension purposes.

**249. Galway-Mayo IT**

Congress instructs the Executive to negotiate a facility which will allow all members to purchase additional years of service that they would be missing (short) at age 60 in line with that available to community / comprehensive colleges.

**250. Cork Colleges**

Congress directs the Executive Committee to negotiate a continuation at 3rd level of the Incentivised Scheme for Early Retirement for those over 50.

**251. Limerick Colleges**

Congress instructs the Executive to pursue the complete abolition of the Pension Levy.

**252. Galway-Mayo IT**

Congress expresses outrage at the suggested diminution of pension terms for new contracts. Congress instructs the Executive not to entertain changes to existing pension provisions.

**253. Co. Dublin/Co. Clare**

Congress rejects the break in the link between income and pensions in this year's budget and instructs the national Executive to negotiate to restore this before the next budget and protect the existing relationship between final pay and pension.

**254. Co. Clare**

Keep pensions for new members in parity with existing members, i.e. that new members are not introduced into a new pension scheme.

**255. Co. Clare**

That current practice of increasing pensions with increasing salaries should be maintained.

**256. Shannon/Tipperary SR/Limerick Schools**

That Congress calls on the Executive to resist any attempts to break parity of pay and pensions and to launch a legal challenge to any such attempt.

**257. Galway-Mayo IT/Athlone IT/Co. Kildare**

Congress instructs Executive to strive to protect the pay and conditions of new and existing members as well as retired members.

**258. Donegal C&C**

Congress instructs the Executive to reject the introduction of the new Single Scheme for Public Service Pensions as outlined in the Budget.

**259. Donegal C&C**

Congress instructs the Union Executive to reject the introduction of the Single Scheme for Public Service Pensions as outlined in the Budget. It represents a change in the conditions of service for members who have been employed in the Public Service prior to 1995 and may represent a breach of the contract of employment entered into by such public servants and as such it must be rejected.

**M. PUBLIC SECTOR CUTS****260. Executive Committee**

Congress recognises the significant task required by TUI in reversing the attacks which have been made on members along with other public service workers for no reason other than they are public sector workers; specifically

- the pension levy
- the moratorium
- the denial of the 3.5% increase due under the then national agreement
- the pay cut
- the break of pension parity
- the destruction of the public sector pension scheme for future entrants.

Congress further recognises that this task will require the full co-operation of all public sector unions working in unison and calls on TUI to seek to maintain such unity of purpose within ICTU. Such a campaign must involve significant and sustained industrial action (work to rule etc.) interspersed as appropriate with strike action.

The campaign must also involve political campaigning to ensure that the anti-worker policies of the present Government are defeated. Congress instructs the Executive Committee to initiate and maintain such a political campaign involving intense political lobbying of all Oireachtas members.

**261. Co. Louth/Co. Monaghan**

That Congress directs that TUI Officials, representing the membership, as part of ICTU, and/or, the Public Service Sector Group of Unions, must not barter, trade or sell-out currently existing work conditions of members. Further, TUI Officials in their negotiating capacities, must act to protect the conditions of members by any and all means, including unilateral action.

**262. Executive Committee**

Congress calls on ICTU not to recommend deferment of any planned industrial action in the future until deals between Trade Unions and Government are agreed.

**263. IT Carlow**

Congress deplores the strategy of the Public Sector Committee of ICTU in halting ongoing strike action to fight pay cuts and entering talks with Government wherein union leaders sought to sell out the hard won conditions of employment of our members in response to Government determination to cut the pay of public servants. Congress resolves that in future no negotiations be entered into with the employer side under the active threat of cuts to pay and conditions.

**264. Tipperary SR**

This Congress instructs the Executive to actively pursue, with ICTU, that it is the sole right of teacher unions to negotiate the contract conditions of their members.

**265. IT Tralee**

Congress resolves that no member, officer or employee of the TUI has the right to act on behalf of the members by authorising ICTU or its sub-Committees or any similar body to table proposals to the employer side without the prior approval of the Executive Committee.

**266. IT Tralee**

Congress deplores the strategy of the Public Sector Committee of ICTU in halting ongoing strike action to fight pay cuts and entering talks with Government wherein union leaders sought to sell out the hard won conditions of employment of our members in response to Government determination to cut the pay of public servants. Congress resolves that in future no negotiations be entered into with the employer side under the active threat of cuts to pay and conditions.

**267. IT Tallaght**

Congress instructs the Executive to campaign that cost-saving in the public service begin with the discontinuation of unaccountable and unelected quangos, particularly IOTI.

**268. Athlone IT**

That levies on pay be terminated immediately.

**269. Dublin City PP**

Congress instructs the Executive to demand of the Government whether the "pension levy" paid by teachers is being directed into the pension fund for teachers or into general taxation.

**270. Dublin City PP**

Congress directs the National Executive to investigate the legality of the Government's use of the term "pension levy" when this levy is applied to all income, including non-pensionable income such as examination corrections.

Congress objects to the manner in which this cut in salary is presented to the public as a pension levy on teachers thus furthering the misleading impression that teachers contributed little or nothing to their pensions prior to the introduction of the levy.

**271. Co. Dublin**

The TUI deplores the stance taken by some sections of the media in opposing the pay, conditions and pensions paid to teachers and lecturers in our schools and colleges. This is an attack not only on teachers but also on all public services workers and on the Trade Union movement in general.

**272. IT Carlow**

In light of the outrageous media propaganda waged against the public sector in recent times and the obvious media manipulation by the Government: Congress instructs the Executive to engage with other public sector unions to establish a web-based discussion and information forum.

**273. Executive Committee**

Congress instructs the Executive to re-double its efforts to counter the anti-Public Service bias evident in all sections of the media by lodging complaints to the Broadcasting Complaints Commission and the Press Council in response to every instance of such bias.

**274. IT Tallaght**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw from all modernisation elements in the Sustaining Progress Partnership Agreement.

**275. Co. Cork**

Congress deplores the unilateral removal by the DES of a career structure for teachers in terms of the moratorium on the filling of promotional posts. Congress calls on the immediate reinstatement of these posts.

**276. Tipperary SR**

This Congress calls on the Government to immediately remove the embargo on promotional posts within schools.

**277. Tipperary NR**

The embargo on the non-replacement of Assistant Principal and Special Duties posts which remain vacant due to teachers extended absences, recognised leave, or retirement has created huge difficulties in the organisation and management of schools. This imposition is having a detrimental effect on the Schools/Colleges' ability to provide a good quality education service for our students and learners.

This Congress calls on our Executive Committee to renegotiate with DES as a matter of urgency the removal of this embargo in order to return to the position whereby posts can be filled as they fall vacant within established staffing allocations in schools.

**278. Co. Carlow**

That the Post of Responsibility moratorium, i.e. the embargo on essential posts in our schools and colleges, be removed immediately.

**279. Co. Laois**

Congress calls on the Executive to take immediate action to ensure that the moratorium on posts of responsibilities is removed.

**280. Shannon**

That Congress calls on the Executive to do everything in its power to have the moratorium on posts lifted.

**281. Dublin City PP**

Congress totally rejects the moratorium on posts of responsibility which has led to a marked deterioration in working conditions for TUI members and to a general demoralisation in the teaching profession.

Congress instructs the National Executive to engage in a public campaign to highlight the detrimental aspects of the apparent agenda being pursued by the DES to ultimately eliminate posts of responsibility in the educational system.

**282. Dublin City PP**

Congress directs the Executive not to enter, or be party to, any Further National Pay Agreements until prior terms of reference for potential talks are agreed by a majority of TUI members by means of a ballot.

**283. Dundalk IT**

Congress is seriously concerned at the document tabled at the recent talks with the Government which demanded major changes in our conditions including an extra hour on the teaching load.

Congress reiterates that neither the negotiating team or the TUI Executive have any mandate to enter talks on the basis of trading worsening in conditions in exchange for no or limited pay cuts.

Congress instructs TUI negotiating teams not to accept any such documents proposing worsening in conditions tabled by the official side and to withdraw from such talks immediately pending an emergency Executive meeting where decisions and directions on negotiating strategy including permanent withdrawal from such talks can be decided.

Congress further instructs the Executive that should a decision to re-enter such talks be taken by the Executive this decision must be ratified by a special Congress of the TUI.

**284. Executive Committee**

Congress instructs the Executive not to engage in any negotiations in relation to the so-called Transformation Agenda until such time as the reductions in pay imposed unilaterally since the beginning of 2009 have been rescinded.

**285. IT Tallaght/Co. Dublin/  
Co. Carlow/Shannon**

Congress instructs the Executive that TUI is not to engage in negotiations on the so-called transformation agenda until:

- (a) the pension levy is reversed;
- (b) the pay cuts announced in the December 2009 Budget are reversed;
- (c) the pay increases agreed under Phase 2 of Towards 2016 are honoured.

**286. Shannon**

That Congress calls on the Executive to insist that no new work practices of any description be introduced until the money unjustly taken from teachers is restored.

**287. IT Tallaght**

Congress declares that it has no confidence in the Public Services Committee of ICTU.

## **288. Dublin City PP**

1. Congress reiterates its total opposition to the Government programme of cuts in the Public Service. Congress notes that since Easter 2009 many TUI members have lost their jobs as a direct result of Government policy, conditions have worsened for all teachers, lecturers and other staff within our schools and colleges, and pay for all public service workers has been drastically reduced.
2. Congress calls on the entire trade union movement to develop a coherent and consistent programme of policies and actions that will end unemployment and reverse cuts in social welfare, public services and pay.
3. Congress calls on the Public Services Committee of the ICTU and on the ICTU itself to cease talking to the Government about any future measures that would result in reducing the pay and worsening the conditions of trade union members.
4. Congress asserts that it was not public service workers who caused the crisis in the public finances and that public service workers should not shoulder the blame or the cost of that crisis. Those who brought about the financial collapse should pay the price for getting the country out of that crisis. In this regard, Congress calls for a public investigation of those culpable individuals, and the imposition of a wealth tax on the assets of those, and that such a tax be at a rate comparable to that currently being borne by public service workers.

## **289. Tipperary NR**

Teachers and schools should not be expected or be required to implement any planned changes in the present education service delivery or involvement in the modernisation of the service in the present climate of salary cuts.

This Congress calls on the Executive Committee to commit to restoring teachers pay and conditions to at least the level, which existed prior to January 2009, before any further modernisation or changes in our conditions can be contemplated.

This Congress further instructs the Executive Committee to seek an urgent meeting with the DES to communicate this message loud and clear.

## **290. IT Blanchardstown**

For the lifetime of the FF/Green Government formed in 2007, Congress considers that partnership is well and truly dead, and instructs the Executive not to enter any talks until such time that the Government gives a commitment to reverse both the Public Sector pay cuts and the Pension Levy.

## **291. IT Tallaght**

Given the bad faith and dishonesty shown by Government negotiators during the talks in Winter 2009, and attempts by that Government to bully union members since, Congress considers that partnership is well and truly dead, and instructs the Executive not to enter any talks until such time that the Government changes and to actively campaign within ICTU against re-entry into any talks at a national level with this administration.

## **292. IT Tallaght**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw entirely from the Towards 2016 Agreement.

## **293. Co. Laois**

Congress directs the Executive to resist all future cuts.

## **294. IT Tallaght**

Until such time that the pay cuts of the December 2009 Budget and the earlier Pension Levy are reversed, Congress instructs the Executive to withdraw from the Performance Management and Development System (PMDS).

## **295. IT Carlow**

That Congress instructs the Executive to ensure that for all coming elections this Union actively campaigns against ANY politician who supported the pension levy and the pay cuts in the public sector made in 2009.

### **296. IT Carlow**

That Congress instructs the Executive to design and distribute a questionnaire to all politicians (especially TDs and senators) asking them among other things:

- Did they support the pension levy.
- Did they support the public sector pay cuts in budget 2009.
- Would they support the withdrawal of the pension levy.
- Would they support the withdrawal of the public sector pay cuts made in budget 2009.
- Would they agree that the public servants were targeted and unfairly treated by the media in recent times.

This is to be done with a view to tabulating and distributing the data to all members of this Union in advance of upcoming scheduled elections.

### **297. IT Blanchardstown/IT Tallaght**

Congress instructs the Executive to use all means at its disposal, including writing a letter of demand to ICTU, and by bringing a motion to ICTU Congress, to effect the removal of David Begg as General Secretary of ICTU.

### **298. IT Blanchardstown**

Congress instructs the Executive to use all means at its disposal, including writing a letter of demand to ICTU, and by bringing a motion to ICTU Congress, to effect the removal of Peter McLoone as Chair of the Public Services Committee of ICTU arising from the strategy of dealing with Government demands both for reductions in pay and changes in members' terms and conditions.

### **299. IT Tallaght**

Congress instructs the Executive to use all means at its disposal, including writing a letter of demand to ICTU and bringing a motion to ICTU Congress, to effect the removal of Peter McLoone as Chair of the Public Services Committee of ICTU.

### **300. Galway-Mayo IT**

Congress has no confidence in the ICTU negotiation team as involved in the negotiations between Government and ICTU in December 2009. Congress instructs the Executive to seek the resignation of the members of this team.

### **301. Dublin City PP**

This Congress condemns the performance of Peter McLoone and David Begg as ICTU negotiators and calls for their immediate resignation.

### **302. Athlone IT**

That the TUI demand full salaries to be restored to pre-budget 2008 levels, to all teachers and lecturers, until conditions of service are restored we must revert to pre sustaining progress.

### **303. Cork City Schools**

Congress instructs the Executive not to enter into future Social Partnership agreements as previous agreements have resulted in an attack on the status of teachers and eroded their conditions of employment.

### **304. Co. Cork**

This Congress condemns this Government for its sustained and unjustified attack on our pay. Congress instructs the Executive to remove itself from the Teachers' Conciliation Council or any other forum where the Transformation Agenda is being discussed until our pay is restored.

### **305. Dublin City PP**

This Congress rejects the transformation agenda proposed by the Government.

### **306. Co. Cork**

Congress rejects the concept of trading hard won conditions of service to retain our current rate of pay.

### **307. Co. Offaly**

That Congress rejects the Transformation Agenda regarding conditions of service and that the TUI never accepts any of the points put forward in this document.

### **308. Dublin Colleges**

In view of the totally unacceptable manner in which Public Services Committee (ICTU) has responded to pension levy, embargo and threat of pay cuts, this Congress call on Chairman and Officers of Public Services Committee to resign.

### **309. Dundalk IT (Out of Order)**

Congress condemns the strategy adopted by the Public Services Committee of the ICTU which has resulted in an imposed pension levy, an imposed pay levy and finally a pay cut across the Public Service. In total these amount to a historically unprecedented pay cut of up to 18%, for members across the Public service.

The leadership given by the PSC has been abysmal in response to this attack. Marches and a one day strike were never going to stop this offensive. Neither was the strategy of offering concession on conditions which has had the result of storing up further attacks and signified weakness of resolve to the other side.

Congress is of the view that Government policy in this area would only have been changed by sustained industrial action across all public sector unions escalating from one to three day strikes and finally to all out action.

The failure of the present leadership of the PSC to put in place such a strategy at the first sign of attack on our pay was a betrayal of the members they represent and shows a total lack of understanding of where the trade union movement came from and the battles it had to wage to secure the pay and conditions which are now being dismantled before our very eyes.

- Congress instructs the Executive not to support the re-election of the Chair and Secretary of the PSC.
- Congress also instructs the Executive that the delegates to the PSC from the TUI must include the officers of the TUI and one ordinary Executive member.
- Congress further instructs the Executive to demand regular meetings of the PSC with minutes including minutes of any negotiating sub-Committees which are to be circulated to the TUI Executive for consideration.
- Congress instructs the Executive to Campaign with like minded unions for a more democratic and accountable PSC which will properly represent the views of the 300,000 trade union members which it purports to serve.

### **310. Galway-Mayo IT (Out of Order)**

Congress deplores the content of the provisional agreement, which was the subject of negotiations between ICTU and Government in December 2009. Congress instructs the Executive that any proposed changes to new or existing contracts must be gain the approval of 75% of members.

### **311. IT Tralee (Out of Order)**

Congress demands that it be clearly established which party or parties in this union were responsible for tabling proposals to Government for the altogether unacceptable sell out of our members' conditions of employment and that such a party or parties be held firmly to account for such an action.

## **N. RULES**

### **312. Executive Committee**

In order to synchronise the elections of the Vice-President with that of Area Representatives, in accordance with practice, amend Rule 36 by deleting "one month" and replacing with "two months".

Amended Rule 36 to read:

The election of the President shall take place in May and the election of the Vice-President shall take place within two months prior to the date of Congress, and the result of election for Vice-President shall be circulated with the final Congress Agenda.

### **313. Dublin City PP**

Congress amends the Rule Book in Section K, Rule 62 to add the following:  
The incumbent General Secretary shall not occupy that post for a period in excess of 5 calendar years.

### **314. Dublin City PP**

Pursuant to Rule 65 which states:  
The General Secretary may engage such officials, clerical and other assistance as may be approved by the Executive Committee and shall exercise control over such staff.

This Congress instructs the National Executive to monitor the work of the General Secretary in relation to his/her control over other staff and in particular in relation to ensuring that full-time officials do not fail to provide proper representation for union members or groups through omission or inaction, or fail to provide appropriate advice, or refuse/fail to seek legal advice from the TUI legal advisor when failure to seek such advice is shown to be to the detriment of a member or group of members.

Congress attaches as an addendum to Rule 65 and as a material change to the existing Rule Book the following:

Where it is established that proper control has not been exercised over such officials or staff in the prosecution of cases on behalf of members, through inaction, omission or failure to seek appropriate advice, the National Executive will impose appropriate sanctions on the General Secretary for dereliction of duty up to and including his/her removal from the position of General Secretary of this Union.

### **315. Dublin Colleges**

Insert new rule 67 as follows and renumber all subsequent rules:

“Whenever the office of General Secretary is vacant the vacancy will be filled by election of the general membership through a system of proportional representation. Candidates for election will have been member of the Teachers Union of Ireland for at least five years or be a current employee of the union with five years service.

The person so elected will be subject to re-election after five years. The rules for such an election will be identical to those that apply to the filling of a vacancy. The Executive shall invite applications for the post by means of advertisements in at least two issues of three morning daily papers published in Ireland. A list of qualified applicants shall be sent to branches and each branch may nominate one person from the list.

The Executive Committee shall have power to make all arrangements as to the date for nominations and election, the counting of votes and the declaration of results.”

In order to introduce this new rule, rules 67 should be amended as set out below:

Amend existing Rule 67 as follows:  
Renumber and delete the words “Whenever the office of General Secretary or other General Officers is vacant” and replace with “When a vacancy exists for a General Officer other than the General Secretary.

### **316. Dublin City PP**

That this Congress amends the Rule Book in Section K, Rule 67 to amend Rule 67 to read as follows:

Whenever the office of General Secretary falls vacant, the Union will organise a ballot of the full in-benefit membership to select a candidate for the position.

Whenever the posts of General Officers fall vacant the Executive Committee shall invite applications for the position(s) by means of advertisements in at least two issues of three morning daily papers published in Ireland. The Executive Committee shall set up an interview board which shall make recommendations to the Executive. The candidate(s) selected shall be ratified by Congress.

### **317. IT Blanchardstown**

In order to avoid conflicts of interest arising from membership of State Boards, amend rule 68 by adding the following:

“Whilst in the employment of the TUI, the General Secretary and Assistant General Secretaries shall not be permitted to hold any position on any board of management of any State or Semi-State company.”

### **318. IT Tallaght**

In Section K. add new Rule 70 and renumber subsequent rules:

“Whilst in the employment of the TUI, the General Secretary, Deputy General Secretary, and Assistant General Secretaries shall not be permitted to hold any position on any board of management of any State or Semi-State company.”

### **319. Executive Committee**

Section O:

Replace Rule 90 with:

Application for membership should be accompanied by one months subscription or a signed Deduction at Source form. In the event of the applicant being ineligible, or the membership being refused, the subscription to be returned. Where a member signs and submits a Deduction-at-Source form and their application for membership has been accepted, they shall be deemed to be a fully in benefit member from the date of acceptance, unless payment is terminated.

Teachers who joined the Union prior to withdrawal of teachers service but who were eligible for membership for a year shall not be entitled to strike pay.

### **320. Cork Colleges**

That Congress directs the Executive to Insert a New Rule: No competency shall be transferred by TUI to any proposed integrated academic Union without a two-thirds majority of TUI Congress.

### **321. IT Carlow (Out of Order - appealed to Executive Committee, see note page 2)**

A motion to amend rule 31 in the rules for the Union.

Amend rule 31 part (e) to read as follows:

...decide with the consent of Congress what motions, not on the order of business, shall be brought before Congress. Congress will subsequently decide the section into which any such motion shall be placed and its order of priority. Except that any such motion proposing to dispose of Union funds shall not be considered by Congress until an adjournment of Congress of at least half an hour takes place subsequent to its being admitted for discussion and before its being discussed.

### **322. IT Tallaght (Out of Order - appealed to Executive Committee, see note page 2)**

Rule Change: in Section I (Executive Committee), add Rule 56: The voting record of members of the TUI Executive Committee shall be publicised to members within one month of each meeting of the Executive Committee and shall remain posted on the TUI website for a period of not less than 10 years after each meeting.

### **323. Dublin City PP (Out of Order)**

Congress instructs the National Executive to change the Rule Book to ensure that the Union recompenses fully, for financial loss, any member who, due to inadequate representation by TUI Head Office, has pursued his/her case through engaging proper legal help and has achieved a successful outcome.

Section B of the Rule Book states that two of the “objects” of the Union are “to promote and protect the interests of members” and “to afford advice and assistance to individual members on matters affecting them in their employment.”

Where TUI has patently failed in this objective, reimbursement of a fully paid up member must be given where that member has achieved, through legal means, what the Union has failed to achieve on his/her behalf.

The following is to be inserted in Section B 2 (IV) of the Rule Book after “to afford advice and assistance to individual members on matters affecting them in their employment.”

The Union will reimburse fully any member who has engaged professional legal advice in the successful prosecution of a case following the failure of the Union to provide representation of a standard that a fully paid member of this Union would reasonably expect.

### **324. Dublin C&C (Out of Order)**

For new members on DAS: Congress instructs that arrears are not due until the 1st deduction by the DES.

### **325. Co. Laois (Out of Order)**

Restore retired members to full membership.

## O. YOUTHREACH

### 326. Co. Donegal/Co. Louth/Co. Dublin

Congress instructs the Executive to immediately enter into negotiations with the Department of Education and Science to address the inequalities attached to the allowances paid to members working in Youthreach. Currently the highest qualification allowance payable to Youthreach Resource staff and teachers is a primary degree allowance, unlike teachers in the mainstream sector who can avail of an allowance for holding a Masters degree or PhD.

### 327. Co. Cork

Congress condemns the recent action being taken by VECs in terms of the withdrawal of administration and ancillary staff from Youthreach centres. This has placed a huge burden of extra work on co-coordinators and has the potential to frustrate the processing of teachers pay.

### 328. Co. Dublin

Congress deplores the current situation where teachers in Youthreach are still not in receipt of correct contracts, including CIDs and calls on the Executive to investigate this situation and to begin negotiations with the relevant bodies to right this situation and to report back to Congress 2011 with progress made in this area.

### 329. Dublin City PP

Congress instructs the Executive to call a national conference of members working in Youthreach to address concerns in this sector.

### 330. Co. Dublin

Congress deplores the situation where many Youthreach centres are left without enough funding to employ maintenance staff and as a result teachers and students are forced to clean and maintain the premises in which they work and calls on the Executive to enter into negotiations with the relevant authorities and bodies to resolve this unacceptable situation.

### 331. Co. Dublin

Congress deplores the current situation in County Dublin where fully qualified teachers in Youthreach, who are registered with the Teaching Council, do not receive incremental credit and calls on the Executive to investigate this situation and also to negotiate with the relevant authorities to ensure that the infringement to their entitlements is rectified without delay.

### 332. Co. Dublin

Congress instructs the TUI Executive to resist attempts by the Department of Education and Science and some VEC's to lengthen the academic year for teachers in Youthreach beyond the current year of 167 days.

### 333. Co. Louth

Congress demands the creation of posts of responsibility within Youthreach.

### 334. Dublin City PP

Congress instructs the Executive to oppose any attempt by the DES or VECs to worsen the conditions of Resource Persons working in Youthreach, through the introduction of part time Resource persons. This attempt would further worsen the conditions of members working in Youthreach.

### 335. Co. Louth

Congress demands the immediate implementation of S&S payments to Youthreach teachers with back payment where applicable.

### 336. Co. Dublin

Congress deplores the current situation where teachers in Youthreach in County Dublin do not receive any form of sick pay and instructs the Executive to investigate this issue as a matter of urgency. The Executive must negotiate immediately with the relevant authorities to ensure that all qualified teachers in the Youthreach service in County Dublin receive their proper entitlements to sick pay.

### 337. Co. Carlow

This Congress instructs the Executive to oppose any downgrading of Youthreach teachers' status from teacher to resource teacher. Teachers who have completed the required training for their profession should be entitled to their full professional salary.

### 338. Co. Dublin

Congress instructs the TUI Executive to resist attempts by some VECs to class part-time teachers in Youthreach as tutors.





