

## **Congress 2021 President's Address – delivered by TUI President Martin Marjoram**

### **Introduction**

A chomhghleacaithe, a chairde agus a aíonna uaisle, is mór liom bhur gcomhlúadar anseo ag Comhdháil bhliantúil Aontas Múinteoirí Éireann agus is pribhléid as cuimse dom é labhairt libh inniu thar cheann ár mball - oidí iontacha na tíre.

Delegates, colleagues, and guests, welcome to TUI Annual Congress 2021.

While happy that Congress is restored to Easter, we must wait longer for its return to a physical venue which will allow a deeper and richer engagement, with due place for the socialising and strategising which are so vital. While fervently hoping for an end to their absolute necessity, we have become more practised in remote settings and I am confident that we can and will enjoy a fruitful Congress. The democratic life of the union goes on, ever strengthened and re-examined and re-dedicated. Our debates will allow you to set well-informed TUI policy on behalf of the Branches and members you represent; the visits of the Ministers will give us an opportunity to listen to their policy objectives and priorities; while the responses to them on your behalf will reiterate and champion our values and our imperatives.

We are thankful as ever to the Standing Orders Committee and to the TUI team which allows this event to go forward, and to you, delegates, for your attendance and participation.

### **COVID-19 Backdrop**

Congress convenes acutely conscious of the impact of COVID-19 and its attendant losses in life, health, and employment. We must guard against losses in the social and cultural fabric that binds our nation together. In which connection, the work of TUI members, both in education and as trade unionists, is vital. Indeed, the crisis highlights the centrality of public service and collective effort to any well-ordered society. We hope those newly awakened to this reality do not soon forget it. For our part, we pay tribute and thanks to fellow public servants, in healthcare, policing and education most particularly, and indeed to all workers engaged in the provision of essential services.

TUI members have risen magnificently to the challenge of maintaining education of the highest standard. You are owed a debt of gratitude for your extraordinarily hard work as well as for your innovation and creativity. Education is our greatest equalising and unifying endeavour and in the face of enormous difficulties you have continued to inspire curiosity and imagination, to release potential and to unfold opportunities and possibilities. What is not right is the burden that has fallen on you, the accumulated weight of decades of underinvestment and neglect. Funding deficits and their consequent inequalities have been cruelly laid bare and, as so often, it is left to you and to other public servants to attempt to make good those deficits. That you have succeeded to such a remarkable extent is a testament to your dedication; but an alarm bell sounds to beware of any complacent, or indeed malign, assumption by Managements or Government that these extraordinary efforts in response to the emergency form a template for future work. We will ensure that our no-precedent stipulations, and the written assurances from Government, Departments and Managements to the same effect, will be honoured.

### **Adherence to Public Health Advice**

Throughout the pandemic, the TUI has insisted on strict adherence to public health advice in all of our workplaces. We remain vigilant and determined and will follow through on the actions laid out in our procedures to address any breach or shortfall. We continue to insist that the TUI be consulted,

nationally and locally, on all matters affecting members. Our contributions and representations have made significant and positive differences in all aspects of the COVID-19 response, improving and sometimes directly reversing poor policy decisions.

### **Vaccine Allocation**

It is particularly disappointing that the placing of staff essential to education in the first third of the population for vaccine allocation was reversed so abruptly and so disrespectfully. On 10<sup>th</sup> and again on 23<sup>rd</sup> February, correspondence from the Department of Education to the system (on which TUI was consulted in advance) gave clear indication of our place in the prioritisation, and indeed offered hope that Department representations would see front line school staff vaccinated at the earliest possible opportunity within that first third. While ever respectful of Public Health professionals, bombshell policy U-turns of this magnitude, broken to TUI's leadership through leaks and distressed emails and texts from members, create Industrial Relations problems which require a response and, in our view, a further U-turn. We have never sought to be advanced above those most vulnerable to infection or the most serious consequences thereof, but we must insist that commitments made on such sensitive issues be honoured. Time has been set aside to address this issue tomorrow morning by way of a Motion under Rule 23.

### **Continuing Work of TUI**

At workplace, Branch and national level the TUI's work goes on. I extend deepest thanks to my colleagues on the Executive Committee for their steadfast efforts and support, particularly the Vice President who will chair sessions of Congress. The activism of Branches and workplaces is the Union's life-blood and I am profoundly grateful for all that has been done to maintain, and indeed, to strengthen it. An unexpected benefit of the emergency is that remote Branch meetings have allowed attendance and participation by members previously unable to attend corporeal meetings on account of geography or family or caring commitments. It is an encouragement and an inspiration to hear and to see so many new voices and new faces at Branch meetings and some at least of what the TUI has had to adopt during the COVID-19 crisis will no doubt continue, for some meetings and engagements at least.

A particular tribute must be paid to the TUI officials whom I have seen, through the most diligent and detailed application, hugely improve draft Government documentation; removing dangers to members' terms and conditions, and even health at times; as well as transforming the unworkable into what is reasonable and sensible and protective of members' interests.

### **Update membership details**

An important aspect of continuing the Union's work is the pressing need to update our membership database, in particular for the conduct of ballots where workplaces are not open. The TUI now represents over 20,000 members across a range of sectors – testament to how the work we do benefits each other.

I urge that all members update their membership details following the link and steps notified so we can communicate more effectively and directly with you.

### **Pay Equality**

One aspect of the Union's work which must continue is our ongoing campaign for justice for members impacted by the scandal of pay discrimination. This disgrace has been resolutely opposed by every TUI Congress since 2011, when the exclusion of future appointees from protection from

additional pay cuts by some underhand wording in the Croke Park Agreement had become clear. The solidarity of TUI members and their determination to bring an end to this shameful measure remain as strong as ever, as evidenced by our strike on 4<sup>th</sup> February 2020 which surely would have been followed by further action but for the intervention of the pandemic. While TUI members have voted in favour of improvements in pay-scales and incremental skips in order to narrow the gap, this was always in the context of demanding the complete removal of the discrimination.

Significant progress has been made – a career gap of more than half a million euro in career earnings for a second level teacher had been negotiated down to slightly more than €100,000 with the latest pay agreement bringing a further reduction in the loss to €80,000 – which of course is €80,000 too much. In Third Level, Youthreach and Further and Adult Education recently appointed members also continue to suffer five-figure losses, in every case front-loaded to the early career when it can least be borne.

As repeatedly made clear, only the end of the discrimination will end the TUI's campaign against it.

### **Building Momentum**

The Building Momentum pay agreement, overwhelmingly endorsed by the Public Service Unions, though opposed by TUI, does not solve the problem. Although it claims that one of its measures (an increment skip) is “in final conclusion” and “to resolve in full” the remaining salary scale issues for second level teachers arising from the discrimination, the agreement does nothing of the sort leaving in place tens of thousands of euro of career losses while making no arrangements at all to alleviate pay discrimination against post-2011 appointees to our other recruitment grades. More worrying, the measure in question, limited and all as it is, is written in language which would allow it not to be applied to future entrants in a particularly unhappy echo of the Croke Park debacle.

The availability of a sectoral bargaining fund equivalent to a 1% pay-rise in February 2022 to address outstanding issues, claims and adjudications will be employed by the TUI to close some of the remaining gaps such as the restoration of the H.Dip. (or PME) allowance. However, we are bitterly opposed to essentially using our own money to fix problems not of our making. Besides the fact that the 1% is not enough to address fully the pay equality issues (certainly not for second level teachers), complex negotiations will be needed with other unions where there are shared grades or where the sectoral bargaining unit encompasses multiple grades.

If embedded into the future of public sector agreements (as presaged in the text of this one), sectoral bargaining threatens to open a significant divergence between grades in the public sector, whereby the disadvantage of having had more cuts inflicted on your grade will supposedly be solved by forgoing pay rises enjoyed by everyone else.

The role, value and status of the State's Industrial Relations adjudication processes, including the Labour Court, are potentially damaged by this development as it becomes difficult to discern the difference between a recommendation in favour of or against a claim, if the claim is simply to be paid for from the claimants' money regardless.

The closure of our workplaces combined with difficulties with our database prevented the planned ballot of members in advance of the meeting of the Public Services Committee on 23<sup>rd</sup> February. However, the Executive Committee has decided that a ballot of members will take place as soon as practicable, particularly with a view to renewing our mandate for industrial action against pay discrimination. The decisions of the Executive Committee (to make clear our opposition to the proposals but that the TUI would operate within the terms of the agreement, if ratified by the ICTU)

are consistent with the TUI's approach over several agreements which we also opposed because they failed to deliver equal pay as we demand.

### **Pay and the end of Austerity**

While dissatisfied with Building Momentum for very good reasons, we can at least welcome the first actual pay rises for Public Servants in more than a decade, modest though they are, spread out over the next eighteen months.

More generally, there are signs that the disastrous austerity agenda which presented the bill for the banking crisis to those least culpable in causing it, and least able to pay for it, will not be repeated. It is to be hoped that the idiotic prioritisation of share-holder value and corporate greed above the needs of citizens has been seen to have caused such damage, not least to political discourse and orderly democratic processes, that some dearly bought common sense and common decency will prevail. However, today's more enlightened policies may regrettably have more to do with the availability of cheap credit for Governments than any accumulation of wisdom.

### **Establishment of DFHERIS**

This year TUI Congress will be addressed by two Ministers for Education. The TUI welcomes the establishment of the Department of Further and Higher Education, Research, Innovation and Science and the fact that two cabinet voices will now advocate directly for education. We wish every success to the new Department and hope that its creation will allow the focus and funding that have long been wanting to at last apply to Further and Adult Education, along with more attention to the challenges at Third Level.

### **Over-emphasis on the CAO**

Considering one recent announcement, the TUI has long been concerned about the obsessive interest in CAO points and the damage that such focus on assessment can have on actual education. We welcome suggestions of reform, particularly reform that would value and highlight the alternative routes to third level education and to the world of work that we in the TUI have long championed and supported, including the place of apprenticeship and the many and exciting options available in our Further Education Colleges and Centres.

### **Glacial IR Processes**

We are concerned that the establishment of the new department, and the time spent bringing clarity regarding roles and staffing, has caused still further delay to IR processes that barely move at all at the best of times. TUI believes wholeheartedly in the value of constructive engagement, but the lack of progress on claims before the Teachers' Conciliation Council, the IoT IR Forum and the National Negotiating Forum is a source of the deepest frustration to members, creating distrust that these processes can deliver at all.

Issues that are crucial to members' lives and careers cannot be left to fester for years without great damage and destabilisation to the system as a whole.

### **Workload**

Across all sectors, years of under-resourcing and under-staffing have resulted in unsustainable workloads, only added to by unnecessary and burdensome bureaucratic distractions from the central activities of teaching and learning.

### **Career Progression**

Casualisation and the extreme reluctance to offer permanent wholtime employment anywhere in education are no way to build the high-status, attractive careers that will bring the best and brightest into the profession.

Career progression, including the restoration of posts of responsibility at second level and the establishment of a clear career framework at third level, must be addressed and properly resourced.

### **Staffing levels and Class Size**

The COVID-19 crisis has prompted uncomfortable comparisons with other jurisdictions, particularly with regard to staffing levels and our over-crowded classrooms. Few other countries in Europe faced the same level of challenge as Ireland, as few others had so neglected this most basic element of provision. Where there have been improvements to meet the needs arising from the pandemic, those allocations must not only be maintained but increased in the next academic year; not least because, despite our efforts, we know that not every student has been able to engage with emergency remote education as well as others. It is vital that the necessary additional resources be provided to support those who have fallen behind with particular attention paid to those who have special educational needs.

### **Adult Education ‘Tutors’**

A year on from the Labour Court Recommendation, we still await an offer to address the remaining issues for Adult Literacy ‘Tutors’ from the LRA Chairman’s Note Process. The matters of demarcation between tutors and teachers and the scandalous lack of decent terms and conditions and an incremental scale must be progressed forthwith.

### **Youthreach**

The conversion claim for Youthreach Resource Persons and Co-ordinators is finally before the WRC and we look forward to the next engagement on 20<sup>th</sup> May.

### **Technological Universities**

A second Technological University has been established since our last Congress, a resounding vote of confidence in the outstanding work of TUI members in Cork and Tralee over many years, but a development that continues to be blighted by poor IR practices and damaging breaches of agreements by the Management side; breaches that may be widened still further at national level by proposed changes to the HEA legislation which would overthrow significant elements of the May 2017 Agreement that underpins the TUI’s cooperation with TUs. The TUI works extraordinarily hard to reach agreements and will take necessary action to defend them.

We must remain concerned that TUs will not be sufficiently resourced to fulfil their promise and potential. The unparalleled success of the RTCs and then IoTs, both as a regional initiative and in widening access to third level education, can now be further developed and enhanced, but only with the provision of the necessary funding.

The TUI will not tolerate a fracturing of the sector. We secured the establishment of the National Negotiating Forum precisely to ensure a coherent and unified approach on which we will continue to insist.

The TUI, locally and nationally, has made clear our rejection of any far-fetched schemes for third level restructuring outside of the agreed framework and will support members in DkIT and IADT in their desire to be included as the sector moves forward.

The development of TUs only heightens the long-standing need to progress the review of lecturing (originally scheduled for completion 4 long years ago last month) as well as a national agreement on online lecturing which recognises the significant additional workload involved.

### **State Examinations**

The TUI participated in the Advisory Group on the State Examinations commencing late last year. When the optimistic hopes of the parties were overthrown by the long physical closure of schools from January, the TUI could see the need for a contingency against a repeat of the awful explosion in COVID-19 cases experienced in January. However, Government's eventual decision, with Accredited Grades provided not as a safety net against the cancellation of the examinations, but as a choice, was unwise and based more on political calculations across Government and opposition than on sound educational or Public Health considerations.

The TUI pursued the best outcome from that unhappy departure, achieving important protections for teachers and for the integrity of the process, working to ensure the place of the additional components of assessment, that there be sensible arrangements for Junior Cycle and that the June examinations are adjusted fairly for our students, as many as possible of whom will hopefully take that opportunity. Very importantly, there will not, and indeed cannot, be a repeat of the reckless mishandling of data as occurred regarding the Calculated Grades Rank Ordering.

To be clear, this is the last year of choices or alternative arrangements. Vaccination will hopefully deliver a return to normality in 2022 and the TUI will demand and expect externally assessed, State Certified Examinations. We will be mindful of the efforts of some to take advantage of the pandemic emergency measures, but we are guided by clear policy established over many Congresses. The TUI will be central to any discussions that take place, including in relation to the Senior Cycle Review, and will be vigilant regarding all reform proposals, particularly ill-considered, opportunistic ones.

### **Teacher Unity**

The TUI remains committed to teacher unity. Our continuing constructive work with the ASTI on COVID-19 and other issues is no substitute for having a single union, a unified voice for second level teachers which would be a major force in the ICTU. I remain convinced that all grades in all sectors represented by TUI would benefit from unity, from the scale of the new union as well as the clarity of purpose and policy which would arise for our largest membership cohort.

### **Stakeholder Groups**

As part of dealing constructively with the challenges of the pandemic, the TUI successfully argued for the establishment of stakeholder groups for Further Education and Training and for Higher Education. While the latter only came into being several months later than its predecessor, both are producing results and exemplify the TUI's positive cooperation with other unions and the benefits, where possible, of constructive engagement with the employer.

### **Return to Work**

Both stakeholder groups, and the long-standing engagement processes for second level, have been instrumental in protecting members' interests regarding the reopening of schools and the limited increase in onsite activity in Further and Higher Education. We will continue to engage and to insist on all necessary protections and mitigations, including of course with regard to the continuing uncertainty on the potential effects of COVID-19 on pregnancy.

### **PDA**

Principal and Deputy Principal Teachers have had enormous workloads associated with the various aspects of the COVID-19 response, school reopening, State Examinations and Accredited Grades. The work of the Principals' and Deputy Principals' Association is greatly valued, not least for their assistance in highlighting the clear link between pay discrimination and the recruitment and retention crisis. Many thanks to the PDA Executive Committee and to the PDA President Adrian Power.

### **RMA**

Many thanks also for the continuing work of the Retired Members' Association during these times. The Chair of the Management Committee, Martin Hoye, will address Congress tomorrow.

### **Assistance Fund**

The RMA of course played a key role in the establishment of the Assistance Fund. Following the necessary Rule Changes at Special Congress in November last, all that remains to have the fund in operation is to conduct the necessary elections to fill the remaining places on the Assistance Fund Committee. Many thanks to those who have put themselves forward.

### **Executive Membership**

Congress marks the end and the beginning of terms of office of Area Representatives. We give our best wishes to Paddy Healy, Ann Mulcahy, and Ronan Callanan and thank them sincerely for their service. We extend the same thanks to Brendan Greene, who may yet be re-elected. We welcome incoming Area Representatives Vivienne Keenan, Richard Byrnes, and Ann-Marie O'Shea and wish them every success in their time on the Executive Committee.

### **Conclusion**

Colleagues, we are gathered, though separated, in the midst of a great crisis to debate urgent and important issues. The hard work required of all TUI members, and the intrusion of that work into our homes while balancing competing demands and responsibilities, present challenges never before encountered. Your participation this week, sacrificing a well-earned rest which is so warranted, is a further inspiring example of the ethos and strength of the TUI. I wish you all a successful Congress and know that respectful engagement and open, democratic debate will allow us to determine wise policy for the good of the members we are here to serve.

Colleagues and guests, you are welcome to this Annual Congress of the TUI.

Thank you. Go raibh míle maith agaibh.

Martin Marjoram

President, TUI