



Teachers' Union of Ireland

Frequently Asked Questions on the Re-opening of Institutes of Technology, Technological Universities and St. Angela's College, Sligo

Updated 1st October 2021

The TUI strongly urges members to read:

The Department of Further and Higher Education, Research, Innovation and Science (DFHERIS) Plan for a Safe Return to Campus – A safe return to on-site further and higher education and research (<https://www.gov.ie/en/publication/bcd91-a-safe-return-to-on-sitefurther-and-higher-education-and-research/>)

*DPER FAQs re Working Arrangements
<https://www.gov.ie/en/news/092fff-update-on-working-arrangements-and-leave-associated-with-covid-19-fo/>*

Announcement by government on 31st August 2021 about the easing of COVID-19 restrictions. (<https://www.gov.ie/en/speech/eef37-speech-by-the-taoiseach-micheal-martincovid-19-reframing-the-challenge-continuing-our-recovery-reconnecting/>) [gov.ie](https://www.gov.ie) - [Reframing the challenge, continuing our recovery and reconnecting \(www.gov.ie\)](https://www.gov.ie)

** This Guidance document will be updated on a regular basis so please continue to check the website (www.tui.ie), TUI's social media and the TUI App following the initial publication*

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To whom do the guidelines in these TUI FAQs apply?

These guidelines apply to all TUI members, irrespective of grade, working in third level institutions i.e. members in Institutes of Technology, Technological Universities and St. Angela's College, Sligo.

**Given the range of grades at third level, the document references to "member", "TUI member", "staff member" etc. include all grades unless otherwise specified as excluded - e.g. Lecturer, Assistant Lecturer, Researcher etc. Equally, references to "line manager" include Head of Department/School/Faculty/Vice-President etc, as appropriate. Given the range of Third Level Institutions in which TUI members work, the words "HEI" and "workplace" comprehend Third Level institutions in which the TUI organises.*

What do the Implementation Guidelines Require from HEIs?

The HEI should have an ongoing communication plan to raise awareness amongst all members of its community about how COVID-19 spreads and how spread can be prevented on-campus and off-campus.

- 1. The HEI should consider if there is a requirement to communicate with the wider community regarding potential fears regarding the student body contributing to spread of COVID-19 in the wider community.*
- 2. Any communication campaign should emphasise the need to avoid exposing those at most risk of serious disease in the HEI community and wider community to COVID-19. Students or staff who are concerned that they may have symptoms should be particularly careful to avoid contact with older people or people who they know to have medical conditions that put them at particular risk of severe disease.*
- 3. Any communication campaign should provide information for members of the HEI community regarding where they should go to self-isolate if they develop symptoms of COVID-19 on-campus, in residences or elsewhere.*
- 4. Any communication campaign should provide information for members of the HEI community regarding who to contact if they develop symptoms of COVID-19.*
- 5. The HEI should encourage all members of its community to register with a GP (student health unit or other GP) to whom they have access if they require medical attention for COVID-19.*
- 6. The HEI should have a protocol in place to enable safe access to indoor space. Where practical a one-way system and or marked lanes should be used to separate flow of people into, out of and within the building and a plan for access and egress from classrooms/lecture halls/ etc*
- 7. The HEI should control access to student accommodation. Students should not visit buildings other than the one where they live and should not invite guests to the residences. Students who are not residents in HEI accommodation should not access the buildings.*

8. *HEIs should clearly communicate with all staff and students that they should not attend campus if they have any COVID-19 symptoms. Such communication should be re-affirmed on an ongoing basis. The HEI should encourage all members of the HEI community to download the COVID-19 Tracker App and to use the symptom checker on the App on a daily basis. Advice on using the COVID-19 Tracker App will be included in email communication to students, on the HEI's website and on noticeboards across the campus.*
9. *Monitoring of temperatures on access to campus facilities is not required.*
10. *Members of the HEI community who travel to Ireland from other jurisdictions should follow Government advice on restricted movement on arrival in Ireland and may require support to do this if they are new to the area and are alone.*
11. *HEIs should encourage staff and students to avail of the vaccination programme in order to acquire significant vaccine protection. HEIs should make available all information in this regard.*

What is the current public health advice?

“Further and higher education and research is essential on-site and, as such, there will be instances and contexts in which adherence to the recommended physical distancing is not feasible. Current general public health advice contains a package of precautionary measures and physical distancing is one of these measures. There is no strict baseline with regard to physical distancing and the package of measures to be implemented is dependent on risk assessment informed by local engagement. It is key that where physical distancing is not feasible there are appropriate precautionary measures in place, particularly as they relate to ventilation, entry and egress to minimise congregation, hand sanitising and the wearing of face coverings and that institutions have the autonomy and flexibility to risk assess and adapt these in respect of their specific settings.”

Prior to returning to Campus

What do I have to do before I return to campus?

You must complete a Return to Work (RTW) Form which will be available from your employer. This completed form must be submitted before you return to college.

Members must also confirm that their status has not changed following other periods of closure or leave, e.g. sick leave.

Must COVID-19 signage and sanitising stations still be in place throughout the campus?

Yes.

Are management required to consult with the TUI prior to re-opening?

Yes.

What questions should a Branch now ask management prior to a return to lectures?

- *Who are the Lead Worker Representatives (LWR)?*
- *Should additional Lead Worker Representatives be selected from academic staff?*
- *What time remission will be afforded to LWRs?*
- *Has a risk assessment been carried out for each working and communal space, e.g. teaching space, academic staff offices, canteen?*
- *Will you please supply a copy of the risk assessments in understandable format for each space?*
- *Does each space have adequate ventilation?*
- *How will adequate ventilation be monitored?*
- *Will CO₂ monitors be available?*
- *Will physical distancing of 2m apply in teaching spaces and/or communal areas?*
- *If 2m distancing is not feasible what mitigating measures will apply?*
- *What arrangements will apply for immuno-compromised staff?*
- *What arrangement will apply for Staff in the early stages of pregnancy?*
- *What arrangements will apply for other High Risk (HR) staff?*
- *What arrangements will apply for Very High- Risk staff (VHR)?*
- *Other than the categories of staff listed above, what other staff will be returning on-site?*
- *What arrangements are in place for entry and egress and minimisation of congregation?*
- *Will you please clarify the arrangements for emergency remote teaching?*
- *How will the requirement for mask wearing be enforced?*
- *How will medical exemptions for students who will not be wearing masks be communicated to our members?*
- *Will microphones be available if staff request them owing to the necessity to wear masks?*
- *Will members and students have access to cleaning products to clean their desks/areas after use?*

Are management required to undertake risk assessments in every classroom/lecture hall/ practical room/staff office, etc. prior to reopening?

Yes. An employer is required under the Safety, Health and Welfare at Work Act, 2005 to ensure the safety and welfare of staff at work. It is the duty of the employer to carry out a risk assessment to meet these obligations, including workplace pregnancy risk assessments. For specific questions on health and safety and for updated legislation, please refer to the Health and Safety Authority (HSA): <https://www.hsa.ie>.

Am I entitled to view these risk assessments?

Yes. Under the Safety, Health and Welfare at Work act, you are entitled to this information.

<http://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print#sec19>

If there is an immediate H&S risk, that has not been assessed or that has been assessed but ignored, how do I proceed?

If the room/work space to which a member is assigned is unsafe (in terms of the relevant sections of the Health and Safety legislation) and therefore poses an immediate threat to or places at unacceptable risk the health and safety of the member, the member should

- immediately and formally apprise HEI management and the LWR of her/his concerns.
- advise management that s/he will not be using the room/work space until it is made safe and that, in the interim, s/he is available to continue with her/his work in a suitable and safe work space.
- without delay, inform the TUI Branch accordingly.

Can I refuse to work in a classroom/lecture theatre/laboratory/facility/office that is unsafe?

Yes. If the space is unsafe – for example an internal space without windows to the outside or mechanical ventilation of an adequate standard – immediately advise both the Lead Worker Representative and the TUI Branch Officers that the HEI is in breach of the requirements of the Health and Safety Legislation (sections 8/9). The LWR and Branch should separately so advise HEI management. Management should be advised that you are available for work in a suitable safe space but that neither you nor other members will work in the identified unsafe space. In identifying a space as unsafe in this context, the risk assessment process and the relevant Health and Safety legislation must be invoked.

Can a Lecturer/Assistant Lecturer continue to engage in Emergency Remote Teaching (ERT) as opposed to return to the physical setting of a College?

ERT may be used for example:

- where classrooms can't be used (e.g., lack of appropriate ventilation because there are no windows
- if there is a partial or full closure of a college, building or department • in the case of delivery by a Very High Risk(VHR) lecturer or a VHR student.

A number of my students are isolating do I have to provide additional support to these students through ERT as well as teaching the rest of the class onsite?

You are not required to teach both groups simultaneously.

Can meetings such as department meetings continue to be held remotely?

Yes

How should staff meetings be conducted?

When organising staff meetings, management should make every possible effort to hold them remotely. It may be possible to hold meetings safely in small groups while maintaining a 2 metre distance. Large gatherings in one physical space are to be avoided.

Consideration should be given to formation of staff pods or teams who work together and who can take breaks together.

Social Distancing/Physical Distancing

What is social distancing/physical distancing?

Social/physical distancing involves minimising contact and maintaining distance between potentially infected individuals and healthy individuals. Members should maintain 2 metre distance between themselves and others, avoid all physical contact (for example, shaking hands) and also avoid sharing personal items such as pens, cups, etc.

Why is physical distancing so important?

It is important because it is an effective protection against transmission of the virus. In the context of the busy, crowded setting of a work space, it is a fundamental responsibility of management to provide and maintain, where feasible, this protection for staff and students.

What are the physical distancing requirements for my lecture hall/classroom etc.?

Teaching and other spaces should be laid out and managed in order to safeguard the health of both staff and students. A physical distance of 2 metre should be maintained, where possible. However, there are situations where tuition can only be realistically delivered with less than 2 metre distancing.

Where 2 metre physical distancing is not feasible - does the employer need to outline why it is not feasible and outline the additional mitigation measures that are being used?

Yes. This is dependent on risk assessment informed by local engagement. The Employer must give the reason/s and must outline the other mitigation factors available and in operation and how they mitigate the spread of infection by COVID.

What should be done where management forms the view that 2 metre distancing is not feasible, for example in a particular lecture room?

The following steps should be implemented in sequence:

- There should be local engagement with staff and staff trade unions
- Management should already have conducted a risk assessment to establish how best to mitigate the reduction from 2 metres (i.e. other measures including but not limited to those set out above - ventilation, quality of masks required, etc.) and the TUI Branch (and members) must insist that this risk assessment is made available and explained in layman's terms
- If the local TUI Branch cannot resolve issues locally with management, then the matter should be referred to the TUI Head Office Official with responsibility for your branch who will forward it to the POSITS Group at national level for discussion/resolution.

Management have advised that 2 metre physical distancing is not possible in my classroom/lecture theatre/laboratory/work space; what should management do to protect the health and safety of staff and students?

Management should:

- Utilise and reconfigure all available space in the college in order to maximise physical distancing
- Review timetables
- Reconfigure classes
- Access available spaces within the local community

Management must also ensure that all other risk mitigation measures are fully utilised, e.g. ventilation and the requirement to wear a mask.

What are the health and safety measures being implemented in canteens (staff and student)?

The guidance already available in relation to canteens/restaurants will generally apply in the tertiary education context but which may require some adaption for the tertiary education campus setting. We are awaiting further clarification.

Cleaning and Ventilation

How often should rooms etc. be cleaned?

Each workplace setting should be cleaned at least once per day by workplace cleaning staff. Additional cleaning should be focused on frequently touched surfaces – door handles, handrails, chairs/arm rests, communal eating areas, sink and toilet facilities.

Staff members and students are also responsible for wiping down their own individual work areas during the day.

- Students who move between classes/lectures should be given cleaning products to allow them to wipe down their own desk, chair and surface area before they leave the room.*
- All members will have access to cleaning products and will also be required to clean and disinfect their work area each day/before they leave the room.*

What about ventilation? Is it important?

Yes, good ventilation is important in preventing spread of the virus. Lecture Halls, classrooms and other workplaces must be well ventilated. For example, the opening of all windows and doors is recommended. Frequent complete air change should take place as required.

What practical measures should be used to ensure good ventilation?

- Open windows to introduce fresh air. If possible, windows should remain open during tuition hours.*
- Partially opening a number of windows rather than fully opening one can help minimise discomfort. In colder weather, to minimise the chilling effect, windows nearest and above the radiator should be opened.*
- Rooms should not be stuffy or have condensation on the window glass.*
- Workplaces should ensure that all permanent ventilation openings in rooms are fully open and not blocked by wall hangings etc. These normally are either a circular or rectangle ventilation grill on the external wall or linear slot type ventilators built into the window frames. All of these should be opened all the*

time. If they have been taped and sealed for decorating purposes then the tape/sealing must be removed.

- All mechanical ventilation systems and any air conditioning systems should be set to 100% fresh air. Any air conditioning units that cannot operate on 100% fresh air should be left off. Management needs to check with unit suppliers if in doubt.
- Rooms with no windows and no mechanical ventilation or inadequate ventilation to the outside should not be used for activities. If management seeks to insist that such rooms/spaces be used, you should invoke the relevant Health and Safety legislation and follow the procedure set out above in that regard. You are not obliged to work in a room/space that is unsafe. Of course, you remain available for work once management meets its obligations to provide you with a safe room/space.
- The risk assessment of each room/space should make clear how it is to be safely and adequately ventilated.

CO₂ Monitors

Should colleges have CO₂ Monitors?

As an additional mitigation measure, portable CO₂ monitors can be used. The TUI was the first group to call for the provision of these monitors, arguing that they would help members to know when enhanced ventilation is required, both to improve air quality in rooms but also to ensure that sufficient air changes are taking place to reduce the risk of spreading COVID-19. It is important to note that the monitors do not regulate air quality. They simply measure the CO₂ level, thereby giving an indication of air quality. They are a guide as to when it is appropriate to open windows and initiate air change. Monitors deployed must provide a digital display of the CO₂ levels. Monitors that rely on colour-coding do not meet the digital standards.

How effective are CO₂ monitors in relation to COVID-19?

The use of CO₂ monitors can provide a useful general indication that areas/rooms may not be adequately ventilated and can enable occupants to become familiar with the impact that activities, outdoor weather and window openings have on levels of good ventilation within a room.

In the context of COVID-19 transmission, CO₂ measurements are not a reliable proxy of risk to airborne exposure to the virus. Nevertheless, CO₂ measurements can be used to identify poorly ventilated multi-occupancy spaces. However, CO₂ measurements are a less reliable measure of ventilation performance in single or low occupancy spaces (such as offices) or in very large spaces (such as corridors).

It is important, however, that air exchanges also occur in corridors and offices.

What level of CO₂ indicates that a room is not adequately ventilated?

A CO₂ level of more than 800 parts per million is an indication that the ventilation in a room needs to be improved, e.g. by opening more windows. A CO₂ level of more than 1500 parts per million indicates that there is a significant ventilation problem and, in the context of COVID-19, that the room should be vacated until the matter is addressed.

Should every room have a CO₂ Monitor?

In order to make best use of the portable monitors, their use should be focussed to those rooms where most beneficial (i.e. not placed in an idle room or in a large wellventilated area with few students) and they should be used across rooms as necessary.

It is not recommended that CO₂ measurements be used as an indicator of room/building ventilation when there are CO₂ sources present other than people, such as cooking and bunsen burners.

Where should I place the CO₂ Monitor?

The monitor should be placed at least 0.5 metres away from people and should not be placed near windows or ventilation grilles.

Air Quality Cleaners

What is an Air Quality Cleaner?

Air Quality cleaners are self-contained units that must be plugged into an electrical power socket in the room they serve. They typically comprise a filter or multiple filters and a fan that sucks room air into the filter system and discharges purified air back into the room. As air moves through the filter, pollutants and particles are captured.

When should Air Quality Cleaners be used?

Where the practical measures for the deployment of good ventilation practices have been undertaken and poor ventilation continues to exist in a particular room/area, air cleaners may be considered as an additional measure in conjunction with other methods of ventilation that are available.

They should not be used to replace ventilation but should be used in conjunction with and to support other methods of ventilation that are available.

Wearing of Masks

Do lecturers and students have to continue to wear masks this year?

Yes. Wearing a mask is very important because, combined with ventilation and physical distancing, it is an effective protection against transmission of the virus. In the context of the busy, crowded setting of a college, it is a fundamental responsibility of the employer to maintain this protection for staff and students by insisting that staff, students and visitors to the college wear appropriate masks i.e. masks that cover the nose and chin.

How will lecturers be notified if a student has a medical exemption and isn't required to wear a mask?

Internal notification systems should be agreed and used. Only staff who need to know should be informed. They should also be told of any other mitigation that might apply e.g. separate seating at a 2 m distance.

As a member of staff, am I required to wear a mask in college?

Yes. As a member of staff/lecturer you must wear a mask unless you have breathing difficulties –verified by way of a medical certificate that you must provide to your employer.

Many HEIs require that masks are worn at all times on campus except when eating and when there is a medical exemption.

I have a breathing difficulty and cannot wear a mask. What happens?

If you are medically advised not to wear a mask and have provided a medical certificate to this effect to your employer, you should wear a clear visor and remain 2 metres from others at all times.

What type of mask should I wear?

The general rule is that cloth masks must be worn. This is in line with the advice of the public health authorities and has been established as a requirement by the Minister for Further and Higher Education, Research, Innovation and Science/Government.

- Masks must not contain any slogans/logos/images that may cause upset or be deemed offensive to any member.*
- Cloth masks should be washed, in a hot wash (i.e. over 60 degrees) with detergent after every day of use and/or before being used again, or if visibly soiled.*

- *Masks should not be worn if they are wet. A wet cloth mask is ineffective and may make it difficult to breathe.*

The HPSC has published the following guidance in relation to the wearing of face masks:

<https://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/infectionpreventionandcontrol/guidance/ppe/useoffacemasksbythegeneralpublic/Guidance%20on%20use%20of%20face%20masks%20by%20general%20public.pdf>

Are there any exceptions to (exemptions from) the general rule (that masks must be worn)?

There are specified exceptions to/exemptions from this general rule. The public health authorities have stated that masks should not be worn by anybody in the following categories:

- *Any person with difficulty breathing*
- *Any person who is unconscious or incapacitated*
- *Any person who is unable to remove the mask without assistance*
- *Any person who has special needs and who may feel upset or very uncomfortable wearing the mask; for example, persons with intellectual or developmental disabilities, mental health conditions, sensory concerns or tactile sensitivity.*

A medical certificate to certify that a person falls into a category listed above must be provided to the employer by, or on behalf of, any person (staff or student) who claims that s/he is covered by one or more of the listed exceptions/exemptions.

Can I wear a visor rather than a mask?

No, save in certain limited situations, where the use of clear visors should be considered; for example, when staff are interacting with students with hearing difficulties or learning difficulties. In all other instances, cloth masks must be worn.

Visors do not offer the same level of protection from the spread of COVID-19 as cloth masks. If a visor is used instead of a mask (in one of the limited circumstances in which that is allowed), it is particularly important that the 2 metre distancing is maintained.

*It is of course open to a member to wear a visor **as well as** (but not instead of) a cloth mask.*

Do I have to provide my own mask?

Members may wish to use their own cloth masks and are, in any event, expected to wash such coverings, in a hot wash (i.e. over 60 degrees) with detergent after every day of use and/or before being used again, or if visibly soiled.

However, colleges should have additional disposable masks available on site.

Should I wear medical standard face masks?

The use of medical standard face masks is not generally required in HEI room/lecture hall settings by lecturers/staff. If for some reason close physical proximity is essential in specified circumstances, then a medical grade mask should be used.

The TUI is monitoring the advice of Public Health and of authorities such as the WHO in regard to the wearing of masks and the quality of mask required.

The Delta Variant is largely airborne. Will an adequate supply of masks be made available by my HEI?

The DFHERIS has confirmed that the HSE has a supply of face masks, which it wishes to make available to the tertiary sector and DFHERIS will work with the HSE to make them available.

My college has installed a perspex screen at my desk. Do I still have to wear a mask?

Yes.

Members, in many instances, will be moving from room to room and should therefore wear a mask at all times. A perspex screen may be a useful additional protection but it cannot and does not reduce or remove the requirement that members wear masks. The perspex screen may also be deemed necessary in conjunction with a quality mask for staff who are categorised as High Risk from COVID-19.

My college has installed a perspex screen at my desk. Is it ok if I just wear a visor?

No, other than in the limited circumstances set out above.

Members, in many instances, will be moving from room to room and must therefore wear a mask, as opposed to a visor, unless working with a student with a hearing or learning difficulty, as specified above. If wearing a visor in one of these limited circumstances, it is essential to maintain 2 metre distancing. It is of course open to a member to wear a visor as well as (but not instead of) a mask.

Am I required to wear a mask in other areas of the college outside of my classroom, for example, in the staff room?

Yes. All members must wear a mask. HEIs require that masks be worn at all times.

Will I ever be required to wear additional PPE ?

Some circumstances and/or work activities will require the wearing of additional PPE. These include, but are not limited to:

- Where a suspected case of COVID-19 is identified while at college
- Where a member is particularly vulnerable to infection but not categorised as being in the Very High Risk category
- Where a member may be living with someone in the Very High Risk category
- When administering first aid • For some practical activities.

Will students (including those in laboratories/practical rooms) be required to wear masks?

Yes, unless the student has a medical exemption.

Will students be required to wear masks throughout the day?

Yes, masks must be worn by every student unless s/he

- Has a breathing difficulty
- Is unconscious or incapacitated
- Is unable to remove the face covering without assistance
- Has special needs and may feel very uncomfortable wearing the face covering, for example persons with intellectual or development disabilities, mental health conditions, sensory concerns or tactile sensitivity.

What happens if a student, other than in one of the four categories set out above and or those with a medical exemption, refuses to wear a mask?

A student without a medical exemption who refuses to wear a mask should be refused entry or asked to leave a room/lecture hall. Any such refusal should also be referred promptly to management of the HEI and the LWR so advised. It would also be advisable and prudent for a member who has had to refuse entry (to a student) to report the incident to the Branch Officers of the TUI.

If there is a continued refusal by a student to wear the mask or leave the class the lecturer should end the class and report to management that the class had to be abandoned for health and safety reasons.

Would reliance on physical distancing allow a workplace to abandon compulsory mask wearing

No. Absolutely not. Both measures are required.

Does the roll-out of the vaccination programme allow a college to abandon compulsory mask wearing?

No. The threat represented by COVID-19 remains potent, not least because of the prevalence and transmissibility of the Delta variant.

Hand Hygiene

How often should members of staff and students wash their hands/use hand sanitiser in work?

- On arrival at work
- When moving between rooms
- Before eating or drinking
- After using the toilet
- After petting animals
- After being outdoors
- When their hands are physically dirty
- When they cough or sneeze

Temperature Checks

Is it appropriate for my workplace to take the temperature of staff and students and refuse entry to those with a high temperature?

There is currently no provision in the guidelines for taking the temperature of staff and/or students at workplaces. Students and staff should be reminded regularly by the HEI authorities that if they feel unwell and/or have any COVID-19 symptoms they must not attend.

Antigen and PCR Testing

Will there be Rapid Antigen Testing in HEIs?

Nine HEI sites are currently involved in a Pilot studying the effectiveness of antigen testing. It was announced by the Minister for FHERIS on the 3rd September 2021 that there will be an expansion of this Pilot to other HEIs. An expression of interest has issued to other HEIs to become involved in the Antigen Testing Pilot.

If the results of the Pilot indicate that antigen testing is an effective measure in preventing the spread of COVID-19, then the Minister has indicated his support for its implementation across the Higher Education sector.

Will there be dedicated Vaccination centres on or adjacent to HEIs?

Pop-Up Vaccination Centres have already been provided and it was confirmed by the Minister for FHERIS on 3rd September 2021 that there will be an expansion of Pop-Up Vaccination Centres to ensure clear and easy access for students to receive their vaccination.

What about PCR test centres? What if there is not a centre near my HEI?

The identification of PCR test centre blackspots in the sector – i.e. HEIs that do not have a PCR test centre within walking distance – is underway. This will assist the HSE to make arrangements to address this deficit and to ensure adequate access to PCR test centres.

Underlying illnesses/conditions

I have a pre-existing illness and do not feel safe returning to on-site work. What do I do?

In relation to COVID-19, the HSE has classified underlying illnesses/conditions as putting persons at either Very High Risk or High Risk. You will need to establish which category you are in as different procedures apply to each. Therefore, you should consult the HSE lists of illnesses in advance of returning to work. The list of illnesses/conditions is available at

<https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html>

I have a condition/illness that puts me in the Very High Risk Category. What happens?

The HSE advice on the 'Very High Risk' Category can be found at:

<https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html>

If a member believes that s/he is in the Very High Risk Category, s/he must complete an online Occupational Health Service COVID-19 Risk Assessment immediately and submit it to the OHS (e.g. Medmark or other relevant contractor) as well as advising the employer (HEI) that s/he may fall into this category. The member does not have to disclose to management the nature of the underlying illness/condition.

Having considered the medical information provided with the OHS Risk Assessment, the OHS will provide the employee with a 'COVID-19 Risk Assessment Report' which advises whether he/she is at a very high risk of serious illness from contracting COVID-19.

If the 'OHS Risk Assessment Report' advises that the employee/member is at very high risk of serious illness from contracting COVID-19 and cannot attend the workplace, a declaration form (Appended to Circular Letter 51/2020) must be completed by the member and returned immediately to the employer (i.e. the specific HEI) accompanied by the OHS COVID-19 Risk Assessment Report. Where a medical diagnosis changes, the employee must inform the employer immediately.

If the OHS advises that you can work from home, the HEI must facilitate that request and you will continue to be paid as normal.

If the OHS advised that you are medically unfit for work due to a **non-COVID-19** illness, the normal terms and conditions of the Sick Leave Scheme apply.

I am in the High Risk Category. What do I do?

The HSE advice on the 'high risk' groups can be found at: <https://www2.hse.ie/conditions/coronavirus/people-at-higher-risk.html> A member in the 'high risk' group who is not otherwise ill must attend the workplace, unless advised not to do so by the OHS.

If a member remains concerned, s/he may complete a declaration form (Appended to Circular Letter 51/2020) and return it immediately to the employer (i.e. the specific HEI) accompanied by the OHS COVID-19 Risk Assessment Report.

If a member in this 'high risk' group has been advised by OHS not to go to work, s/he will be facilitated to work from home.

If a member has been advised to go to work by OHS and s/he still has concerns and has been certified by a GP not to go to work, normal sick leave rules apply.

I have been advised by OHS to work from home. What can my management ask me to do?

The work assigned should be determined by your employer, in consultation with you, and may include relevant duties that support the work of the programmes delivered by the HEI in developing and delivering its programmes.

Caring/Childcare Responsibilities and Pregnancy

Can I apply for Parental Leave or Carer's Leave if I have caring or childcare responsibilities or am living with a person/s with a high risk or very high risk of contracting COVID 19?

Yes. You are entitled to have a request to avail of existing, relevant leave entitlements considered by your HEI. In considering such applications, your HEI will take account of its policy on employee absences where the welfare and educational needs of the students must take precedence over all other considerations.

I am pregnant. Am I required to attend work?

Under the current HSE guidelines, a pregnant employee is not deemed to be at very high risk of serious illness from contracting COVID-19, unless suffering from a serious heart condition, in which case alternative working arrangements will be put in place.

If a pregnant member has been advised by OHS not to go to work, she will be facilitated to work from home.

If a pregnant member has been advised to go to work by OHS and she still has concerns and has been certified as ill by a GP and advised not to go to work, normal sick leave rules apply.

If a member has a pregnancy-related illness the normal rules for such illness apply.

It has recently been announced that all pregnant women, regardless of the stage of pregnancy, may avail of vaccination against COVID-19.

I am pregnant. Should my employer carry out a specific risk assessment owing to my pregnancy?

Yes. There is a statutory obligation on the employer to carry out a workplace pregnancy risk assessment on an employee as soon as they are notified that she is pregnant.

I am pregnant. What are my general health and safety rights while at work?

The Safety, Health, and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (General Application) Regulations 2007 (S.I. No. 299 of 2007) place an obligation on the employer, as soon as it is notified by the member that she is pregnant, to assess any specific risk in the workplace to that member and to ensure that the pregnant, post-natal, or breastfeeding member (within a 26 week period after the birth of the child) is not exposed to any agents, processes or working conditions that will damage either the safety or health of the pregnant member and/or that of the developing child.

A member should be informed of the results of the risk assessment and the measures to be taken. The detailed arrangement regarding the respective responsibilities of the employer and the member in relation to Health and Safety Leave are contained in Sections 17 – 20 of the Maternity Protection Act 1994.

Where a risk has been identified and it is not possible to remove it, protective and preventive measures should be taken by the employer to safeguard the health and safety of any member to whom the provisions apply. Such measures may include:

- a temporary adjustment in the working environment of the member concerned so that exposure to the risk is avoided, or*
- moving the member to suitable alternative work which does not involve the risk in the event that such adjustment is not possible, or*
- granting the member Health and Safety Leave in the event that such alternative work is not available, having consulted with and received certification from the OHS. The member is entitled to receive, on request, a certificate stating the reasons she has been granted leave. The certificate must also state the start date and expected end date of the leave.*

Health and Safety Leave will cease when:

- the member concerned commences Maternity Leave, or*
- the member is no longer an employee to whom Part III of the Maternity Protection Act, 1994 applies (i.e. she notifies the employer that she is not pregnant, has not given birth within the last 14 weeks or is not within 26 weeks of the birth and breastfeeding, as defined in the Act); or*
- the risk ceases.*

A member who makes PRSI contributions at the modified rate (Class D), and has no entitlement to Health and Safety Benefit from the DEASP, will be entitled to full pay while on Health and Safety Leave.

A member who makes PRSI contributions at the full rate (Class A) and who is entitled to Health and Safety Benefit from the DEASP will be paid full salary by the Paymaster for the first 21 days and thereafter will be paid full salary less any benefit paid by DEASP HSB1 Form.

COVID-19 Response

What specific measures should the HEI take in responding to the COVID-19 threat?

- 1. The HEI should enhance programmes to promote a healthy lifestyle to the greatest extent possible.*
- 2. The HEI should encourage members of the campus community to signal to a central contact point in the HEI early if they are diagnosed with COVID-19 (Note: Confidentiality and data protection issues must be considered in how this is done). The intention is to support the HEI in identifying early if there is evidence of transmission of COVID-19 related to HEI community activity so that it can respond appropriately in association with public health authorities.*
- 3. Pathways for access to healthcare should be clear so that people know who to contact for access to healthcare at any time if they develop symptoms of illness.*
- 4. Staff who consider themselves specifically at risk of severe illness, or with vulnerable members of their household, should engage with the HEI as their employer to manage that risk as appropriate.*
- 5. The HEI should advise teaching staff who are Very High Risk (as per HSE guidance) that they are not required to teach face to face and facilitate such staff to work remotely, including offering teaching and learning online, where this is necessary. This is crucial in ensuring the safety of such staff. The HEI will ensure that staff living with Very High Risk individuals or staff in the high risk category will be risk assessed on a case-by-case basis with appropriate measures implemented accordingly.*

If I am identified as a close contact and have not heard from contact tracing should I go for a test?

Public Health authorities will advise if you are a close contact i.e. the HSE contact tracing team.

If I am advised that I am a close contact and do not need to go for a test as I am asymptomatic can I still go for a test?

You must follow the advice of your GP/HSE/Public health authorities.

If this result is positive and I am asymptomatic should I notify my employer and stay at home?

You must remain at home and notify your employer accordingly via the appropriate circular.

What contact tracing systems should be in place on campus and whose responsibility are these?

Each College should have a contact person should the HSE/Public Health Authorities need to contact the college.

Lead Worker Representative

What is a Lead Worker Representative?

A Lead Worker Representative is a person, selected by staff, to assist management to implement a range of measures to prevent the spread of COVID-19 in workplaces.

Is a Lead Worker Representative the same as the Safety Representative?

No. Both roles are separate although they may be undertaken by the same person.

How many Lead Worker Representatives (LWRs) should my workplace have?

The number of LWRs on a campus will be determined by the HEI's management having regard to the geography and the daily population of the campus.

Does a LWR have any legal responsibilities?

No. A Lead Worker Representative does not have any legal responsibilities in relation to COVID-19 other than those that apply to employees generally.

Who selects the LWR?

There is a nationally agreed process that must be followed. The first step in the process requires management to seek expressions of interest from all staff. If more people are interested in the position than there are LWR positions on offer, an election by all staff must take place.

I have been selected by staff to be the Lead Worker Representative. What exactly do I do?

You are required to:

- *Insist that management have conducted risk assessments in all areas/rooms in the college and that the results of such risk assessments are made available in a format that is clear and understandable....*
- *Represent all staff in your workplace i.e. academic staff/ administrative staff/ caretakers etc.*
- *Keep up-to-date with the latest COVID-19 public health advice*
- *Liaise and work with management to ensure, insofar as is practicable, the safety, health and welfare of all staff in the workplace including consulting on COVID-19 control measures implemented in workplaces.*
- *Promote good hygiene practices*
- *Assist management to implement measures to suppress COVID-19 in workplaces*
- *Monitor, in conjunction with management, compliance with measures introduced to prevent the spread of COVID-19*
- *Conduct safety reviews including a walk around of the workplace at least twice a week to ascertain if safety measures are being complied with*
- *Report any concerns immediately to management*
- *Keep records of any issues of concerns*
- *Keep records of actions taken by management to rectify concerns*
- *Consult with management on the workplace's COVID-19 response plan*
- *Consult with colleagues on all matters relating to COVID-19 in the workplace*
- *Make representations to management on COVID-19 related matters*

Should all staff know who the LWR is?

Yes. All staff should be advised of the name and contact details of the LWR. Management is required to provide this information.

COVID-19 Symptoms and Diagnosis

I have COVID-19 symptoms, should I attend work?

No, absolutely not. You have no discretion in this matter. You must not attend work. Symptoms of COVID-19 can be found at:

<https://www2.hse.ie/conditions/covid19/symptoms/overview/>

What should I do if I develop symptoms of COVID-19 at work?

You must advise your HEI line management immediately and follow the relevant procedures as set out in the College's COVID-19 Response Plan.

What are the symptoms of COVID-19?

Symptoms of COVID-19 can be found at:

<https://www2.hse.ie/conditions/covid19/symptoms/overview/>

Note that the list of symptoms of COVID-19 has been expanded since the arrival of the Delta variant.

What procedure should be followed if an employee or student falls ill with COVID-19 symptoms while at work/college?

Each HEI should have a COVID-19 plan which outlines the college procedure including availability of an isolation room and the location of additional PPE (if required).

What happens if a student presents with COVID-19 symptoms during the day?

Staff should inform the management of the HEI immediately. Each HEI must have a response plan to deal with such a scenario. All staff must be advised of the procedure that applies in their workplace.

I have been diagnosed with COVID-19. Will I still get paid?

Yes. Special leave with pay will be granted by the HEI, for those members who have been diagnosed with COVID-19 or those who have been advised to self-isolate. To apply for special leave with pay, a member must complete form appended to Circular Letter 51/2020 and return it to the HEI immediately. The completed form, which can be signed digitally, must be accompanied by appropriate HSE/medical certification to include the estimated date of fitness to return to work. The certification can be scanned and emailed to the line manager/HEI until you are fit to return to work and are in a position to provide the original version.

I have been diagnosed with COVID-19. Must I advise my Employer/HEI?

Yes. A member must provide HSE/medical certification to the employer, to include estimated date of fitness to return to work.

If I have been diagnosed with COVID-19. Will it affect my normal sick leave?

No. Special leave with pay is separate to the normal sick leave scheme.

How much special leave with pay am I entitled to?

Special leave with pay commences on the day that you develop symptoms of COVID19 and notify your employer/HEI.

It is considered by the Occupational Health Service (OHS – e.g. MedMark) that most recoveries will happen 14 days after the onset of symptoms. You must be 5 days fever free (which may run concurrently) before returning to work. It should be noted that the 14 days is from the onset of symptoms and not the date of receiving a positive COVID-19 test result.

Nonetheless, if symptoms persist you must keep in touch with your employer regarding the need for further leave which may be considered in consultation with the OHS, e.g. MedMark.

These arrangements do not preclude an employee working from home at an earlier stage, if this is feasible, depending on the individual case.

When you return to work, you must be informed by the employer of the procedures in the workplace regarding social distancing, use of personal protective equipment and hand washing techniques.

Self-isolation

What is self-isolation?

Self-isolation means staying indoors and completely avoiding contact with other people. This includes other people in the household, as much as possible. A member with COVID-19 symptoms will be medically/HSE advised to self-isolate while he/she waits for a COVID-19 test appointment and test results.

I have been advised to self-isolate. Will I still get paid?

Yes. Special leave with pay will be granted by the HEI for members who have been advised to self-isolate pending a COVID-19 test. A member must seek a COVID-19 test immediately upon experiencing symptoms of COVID-19 and/or being advised to self-isolate.

To apply for special leave with pay, a member must complete the form appended to Circular Letter 51/2020 and return it to the HEI immediately. The completed form, which can be signed digitally, must be accompanied by appropriate HSE/medical certification to include estimated date of fitness to return to work. The certification can be scanned and emailed to the HEI until you are fit to return to work and are in a position to provide the original version.

If the COVID-19 test is positive the member remains on special leave with pay. If the COVID-19 test is negative, following the period of self-isolation, and the member remains unwell, s/he reverts to the normal sick leave scheme.

Am I required to tell my employer/HEI if I have been advised to self-isolate?

Yes. All members have a responsibility to adhere to Government guidelines as they relate to COVID-19. If management becomes aware that a member attended work when s/he should have been self-isolating, they are expected to report this to the HSE. The matter may also have to be dealt with at local level.

Close Contacts

Whose responsibility is it to advise me that I have been in contact with a confirmed COVID-19 case/person? Is it the responsibility of the HEI or the HSE?

If you are a close contact of someone who has tested positive for COVID-19 you will receive either:

- *a call from a Contact Tracer*
- *an alert on your mobile phone, if you're using the COVID Tracker app*

Calls from contact tracers come up as a private number. You cannot contact a contact tracer directly or return a missed call. If you don't answer a call from a contact tracer, s/he will leave a message, if voice mail is working. Contact tracers will let you know that they have tried to contact you. They will call you a few times, if necessary.

If you are advised that you are a close contact, you will have to get tested for COVID-19. A contact tracer will arrange a COVID-19 test for you, even if you do not have symptoms.

It is not the responsibility of the HEI to conduct contract tracing. However, HEIs are required to keep a contact log of all persons attending/visiting the workplace.

I have been in contact with a confirmed COVID-19 case/person. Should I attend work?

If you are fully vaccinated and have sufficient vaccine protection and do not have any COVID-19 symptoms you may be allowed to attend work. This will be determined by the HSE following a public health risk assessment.

I have been advised that I am a close contact of a confirmed COVID-19 case/person and have been advised to restrict my movement. What happens?

If you have no COVID-19 symptoms you may still be medically/HSE advised to restrict your movements if you have been in close contact with a person who has a confirmed case of COVID-19 or if you live with someone who has COVID-19 symptoms. This will be determined by the HSE.

Am I required to deliver remotely while restricting my movements?

If you are advised to restrict your movements and are not, yourself, symptomatic, you are medically fit for work and remain available for work. You will be assigned work, which can be completed remotely, for the 14 day period and your employer must therefore facilitate alternative working arrangements to the maximum extent possible e.g. working from home.

As there is a contractual obligation to work while well, all employees must co-operate with all such flexibilities while they are restricting their movements. Where an employee on restricted movement tests positive for COVID-19, the provisions set out above apply.

Travel Abroad

What happens if I wish to travel abroad before going back to college or during Christmas or other breaks?

Where there is an intention to undertake travel overseas to any country which requires a restricted movement period on return to Ireland, an employee must make provision by way of an Unpaid Leave application, in advance, for that period of restricted movement, where it coincides with their return to work due date.

The travel advice that pertains at the time of travel will apply to all staff and students.

Access to the Workplace

Can visitors be permitted entry to my workplace?

Attendance by visitors to workplaces is restricted to those attending for essential reasons only and will only be allowed with prior arrangement with senior management of the HEI.

Is my workplace required to keep a contact log for all those attending or visiting the workplace?

Yes.

Compliance Issues

I have a student who deliberately flouts the COVID-19 response plan; for example, by refusing to comply with hand hygiene, mask wearing or social distancing. What should I do?

Any breach of the COVID-19 response plan or any action/inaction that puts the health and safety of members, other staff or other students at risk is a serious disciplinary offence. You should, immediately, refer the matter to the management of the HEI and it would also be prudent to advise the LWR and advisable to inform the local Branch of the TUI.

What are my Health and Safety (H&S) responsibilities in terms of COVID-19?

An employee, must:

- *Comply with the workplaces measures for dealing with COVID-19, for example, by maintaining physical distancing where feasible, wearing face coverings and practising good hand hygiene*
- *Comply with safety and health legislation*
- *Take reasonable care to protect her/his own safety, health and welfare and that of any other person who may be affected by her/his acts or omissions at work*
- *Co-operate with the employer and any other person to enable them to comply with health and safety legislation*
- *Not engage in improper conduct or other behaviour which could endanger his or her safety, health and welfare or that of any other person.*

What is the procedure for dealing with COVID-19 Health & Safety concerns?

The COVID-19 response plan makes provision for a workplace to have a Lead Worker Representative (LWR). In the first instance, concerns or issues that arise are processed in accordance with the procedures specified in the COVID-19 response plan.

*However, if those procedures are not applied in a fair and prompt manner or if the issue is not satisfactorily resolved, the **TUI reserves the right to act on behalf of members to protect their health and safety, as outlined in the following steps.***

Step One:

If a TUI member wishes to raise a COVID-19 related health and safety issue in a workplace s/he should, in the first instance, inform the Lead Worker Representative (LWR). The member should also advise the TUI Workplace Committee (WPC) and the WPC should keep a record of this.

Step Two:

The LWR will deal with issues that arise in line with the procedure set out in the workplace COVID-19 Response Plan. This includes raising the matter with workplace management/employer immediately and keeping a record of all COVID-19 problems, areas of non-compliance or defects that the LWR has identified or that have been reported to her/him.

Under this procedure the employer is expected to act promptly on these representations. If unable or unwilling to do so, the employer (for example, workplace management) must detail the reasons why, in order that the LWR can escalate the issue of concern, in the manner specified in the COVID-19 Response Plan.

If a concern is resolved, the LWR must record any actions taken to rectify the concern and inform staff.

Step Three:

If, notwithstanding the efforts of the LWR, a concern has not been addressed to the satisfaction of the TUI member/s, the matter should then be referred as an industrial relations issue/grievance to the TUI Workplace Committee (WPC).

The TUI WPC can seek advice from the local Branch Officers and/or Area Rep. The contact details for Area Reps can be found in the TUI Diary and Handbook that issues to all members in September. Contact details are also available by contacting TUI Head Office on 01-4922588 or tui@tui.ie.

The TUI WPC will meet with management immediately and seek to resolve the matter. In a HEI, if a satisfactory resolution is not provided by local management, the WPC will advise the local Branch who will contact the management of the HEI to seek an immediate resolution of the matter.

Step Four:

If a satisfactory resolution is not provided, following the steps as outlined above, the WPC will:

- Lodge a collective grievance using the nationally agreed grievance procedure **and***
- Report the matter to the Health and Safety Authority. If the HSA sends an inspector to the workplace, the LWR is entitled to accompany them during the inspection and to get a copy of any recommendations or orders. This should, in turn, be provided to the TUI WPC. **and***
- Where relevant, report the matter to the Health Service Executive (HSE).*

Emergency Remote Teaching for the academic year 2021/2022

The ERT Agreement agreed between THEA and the TUI can be found at:

[https://www.tui.ie/ fileupload/THEA-TUI%20Agreement%20on%20Emergency%20Remote%20Teaching%20for%20the%20academic%20year%202021-2022.pdf](https://www.tui.ie/fileupload/THEA-TUI%20Agreement%20on%20Emergency%20Remote%20Teaching%20for%20the%20academic%20year%202021-2022.pdf)

The ERT Agreement agreed between TU Dublin and the TUI can be found at:

[https://www.tui.ie/ fileupload/170921%20TU%20Dublin-TUI%20Agreement%20on%20Emergency%20Remote%20Teaching%20for%20the%20academic%20year%202021-22.pdf](https://www.tui.ie/fileupload/170921%20TU%20Dublin-TUI%20Agreement%20on%20Emergency%20Remote%20Teaching%20for%20the%20academic%20year%202021-22.pdf)

This document will be updated on a regular basis so please continue to check the website (www.tui.ie), TUI's social media and the TUI App following the initial publication.