



# news

VOL.28 / NO.2

TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN

NOVEMBER '05



Change Agenda in Higher Education

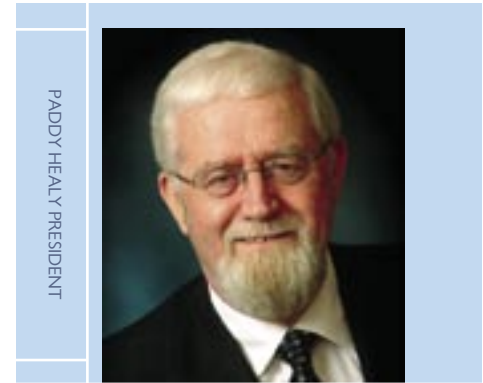
Contracts of Indefinite Duration • TUI Position on Promotions Vindicated



TOM BOLAND (HEA), PADDY HEALY, PETER MACMENAMIN AT TUI CHANGE AGENDA CONFERENCE



MARIE HEGARTY, LETTERKENNY AT TUI CHANGE AGENDA CONFERENCE



- Paddy Healy,**  
President president@tui.ie
- Tim O'Meara,**  
Vice President
- Jim Dorney,**  
General Secretary jdorney@tui.ie
- Peter MacMenamin,**  
Deputy General Secretary pmacmenamin@tui.ie
- Declan Glynn,**  
Assistant General Secretary dglynn@tui.ie
- Annette Dolan,**  
Assistant General Secretary adolan@tui.ie
- Hilary O' Byrne,**  
Administrative Officer hobyrne@tui.ie
- John MacGabhann,**  
Education/Research Officer jmacgabhann@tui.ie
- Conor Griffin,**  
Press & Information Officer cgriffin@tui.ie



# Contents

<b>Features</b>		<b>Regulars</b>
4 End Underfunding!	14 Youthreach Ballot	3 A Word From The President
5 Change Agenda Conference	16 Congress Details	10 Institute News
12 Branch Treasurers Seminar	18 CIDs – Q&A	22 Notices
13 Suspension of Promotions	21 Mclver Report Submission	25 RMA News
14 Early Retirement Strands	26 Golf AGM	30 Appreciations

TUI News is published by the Teachers Union of Ireland, Aontas Muinteoiri Eireann, 73 Orwell Rd, Rathgar, Dublin 6

T: 01 - 4922588  
 F: 01 - 4922953  
 E: tui@tui.ie  
 W: www.tui.ie

**Produced by:** Newworld Image, 9 Greenmount Avenue, Harolds Cross, Dublin 6  
**Printed by:** Typecraft Ltd.

# A Word From The President

## Task Force on Discipline

Though the Task Force on discipline is not due to report until December, the Minister has announced her support for break-out centres inside and outside of schools in which disruptive students would receive counselling. This is to be welcomed. It is in fact a major victory for the TUI campaign on indiscipline in schools. It followed closely on a very frank and vigorous oral presentation to the Task Force by Assistant General Secretary Declan Glynn and Executive member Bernie Ruane. It is to be hoped that it heralds a new dawn for students who wish to learn and for their hard pressed teachers.

Unfortunately, the media have dubbed the break-out centres as “sin bins”. In my recent interview on Today with Pat Kenny, it was necessary for me to point out that these centres will fail if they are merely sin bins. The centres must be fully staffed with experienced fully time-tabled teachers with ready access to other professional supports. Such centres have already been piloted in a number of schools. When properly staffed, they have been successful. But there will always be cases where a student will refuse to engage with the teachers in the unit or may be a danger to fellow students and to teachers anywhere on the school premises. Such students must be helped in units outside the school. These units must also be appropriately staffed.

The provision of properly staffed break-out units will cost money. Adequate resources must be provided in the December budget for immediate implementation of the system. Without this, ministerial support would be empty talk.

The equivalent British task force has also reported recently. In a key recommendation, it says that parents must have legally enforceable contractual obligations as well as rights in respect of students at school. This would go some way to remedying the imbalance of rights between willing students and teachers on the one hand and disruptive students and their parents on the other.

Second level education is now a universal system. It follows that any form of anti-social behaviour that can occur in wider society can also occur in school. Yet schools and teachers have extremely limited powers.

TUI will insist that the recommendations of the Task Force be implemented without delay.

## Mclver Costings

The annual cost of implementing the Mclver structures and supports in PLC colleges with over 150 PLC students has now been agreed at €47m. In the context of the current budget surplus of €6,700m, this is a tiny amount. I was most disappointed and annoyed at the low level of expectation of the Department of Education in relation to provision for funding Mclver in the forthcoming budget. I made it clear to the officials that we would hold campaign meetings in all the main centres in the run up to the next election unless the money was provided. Be ready!

## Cheap Labour

As I write, the TUI contingent is preparing to join the SIPTU demonstration against cheap labour and the proposed EU Services Directive arising out of the Irish Ferries dispute. The TUI and the ETUCE (European Education Unions) have been pressing for the exclusion of education from the remit of the directive. I raised the matter with Minister Hanafin without success twelve months ago. We are concerned that Institutes, universities and schools could have headquarters in eastern Europe while operating in Ireland. Under the Directive, pay rates in the headquarters country would apply thus introducing cheap labour in education into Ireland with resultant damage to Irish Education providers.

TUI is opposed to the low pay implications of the Directive in general. We face the consequences every day in the class room and the lecture theatre. We offer our solidarity to SIPTU and support its President, Jack O'Connor when he says: “What is

happening in Irish Ferries provides a glimpse of the neo-liberal nightmare towards which we are currently drifting. We have to ensure it remains just a glimpse, and that EU policy makers steer a saner course that reinstates the social values at the heart of the European model.

“It is incumbent upon us to make people aware of the threat that is looming for them and their families if we do not achieve a fundamental change in our present social partnership model so that social objectives are at least given parity with economic growth.

“But concern is no longer enough. People must mobilise. Irish Ferries is a harbinger of the workplace of the future. The same blind market forces that are driving down pay and conditions there are coming closer to everyone’s workplace.”

## Whole School Evaluation and Subject Inspection

Minister Hanafin has informed the union that all non-individual inspectors reports will be published in their entirety. There is no legal compulsion on the Minister to do this. She is using her discretion under the Education Act to do so. TUI has decided to continue to oppose publication and to contest the matter through the Conciliation and Arbitration scheme.

Already, parent representatives of students in the school who sit on the board of management receive these reports, the concern of the Minister is therefore not mainly to inform parents of students in the school. In her own statement, she stresses the need to enable parents to choose a school. While schools in the free scheme remain chronically underfunded, this can only benefit fee paying schools. Is this then a neo-liberal measure to marketwise second level education? Is it an example of preparing to introduce the same “blind market forces”, which Jack O'Connor has identified, into education?

*Paddy Healy*

# End Scandal of Underfunding in December Budget!

The government has just announced a ten year programme of investment in **physical infrastructure** costing **€34.4 billion**. Roads bridges and broadband will be provided. On the other hand, the Minister for Finance has indicated that increased spending on **education** in the coming year will be **limited to about 8%**, which is in line with the projected growth in GDP in money terms. In other words, education will continue to be given low priority by government.



PADDY HEALY, PRESIDENT, TUI

Since 1997, the proportion of national income spent on education has dropped from 4.7% to 4.1% according to OECD figures. The Minister for Finance has admitted in the Dail that there was a current budget surplus of €6.7 billion last year. Preliminary figures for this year indicate a similar or even greater surplus. The exchequer is awash with funds.

There is a pressing need for a major spending programme to tackle disadvantage. Pupil teacher ratios must be significantly reduced. The €40 million across all sectors up to 2007, which the Minister has announced 6 times over the past year is an insult. The growing number of students without English as a first language, is but one example of the crushing burden on schools and on teachers. Funding of second level education in Ireland ranks 21st of 27 OECD countries.

Financial provision must be made in this budget for fully staffed break-out centres to help disruptive students. The implementation of the McIver structures in our PLC Colleges will cost €47 million per annum. This is a tiny amount in comparison to the current budget surplus (6,700 million).

According to OECD, there is a need for a quantum leap in the funding of third level education. Our Institutes of Technology bear a wholly disproportionate burden of disadvantage and receive a lower grant per

student than the University sector. The funding of our Institutes must be raised to a new plane to enable them to realize their full potential in education and in driving regional economic development.

The non-pay budget of Youthreach and other centres has not been increased for ten years. This scandal must end.

Government commitment to adult education and life long learning is mere lip service. Part-time students are required to pay fees and there is no system of paid educational leave, such as exists in several European countries.

## Soundbites Not Enough

The Minister for Education is currently discussing spending on education with the Minister for Finance leading up to budget day in December. An increase of 25% in each of the next three years is necessary to bring spending on education in Ireland up to world class Scandinavian standards assuming a 5% increase in the budget of those countries. This is the standard by which the performance of the Minister must be judged. Nobody will be fooled by soundbites and by misleading figures designed to hide under-performance.

At present there is no need for extra taxation to fund such investment in education. The current budget surplus is quite adequate.

But the government is spending the surplus on physical infrastructure and defraying debt as explained by Minister Cowan in the Dail recently. Now it is proposed that this policy continue for a further ten years under Minister Cullen's plan. Almost all countries borrow to fund physical infrastructure which will serve many future generations. The Irish national debt at 30% of GDP is among the lowest in the world.

The suggestion that borrowing for physical infrastructure "would bring us back to the bad old days of the 70s and 80s" is completely misleading. In those years governments borrowed large amounts to fund current spending. At the moment, there is a surplus of €6.7 billion of revenue over current spending.

Despite a cumulative current budget surplus of €40 billion since 1997, governments have decided to cynically neglect the educationally disadvantaged and, instead, to put current revenue into long term physical infrastructure. Is there any possibility that opposition parties might begin to highlight this scandal?

Unless there is a quantum leap in the funding of education in the forthcoming budget, it will be necessary for TUI to mount a nationwide campaign for resources in the 18 months remaining before the next general election.

# The Change Agenda in Higher Education

21/9/05, Davenport Hotel, Dublin



DEREK DUNNE, SHEILA PARSONS (ASTI PRESIDENT), TIM O' MEARA VICE PRESIDENT, TUI

TUI's conference on the change agenda in higher education was opened by **Paddy Healy** who set the tone by stating that "the inherent neo-liberalism in the OECD recommendations is profoundly unsuited to the conditions of Irish society and an anathema to the rich European tradition of academic freedom".

Mr Healy expressed the union's complete opposition to any imposition of business models onto education and said that the conference was both timely and extremely relevant given the developing trends that

would be outlined in the presentations that followed.

**Roland Schneider, senior policy advisor with the OECD's Trade Union Advisory Committee (TUAC)**

confirmed that the OECD review had been leaked to the press before many partners in the review process had received it, and that the Government sought to exclude TUI representatives from joining a TUAC delegation attending a meeting with the OECD's education committee before the report's publication.

Mr Schneider stated that the Irish Government 'found it necessary to bring in outsiders to push the agenda' and that TUAC did not have any opportunity to discuss the findings of the report or to make a substantial input. "We got copies of the draft report just two days before the meeting and we had the meeting on the day recommendations were leaked in the press." Mr Schneider said that a repeat of such tactics by OECD would bring its credibility into question.

In his presentation, Mr Schneider affirmed that Unions must react to the gap between rhetoric and reality. They must build public and political knowledge of

- what higher education is about,
- its value to society,
- the advantages and pitfalls of different policy options,
- the effects of educational, management and political choices.

The need for healthier public knowledge of what educational institutions do and for informed debate on lessons of past policies as well as socially just and sustainable options for the future is undeniable, he said.



ROLAND SCHNEIDER, TUAC



## tui education conference "Teaching for the Future"

venue: Croke Park Stadium, Ash Suite (Cusack Stand)

date: Saturday 26 November, 2005

time: 9.00am - 4.00pm

Parking available. Full details have been sent to all Branches and are available on our website.

The Government needs to show its commitment to higher education in the same way that it does to the transport infrastructure, **Tom Boland, chief executive of the Higher Education Authority (HEA)** said during his presentation. "In all of Government's there needs to be a greater sense of higher education as an investment," he said. He stressed his belief that the Institutes of Technology stand to gain rather than lose out when they come under the same funding mechanism as universities while rejecting suggestions that third level institutions are becoming more like businesses.

**Ian McKenna, Department of Education and Science** explained the "Bologna Process" in an address titled "*Bologna to Bergen and Beyond*". This is to develop a system of standardised higher education qualifications in Europe based on three cycles, undergraduate, postgraduate and Doctorate and to promote the mobility of students and staff.

**Stuart Garvie's [NQAI] paper "Qualifications Framework in Action"** explained the Qualifications framework and dealt with some of the implications of its introduction. This also deals with international comparisons and alignment of qualifications.

**Des Carolan, HETAC dealt with the "Impact of Delegated Authority"** on Institutes of Technology. In the course of his address he stated that it had just been announced that WIT, GMIT and CIT had just been awarded delegated authority up to Ph.D. level. He also explained the newly introduced *EUROPASS* which is an initiative which aims to help people make their skills and qualifications clearly and easily understood in Europe, thus facilitating the mobility of both learners and workers. For further information see [www.europass.ie](http://www.europass.ie).

**David Robinson of the Canadian Association of University Teachers (CAUT)** examined the concepts of GATS and globalisation. Higher education has historically been international in scope, he said, but today, internationalisation is giving way to globalisation. This was resulting in a deepening economic integration based on the deregulation of markets, privatisation and commercialisation.



JOHN MACGABHANN, MICHAEL NASH (CO LIMERICK BRANCH)



PADDY HEALY, PRESIDENT, TUI



EDDIE CONLON, DIT



DELEGATES AT TUI CHANGE AGENDA CONFERENCE



NOELEEN BOYLAN, MARGUERITE SHANLEY



DERMOT DOUGLAS (COUNCIL OF DIRECTORS OF ITS), STUART GARVIE (NQAI), JOHN MACGABHANN

He explained GATS (General Agreement on Trade in Services) and how they conflict directly with public service principles, and highlighted areas of concern in this regard within the OECD's report, specifically recommendations that:

- HEI's actively seek external sources of funding
- HEI's be required to generate financial surpluses

- HEI's should commercialise research
- HEI's should "market themselves more energetically internationally"
- Re-introduction of fees subject to a means test.

He said that it was vital to carefully assess trade implications of educational policy changes and ensure any reforms are protected under the definition of "public services" in GATS and that international

trade agreements make explicit allowance for both maintaining and expanding public services. He gave instances of situations where this is leading to HEIs being franchised as commercial undertakings, where they are reducing the numbers of Academics in favour of technical staff for "on line delivery" and looked at trends which could easily develop in Irish Higher Education which would be to its overall detriment.

# TUI launches response to OECD report

The TUI response to the OECD review of Higher Education in Ireland was launched at the recent TUI conference on the Change Agenda in Higher Education.

At the launch, TUI Education/Research Officer, John MacGabhann, identified many of the shortcomings of the report as perceived by TUI. He noted that the Department of Education and Science has already rejected a number of the specific recommendations while at the same time apparently endorsing the overall thrust of the report. It was noted that Government has rejected the artificial distinction between applied and other research. This rejection is in accordance with TUI policy. Also rejected by Government is the recommendation that Ph.D. awarding powers should be concentrated in Universities and withdrawn from Institutes of Technology.

In this context it was noted, and welcomed, that three further Institutes of Technology have got delegated powers in respect of Ph.Ds.

...a direct impact on the conditions of service of members of the Union....

The overall thrust of the report, however, is not acceptable to the Union, especially in respect both of the financing of higher education and of a number of key areas – including tenure - which have a direct impact on the conditions of service of members of the Union.

The Union rejected as regressive and predictably neo-liberal the OECD view

that funding should be generated by the re-imposition of fees for undergraduate studies and put forward an alternative funding model. While in agreement with the OECD that higher education in Ireland is seriously under-funded and that, in order to maintain and enhance our reputation for excellence, significant additional funding is required, the belief of the Union is that it falls to the exchequer to provide this funding. Our response demands respect for and continuation of the social contract which requires that a public good such as education be funded from taxation.

The Union also made clear its trenchant opposition to the autocratic models of governance of higher education espoused by the OECD and demanded the retention of the present levels of academic representation on governing bodies and other related structures.

Copies of the response to the OECD have been sent to all Branches in the Union. Further copies are available on request and the document is also available on the TUI web site.

# Institute News

## Labour Court adjudicates on incremental credit for IOTs

The Labour Court has recently issued its adjudication on the Union's claim for the application to existing members of the new provisions in relation to incremental credit. After the introduction of the PCW agreement the Union made representations to the Department of Education and Science and Institute of Technology management in respect of the provision of incremental credit. It was the view of the Union that many appointments were being made which failed to acknowledge significant experience that members had acquired before their appointment. The previous restriction in respect of incremental credit meant that if the salary in the year immediately prior to appointment was not in excess of the first point of the scale then no incremental credit could be obtained. The recently issued circular letter CL IT 01/05 removed this provision and gave credit for appropriate experience not withstanding salary. Due to the considerable period of time when this matter was being discussed the Union sought the implication of this new provision from the date of the PCW. The Department refused this and the matter was referred through the Labour Relations Commission to the Labour Court. The adjudication of the Labour Court is as follows:

**Recommendation:** The Court has given detailed consideration to this case and to the submissions of the parties. It has come to the conclusion that the best solution is an industrial relations one. The Court recommends that each claimant have applied to them. The suggestion made at conciliation by the IRO whereby a staff appointed before the effective date could not be on a lower point than those appointed afterwards. This should be implemented and each claimant should as an acknowledgement of the lengthy claim process also receive an ex-gratia payment of €1,500 in full and final settlement of the matter. The Union welcomes the issuing of the recommendation. It is however clear from



DELEGATES AT TUI CHANGE AGENDA CONFERENCE

the finding overall that further discussions in relation to its implementation are required.

## Pensions Issues

At a recent meeting in the Department of Education and Science the Union raised a number of pension issues.

### 1 Claim to allow for the purchase of Superannuation for the period of career break taken between 1985 and 1990.

This claim, which has been lodged at the IR Forum, was discussed between the Union and the Department. The Department is giving consideration to points made by the Union.

### 2 Restoration of strike days for pensions.

This is a claim, which is being made both to the Teachers Conciliation Council and to the Industrial Relations Forum for Institutes of Technology and is for the restoration of pensionability of strike days which have been lost. The Department has agreed to restore certain national strike days taken in 1985 and 1986 and is prepared to give consideration to the restoration of days for other strikes which it describes as being national in

nature. The Department refuses to restore pensionability of local strike days however it was noted that as part of this settlement of the Wexford dispute in the early 70's, strike days were restored. Members who served in Wexford VEC during that time should note that there is agreement to the restoration to these strike days and this should be reflected in the members retirement.

### 3 Purchase of notional service for Pro Rata and Fixed Term post holders.

Some Institutes had advised members that there was no provision for the purchase of notional service for pro rata and fixed term post holders. This has been raised by the Union with the Department. The Department accepts that this is a legal requirement and is preparing a circular letter to issue to Institutes. Such a circular will also issue to VEC's and Community and Comprehensive schools.

### 4 Professional added years.

Two recent circulars, Pen 03/05 and Pen 23/05 have recently been issued in respect of Professional Added Years. The Union has sought and received clarification as to the comparison between the old 1985 scheme,



the amended scheme with effect from 1997 and the new scheme with effect from the 1st April 2005. Details of the differences have been sent to Branches for the information of members and a table setting out the differences has been put on the TUI website www.tui.ie

### 5 Delays in responding to queries.

The Union raised the issue with the Department that it had been receiving complaints in relation to delays in dealing with pension queries. It is understood by the Union that this was caused by an administrative issue which has now been resolved.

### Contracts for Heads of Department and Heads of School

As part of Sustaining Progress Action Plan the Union was required to agree to a revised set of duties for SLII and SLIII posts. This has resulted in a revised contract and had been the subject of extensive consultation through area representatives and through the representatives of the structured grades on the Colleges Advisory Council. A new contract has been issued together with the covering circular letter IT 12/05. The circular letter clearly states "The new contracts of employment will apply in the case of new appointees, existing SLIIs and SLIIIs who do not have contracts and other SLIIs and SLIIIs who wish to opt for the new contract".

It is clear therefore that this contract does not supersede the existing contract held by any SLII or SLIII unless they should opt for this new contract. In some cases persons being appointed to these posts were asked to sign contracts other than those agreed with the Union. These non-agreed contracts can now be returned to the Institute in question and the Institute must accept the newly agreed contract should this be the wish of the member.



DELEGATES AT TUI CHANGE AGENDA CONFERENCE

Prior to this there has been no single nationally agreed contract in respect of these posts and if individual contracts had been issued members would need to carefully consider whether it is in their best interest to hold their existing contracts or to opt for the new contracts.

### Leave Entitlement

Contrary to rumour and speculation there is no amendment to the leave provision brought about by these contracts. The leave provision was specifically set out and quantified in some individual contracts in the past, however the standard clause as in all Institute of Technology academic contracts in respect of leave entitlements has been agreed for Heads of Department and Heads of School.

A further sentence in the circular letter has been the cause of some confusion. The sentence reads "It is also understood that the duties set out in the new contract of employment are being undertaken by SLIIs and SLIIIs who already have contracts." This statement is a reflection of the fact that the duties as set out in the new contract are

in accordance with the work currently being done by Heads of School and Heads of Department.

### Training Course for Branch Officers

Branches have been advised that a training course for third level Branch Officers is to be held in January 2006. The dates for the training course are Wednesday 18th of January running to Friday 20th January. The training course will take place in the Hodson Bay Hotel, Athlone and is available to Branch Officers, priority being given to those who have not previously attended training courses. It is strongly recommended that newly elected Branch Officers should apply for attendance at this training course.

*Institute News continues on p.25*

# Branch Treasurers' Seminar



TUI BRANCH TREASURERS SEMINAR 21/9/05 L-R, COLM DENNEHY (DELOITTE), HILARY O' BYRNE, PAT MCQUAILE

A very successful and well attended Seminar for Branch Treasurers was held on Wednesday, 21st September 2005.

The Seminar was opened and Chaired by the Honorary Treasurer, Pat McQuaile.

Colm Dennehy of Deloitte, the Union's auditors, dealt with the important issue of branch financial reporting. Hilary O'Byrne, Administrative Officer, as well as assisting with the branch financial reporting section, also presented the afternoon session which dealt with the role of the Branch Treasurer including membership, subscriptions, balloting and other issues relevant to Branch Treasurers.

### Reminder to Treasurers!

The deadline for return of your Annual Accounts to Head Office is 1st December 2005.

## national council for curriculum and assessment (ncca) course committee vacancies

Vacancies have arisen to represent the TUI on the following NCCA Course Committee:

Junior Cycle  
Geography (x2)

Please download application form from the TUI website [www.tui.ie](http://www.tui.ie). Closing date for receipt of applications is Friday 2nd December, 2005.

Completed forms should be returned to: John MacGabhann, Education/Research Officer, TUI Head Office, 73 Orwell Road, Rathgar, D. 6. TUI is very grateful to the outgoing representatives who have served with distinction on Course Committees. Táimid faoi chomaoin agaibh.



DELEGATES AT TUI BRANCH TREASURERS SEMINAR 21/9/05

# Suspension of Promotions – Union Position Vindicated

Earlier this year the Irish Vocational Education Association formed the view that the promotion criteria for appointment to posts of Assistant Principal and Special Duties Teacher could be at variance with equality legislation. They specifically formed the view that the 30% awarded for service could be discriminatory against women. On 24th May, the I.V.E.A. advised its constituent V.E.C.s that it would be prudent to suspend interviews for promotional posts forthwith until the Department of Education and Science advised further on the matter.

Some V.E.C.s responded to the I.V.E.A. advice by suspending interviews for posts of responsibility, others continued with appointments in the normal way.

The Union immediately responded to the I.V.E.A. position by pointing out that unilateral suspension of promotions is in breach of an agreement reached with the Union which determined the marking scheme for appointment to Assistant Principal and Special Duties Teacher posts to be:

- (i) Capacity of the applicant to meet the needs of the school - 50% of marks
- (ii) Service to the scheme - 30% of marks
- (iii) Experience of a professional nature in the field of education and involvement in the school - 20% of marks

(C/L 43/00)

The Union further contended that the I.V.E.A. action was in breach of the national pay agreement “Sustaining Progress” which states:

“This Agreement precludes strikes or other forms of industrial action by trade unions, employees or employers in respect of any matters covered by this Agreement, where the employer or trade union concerned is acting in accordance with the provisions of this Agreement.”

In pursuit of its view, the Union sought and obtained a meeting of the Teachers’ Conciliation Council at which the matter was discussed. That meeting took place on 28th June.

The Union put to the Council its view that:

- The I.V.E.A. was in breach of the Scheme of Conciliation and Arbitration;
- The I.V.E.A. position was mistaken;
- Legal advice be obtained as a matter of urgency to bring clarity to the position; and
- No teacher suffers as a result of the I.V.E.A. action in this matter.

Following discussion, it was agreed that the Attorney General’s advice be sought and that the Council adjourn pending receipt of that advice. The Attorney General’s advice vindicated the Union position and filling of promotions to Assistant Principal and Special Duties Teacher have resumed. It is interesting to note that in community and comprehensive schools, where the same criteria for appointment apply, there was no attempt to suspend promotion procedures. It is to be hoped that, resulting from this unfortunate episode, all parties will respect the terms of agreements entered into and should any agreement be required to be amended that it be done through agreed procedures.

## Teacher representation on Boards of Management of Comprehensive Schools

**At long last, teachers will have representation on the Boards of Management of Comprehensive schools.**

Letters have issued to the Boards of Management of Comprehensive schools, in Boherbue, An Cheathru Rua, Shannon, Cootehill, Manorhamilton, Glenties, Ballymun and Tarbert, in relation to the expansion of the Boards of Management of Comprehensive Schools to include teacher and parent representation for the first time.

The revised indenture of the above listed Comprehensive school provides that the BOM shall consist of eight members with the option for the BOM to co-opt one other member from the local community.

Discussions are ongoing in relation to a revised Board of Management structure for the protestant Comprehensive schools, ie Ashton, East Glendalough, Mount Temple, Newpark and the Royal and Prior Raphoe.



BOYNE BRANCH OFFICERS: CLAIRE HIGGINS (VICE-CHAIR); KIERAN WALSH (CHAIR); EITHNE DOWLING (SEC); MARY KAVANAGH (TREAS).

# Youthreach Ballot

The terms of the Productivity Pay Deal for Youthreach Co-ordinators and Resource Persons, has been accepted by TUI members in a recent ballot. The result of the ballot issued to TUI by Deloitte and Touche is as follows:

TUI has requested that a circular letter be issued to VECs by the Department of Education and Science as soon as possible, authorising the revised payments and back money due to 1st April 2002.

	In favour	Against	Total
Resource Persons	59 (66%)	31 (34%)	90 (100%)
Co-ordinators	33 (59%)	23(41%)	56 (100%)
<b>Total</b>	<b>92(63%)</b>	<b>54(37%)</b>	<b>146(100%)</b>



DUBLIN C&C BRANCH OFFICERS: L TO R. MICK GLYNN (TREAS); CLAIRE PRENDERGAST (SEC); DONAL DIGÁN (CHAIR).

## CHANGE MORE THAN JUST YOUR JOB

VSO urgently needs teachers to help the world's most disadvantaged communities to benefit from essential education. You'll work at grassroots level, sharing your skills to help bring about lasting change.

We need maths and science teachers, with two or more years experience to help improve the standard of education in Africa and Asia. You'll be training local teachers and helping to develop the curriculum.

Placements last for two years and you can apply for a career break. Your pension and PRSI contributions will be paid while you're overseas and you'll earn a local wage.

To find out how to change more than just your job, come along to our information day on 19th November.

[www.vso.ie](http://www.vso.ie)

(01) 872 7173

CHARITY NO: CHY15048

**VSO**  
Sharing skills  
Changing lives

## Early Retirement Scheme to Continue in Present Form in 2006/07

TUI is pleased to announce that the Department of Finance has sanctioned the continuation of the Early Retirement Scheme for Teachers for another year. The scheme was due to be reviewed after 2005/06 but it will run in its present form for this academic year and 2006/07.

With regard to this year's scheme, closing dates for applications are:

### Strand 1 and 2

Thursday 19th January 2006

### Strand 3

Thursday 16th February 2006

While the closing dates are later this year, it is anticipated that the scheme will be similar to previous years in all other regards. The circular letter on the scheme will be uploaded on TUI's website ([www.tui.ie](http://www.tui.ie)) as soon as it is finalised. This circular letter will extend eligibility to teachers on contracts of indefinite duration to apply for retirement under the strands.

# Annual Congress 2006 – Tralee

18<sup>th</sup> to 20<sup>th</sup> April 2006

Annual Congress 2006 is being held in The Brandon Hotel, Tralee, Co. Kerry. Reservations for accommodation during Annual Congress can be made as follows:

**The Brandon Hotel, Princes Street, Tralee, Co. Kerry. The Brandon Inn, James Street, Tralee, Co. Kerry**  
Tel: 066 7123333 Fax: 066 7125019  
(use above for both hotels)  
Email: reservations@brandonhotel.ie

## B&B

- €58.00 pps
- €74.00 single
- Children sharing under 12 years – free with two adults

## Reservations

Reservations should be made directly with The Brandon Hotel and The Brandon Inn using the enclosed booking form. The form is also available on [www.tui.ie](http://www.tui.ie)

**\*\*Bookings must be made before 31st December 2005 to avail of the above rates\*\***  
**Please note the Brandon Hotel is closed between 22nd and 29th December 2005.**

## Other Hotels

A rate of €58.00 pps and €74.00 single B&B has also been negotiated with other hotels in Tralee where bookings may be made by Branches/delegates.

## AbbeyGate Hotel, Maine Street, Tralee, Co. Kerry.

Tel: 066 712988 Fax: 066 7129821  
Email: info@abbeygate-hotel.com

- Children under 5 years of age sharing with two adults - free
- Children between 5 and 15 yrs sharing with two adults - €29.00 B&B

## Grand Hotel, Denny Street, Tralee, Co. Kerry.

Tel: 066 7121499 Fax: 0667122877  
Email: info@grandhoteltralee.com

- Children under 5 years of age sharing with two adults - free
- Children 5 years and over sharing with two adults - €25.00 B&B

## Imperial Hotel, Denny Street, Tralee, Co. Kerry.

Tel: 066 7127755 Fax: 066 7118593  
Email: imperialhoteltralee@eircom.net

- Children under 12 years of age sharing with two adults – free.  
(Please note only two family rooms available in the hotel)

## Manor West Hotel, Killarney Road, Tralee, Co. Kerry.

Tel: 066 7192400 Fax: 066 7192401  
Email: info@manorwesthotel.ie



MINISTER MARY HANAFIN

- Children sharing with two adults – €30.00 B&B.
- Children under 3 years of age - free  
Please note that the hotel can only accommodate one child per room sharing with parents. Families will require adjoining rooms.

**\*\*Bookings must be made before 31st December 2005 to avail of the above rates in these hotels\*\***

## Crèche

A crèche under professional supervision will be provided in the Brandon Hotel.

Delegates who wish to avail of the crèche facilities should complete the official crèche application form which may be obtained on the TUI Website ([www.tui.ie](http://www.tui.ie)) or from: Pat Mitchell, Institute of Technology, Tralee, Co. Kerry  
Email: patrick.mitchell@staff.ittralee.ie  
Mobile: - 087-2840528

Completed application forms should be returned to Pat before 24th February 2006.



# Important Dates To Congress

## 7th October 2005

Nomination forms for elections were issued.

## 10th January 2006

Last date for receipt of motions from Branches to Head Office for submission to Standing Orders Committee.

## 10th January 2006

Last date for receipt of nominations for positions of Vice-President, Area Representatives and Security Fund Committee for the following areas:

- 1 Wicklow, Kildare, Laois and Carlow.
- 3 Cavan, Monaghan, Louth and Meath.
- 5 Tipperary N.R., Clare and Limerick City.
- 7 Kerry, Limerick County.
- 9 Cork City and Cork County.
- 11 Galway City, Galway County and Mayo.
- 13 Comm & Comp Schools in Counties Dublin, Kildare, Louth, Meath, Wicklow.
- 15 Third Level Colleges – Dublin (excluding City), Louth, Monaghan, Cavan, Meath, Kildare, Offaly, Laois, Wicklow, Carlow, Kilkenny, Wexford.
- 17 Third Level Colleges – Cork, Tipperary and Waterford.
- 19 Third Level Colleges – Kerry, Limerick, Clare, Galway, Mayo.

## 24th January 2006

Issue ballot papers for elections.

## 10th February 2006

Last date for receipt of annual election ballot papers.

## 14th February 2006

Preliminary Agenda will be issued to Branches.

## 28th February 2006

Last date for receipt of:

- amendments to Preliminary Agenda
- order of priority for motions in each section
- names of delegates to Congress.

## 28th March 2006

The Final Agenda will be issued; also the General Secretary's Report; Balance Sheet and Financial Statement; names of delegates to Congress and the Branches represented.

## 11th April 2006

Last date for receipt of questions on the Annual Report and Annual Accounts.

## 18th April 2006

### Congress Opens

Note: Rule 13 (ii) which reads as follows determines the number of delegates:

"One delegate from each Branch of which the members in benefit do not exceed thirty and one delegate for each fraction of thirty, as per the following table:

Members	Delegates
1 - 30	1
31 - 60	2
61 - 90	3
91 - 120	4
121 - 150	5
151 - 180	6

... and so on".

In-benefit members for the purpose of arriving at the number of delegates to the Annual Congress are fully paid-up members for the month of December whose subscriptions have been received by the General Secretary on or before the last Friday in February, i.e. Friday, 24th February 2006.

## 5th May 2006

Last date for receipt of nominations for the position of President.

## 12th May 2006

Ballot papers for election of President will be issued.

## 22nd May 2006

Last date for receipt of ballot papers for Presidential election.

[www.VolunteerAbroad.ie](http://www.VolunteerAbroad.ie)

Explore the world...



...and make a difference

[www.VolunteerAbroad.ie](http://www.VolunteerAbroad.ie)

**Programmes in 15 countries**

**Volunteer with projects concerning:**

- teaching   - conservation   - health
- small business development   - welfare
- community development   - human rights

**For more information call 1850 292939 or visit our website [www.volunteerabroad.ie](http://www.volunteerabroad.ie)**

# Implementation of Fixed Term Act - Contracts of Indefinite Duration

**This Agreement applies to persons comprehended by the Teachers Conciliation Council and the Institutes of Technology Industrial Relations Forum. The Department of Education and Science has confirmed that it includes those employed in teaching posts in VTOS Centres, Prisons, Senior Traveller Training Centres and Youthreach. It will also apply in the case of Youthreach Co-ordinators and Resource Persons. The agreement is a Rights Commissioner's interpretation of the Act and therefore as such the principles of the agreement must apply to others not comprehended by these negotiating bodies.**

The terms of this Agreement are based on an agreed interpretation of the Fixed Term Work Act, 2003 taking into account existing case law. It will be reviewed in the timescale set out in the "Transitional Agreement" and thereafter to take account of relevant case law as it emerges. It is recognised by the parties that relevant determinations will take precedence over the terms of this or any other agreement so as to ensure the correct application of the Act in the education sector.

This agreement is of crucial importance to members who have completed more than 4 years service and, as a consequence, have an entitlement to a Contract of Indefinite Duration. Clause 3 of the agreement sets out the basis on which Contracts of Indefinite Duration will be awarded.

## What is a contract of indefinite duration?

A person holding a CID has an expectation that, subject to the normal date of retirement in the employment, she or he will be retained in the employment and will not be dismissed without there being any good reason such as misconduct or unfitness for their position, or other compelling or unavoidable circumstances. Any dismissal shall be achieved by the application of the agreed termination arrangements for the particular sector or the application of the relevant statute, as the case may be.

## What is the difference between a CID and a permanent appointment?

In the view of the union there is no difference.

## Can a pro rata contract holder have a CID?

Yes – the Fixed Term Act applies equally to part time workers as it does to wholetime.

... she or he will be retained in the employment and will not be dismissed without there being any good reason such as misconduct or unfitness for their position, or other compelling or unavoidable circumstances ...

## Who should get a contract of indefinite duration?

Anyone with in excess of 4 years successive service by September 2005, should get a Contract of Indefinite Duration unless the employer can show that the post is not viable over a reasonable period and that this position was indicated to the member by the employer in a previous contract. In addition it is the view of the union that there are members with an entitlement to a CID who had in excess of four years service by September 2004. Such CIDs will date from 1st Sept 2004.

## What about those covering career breaks?

Members covering for persons on career breaks, or other approved absences from which the person can return, will not get a CID.

## What should the hours in the contract be based on?

The hours of the Contract of Indefinite Duration are those in the immediate previous year's contract, less any hours which are for temporary cover.

### What about those employees with more than 4 years successive teaching service?

Those fixed term employees with more than 4 years successive teaching service as at 1st September 2005 and who are deemed to be qualified shall receive contracts of indefinite duration unless the employer can demonstrate:

That a post will not be viable within a reasonable period and where such a ground was set out as an objective ground in writing in the previous contract.

#### OR

That the person is covering for a post holder on an approved scheme of leave of absence.

These exclusions shall not apply where the person has not received a written contract setting out objective grounds since September 2001. Such persons (who are deemed to be qualified) shall automatically receive contracts of indefinite duration.

### Is an interview necessary to receive a Contract of Indefinite Duration?

The persons qualifying for a CID under the terms of the agreement will be converted from their existing contract, without interview, to a CID, save where there are formal written serious disciplinary charges against them.

### Is there an appeals mechanism for those who do not receive a CID?

There is an appeal system provided whereby a member who does not receive a Contract of Indefinite Duration or who is dissatisfied with the terms of the contract can appeal to an agreed adjudicator. The use of the appeal mechanism in the agreement does not preclude access to a Rights Commissioner or the Labour Court.

### What about those without the full qualifications required for appointment?

It is the strong view of the Union that the absence of qualifications cannot be objective ground for not giving a CID for a person who has been satisfactorily employed for the appropriate period.

### What hours should be confirmed in the contract?

The hours of the contract of indefinite duration will be the hours for which the employee was engaged on a fixed term contract in the school academic year prior to the issuing, of the CID (other than those: hours which are for the provision of temporary cover).

### What has yet to be discussed?

The schedule for Stage II of discussion – which takes place in November - includes the mechanism for future recruitment of fixed-term personnel, access to permanent vacancies, access to training, conditions of employment, mechanisms for the alignment of posts and available personnel and the treatment of those deemed unqualified.

... the advice of the union is to sign no contract other than a nationally agreed one as to do otherwise could limit your rights ....

### What do I do if I am not getting a CID and should according to the agreement?

Make immediate contact with your branch representative or your area representative. Do not act alone as wrong action could compromise your position.

### If I am offered a contract should I sign it?

There is no written contract agreed with TUI. The advice of the union is to sign no contract other than a nationally agreed one as to do otherwise could limit your rights. If in doubt make immediate contact with your branch representative or your area representative.





# tui professional development programme

Teachers Union of Ireland, 73 Orwell Road, Rathgar, Dublin 6.  
t: 01 492 2588 f: 01 492 2953 e: tui@tui.ie

## pre-retirement training

date 1st December 2005 (1½ days)

5:30 pm - 9:00 pm

2nd December 2005

9:30 am - 4:00 pm

location Athlone

venue The Hodson Bay Hotel, Athlone

application  
form

Name

School Name and Address

School Telephone

Home Address

Home Telephone

Fax Number

E-Mail Address

return to

Jane O'Sullivan, TUI Education/Research Office

73 Orwell Road, Rathgar, Dublin 6

Telephone: (01) 492.2588, Fax: (01) 492.2953, E-mail: josullivan@tui.ie

please note

There is an upper limit in terms of numbers for attendance, so early booking is strongly advised. Please complete this form and send to Head Office.

# Implementation of the Mclver Report

The Department of Education and Science has confirmed to TUI that it is committed to the implementation of the Mclver Report. This report had as its remit to:

**“examine and make recommendations as necessary regarding the organisational, support, development, technical and administrative structures and resources required in schools and colleges with large scale PLC provision.”**

The review was required to focus on the 45 schools/colleges with 150 + PLC students and to examine the structures needed in centres of various sizes.

The commitment to implement the report is welcome news, as the Mclver Report, the blueprint for the appropriate resourcing, staffing, structuring and development of the PLC sector has remained unimplemented for the past two and a half years.

The estimates will demonstrate whether or not this Government intends to honour its commitment.

TUI Head Office has now forwarded a submission to the Minister for Education and Science and the Minister for Finance, seeking €50 million in the Estimates this year to commence the implementation of the Report’s recommendations.

TUI Head Office has lobbied all TDs seeking their support on this issue.

## Women in Unions - the LIFT Challenge



The Irish Congress of Trade Unions represents the interests of 770,000 working people. Almost 340,000 members are women, accounting for 45% of total membership.

Through the LIFT programme, it is intended to increase the participation and involvement

of women at every level of union organisations - with particular emphasis on the identification, development and support of future women leaders.

LIFT (Leadership Initiative for Females in Trade Unions), is an innovative project funded under the EQUAL Community

Initiative. The project involves a partnership of the Irish Congress of Trade Unions ([www.ictu.ie](http://www.ictu.ie)) the Institute of Public Administration ([www.ipa.ie](http://www.ipa.ie)) and the National Centre for Partnership and Performance ([www.ncpp.ie](http://www.ncpp.ie)).

**Do you have expertise or experience in equality issues? If yes, we would like to hear from you.**

TUI wishes to compile a data base of TUI members who have expertise, or a qualification in Equality issues.

If you have expertise or a qualification on one or more of the nine equality grounds please forward your contact details together with an account of your area/s of expertise in confidence to Annette Dolan, Assistant General Secretary, TUI Head Office, 73 Orwell Road, Rathgar, Dublin 6, by post, fax 01 4922953 or email [adolan@tui.ie](mailto:adolan@tui.ie) by Monday the 5th of December 2005.

Members on the list may be considered as speakers, contributors or advisers for future projects/events/activities of the TUI Equality Council.

### TO FIND OUT MORE ABOUT LIFT CONTACT:

Danyanne Quemper,  
LIFT Project Manager,  
31/32 Parnell Square,  
Dublin 1  
Tel: (01) 889 7777  
Email: [lift@ictu.ie](mailto:lift@ictu.ie)

### BECOME PART OF THE LIFT NETWORK:

To hear more about network events and news and exchange views through our network forum - **contact the LIFT website at ([www.lift.ie](http://www.lift.ie)) and join our Registered User Network NOW!**

# Notices

## Young Citizen Award

Young people between the ages of 12 and 25 who are participating in formal (school) or non-formal (youth organisations and clubs) education and who are involved in voluntary (unpaid) active citizenship initiatives can nominate themselves or be nominated. Nominations will be accepted from/for groups as well as individuals.

All nominations that meet the criteria set by the National Steering Committee of the Young Citizen Award will receive a certificate signed by President Mary McAleese.

Everyone who receives a certificate will be entered into a lottery for a chance to attend a special event in Áras an Uachtaráin, where they will meet the President and be presented with a specially designed pin to mark the 2005 European Year of Citizenship through Education.

[www.citizenship2005.ie/young\\_citizen.htm](http://www.citizenship2005.ie/young_citizen.htm)

## Spanish Student Exchange

Spanish Second level School in city of Valencia, Spain wishes to make a Student Exchange with an Irish School during Jan-April 2006 (inclusive), ages 12-16 years.

Please Telephone: 01-4946980,  
Mobile: 086-382-0469 or  
E-mail: [walsh\\_mary@eircom.net](mailto:walsh_mary@eircom.net).

## Tax Credit Certificate in respect of the 2006 Tax Year

Details of the revised Tax Credit and Standard Rate Cut Off Point taking account of Budget changes are issued annually by the Office of the Revenue Commissioners.

In cases where the Department of Education and Science does not receive 2006 Tax Credit details the individuals involved will have their salaries taxed at the Emergency rates in line with Revenue regulations on this matter. It is important to take note of the information contained on your payslip and in particular the information in relation to Tax Basis. If you are being taxed at the Emergency rates an "E" will be shown under the heading of Tax Basis on your payslip. Should this happen you should contact your local Tax Office quoting your:

- PPS Number
- Works/Payroll Number, and
- Employers Registered number

You should provide them with details of your current employment and ask them to issue a Certificate of Tax Credits and Standard Rate Cut Off Point for the current tax year.

The following table outlines the range of Employer Registered Numbers applicable to those paid by the Department of Education and Science.

Employer Registered No.	Payroll
0081300S	Post-Primary Payroll
4000099H	Primary Payroll
4001495U	Retired Teachers Pensions
9599516K	SNA Payroll

You are also reminded that, the onus is on each individual to ensure that the data appearing on their Tax Credit Certificate is accurate.

Finally, any queries that you may have in relation to your Tax Affairs should be directed to your local Tax Office. If you are unsure where this is the Revenue Website [www.revenue.ie](http://www.revenue.ie) has a contact locator which will provide details of your local Tax Office once you input your PPS Number.

## Information on JJ O' Connor Sought

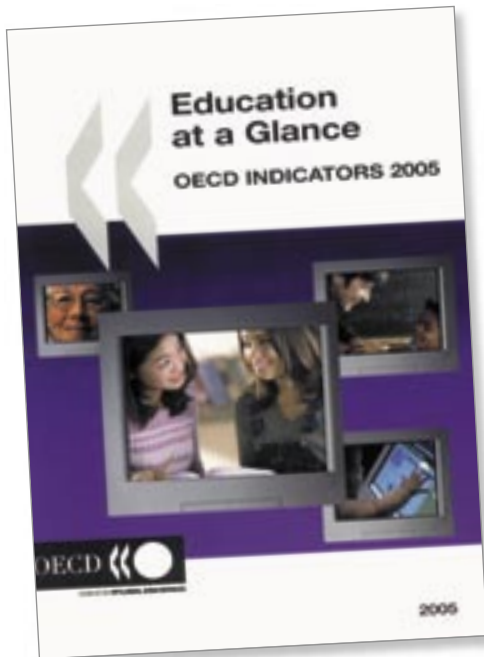
I am presently researching an article on the late JJ O'Connor, a teacher of woodwork and mechanical drawing. He taught for approximately twenty five years in the secondary system at the CBS in Doneraile, Co Cork. He was appointed the first headmaster of Mallow Technical School in 1928/29, which predated the Vocational Education Act.

In June 1935, the Department of Education sought his release from Co Cork VEC on leave of absence, so that he could take up the post of chief instructor of a teacher training course being established by the Department in the Dublin College of Art. This was a scholarship course and was the first training course for woodwork teachers in Ireland. The late Eamonn Kelly, actor and Seanachie, was one of the twenty trainees of this course and devoted the first chapter of his book, *The Journeyman* to a description of JJ, as he was familiarly called.

I am hopeful that there may be some of our retired members who were taught by JJ on these training courses and they might have memories or photos of the man himself and I would appreciate if they would contact me. Believe it or not, I have been in contact with five of his past pupils, all of whom are in their late eighties and who were taught by him in second level.

Jim Lysaght,  
Retired Principal,  
Davis College, Mallow.

# Education At A Glance



## OECD Report Confirms Drop in Teachers' Salaries

The latest OECD figures confirm a drop in teacher salaries and should be a major consideration for the Benchmarking body when assessing teachers' claims. On foot of the findings, TUI re-iterated its call for paid education leave based on Ireland's poor standing among OECD countries with regard to the provision of job related education and training.

## Teachers' Salaries

"Irish teachers' salaries as a proportion of national income per head have dropped dramatically over the past ten years and this will be a major consideration for the Benchmarking Body when assessing teachers' claims.

In fact the pay of Irish teachers as a proportion of national income per head has fallen from 16th to a lowly 18th of 30 OECD countries in the past year, with the teachers' share of a growing national income declining steadily.

The OECD figures confirm that teachers' relative salaries are now less than half what they were just ten years ago.

This confirms the view that the gap between teachers' pay and the rewards available to

self-employed professionals has widened dramatically during our economic boom. As teachers and self-employed professionals are recruited from the same pool of graduates, this relative decline is certain to damage the quality of intake to the teaching profession in the future. The ability to recruit and retain effective high quality teachers is a key determinant of the well-being of the profession.

Fortunately this is also a key criterion for determining pay under Benchmarking. TUI will be forcefully placing this threat to the future of the profession before the Benchmarking body with a view to a remedy. The status of teachers in Irish society must be restored."

## Job-Related Education

"We commend the OECD in their assertion that initial education alone is not enough to meet the rising and changing demand for skills. In countries like Denmark, Finland, Sweden, Switzerland and the United States, more than 40% of people in the labour force now take part in non-formal job-related education and training each year. By contrast, Ireland's level stands at just 14%.

With this in mind, we re-iterate our call for paid educational leave for workers and a

genuine commitment in deeds as well as words by the Government to the aim of 'upskilling' the population.

## Funding

"The new figures released by the OECD also show that while our students continue to perform well by international standards, investment from Government is not what it should be for a country in such a healthy economic state.

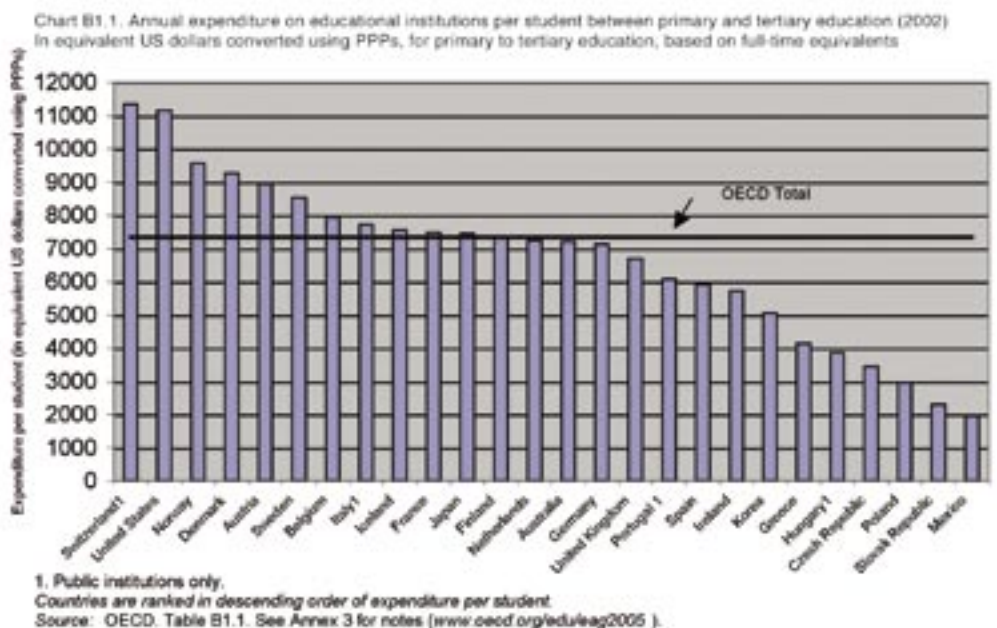
Annual expenditure on educational institutions per student at second level is well below the OECD average of \$7,002 US, with the Irish spend at \$5,725 US.

The report highlights that Ireland has failed to keep investment in education anywhere near the rate of our economic growth. Although we have a rapid GDP growth rate, spending growth on primary and second level remains below this level.

We are second last among OECD countries in this regard, with Slovakia the only OECD member country having a lower percentage of GDP per capita spent on students than Ireland's 18%, the OECD average being 26%.

The report credits Ireland with "remarkable improvement" in upper secondary attainment of the population over time, something teachers can take great credit for."

Education at a Glance 2005



# RMA News

Welcome to our new retired members, we hope you will engage with us and enjoy your retirement. Don't forget to claim your security fund refund and also your first year subscription to the RMA as it is paid for by you TUI Branch.

Over forty members have just returned from an autumn break in the European City Of Culture, Cork. The event was organised by Cork members George and John with a little help from Dora and it was a tremendous success: three nights dinner, bed and breakfast for €185. We had reserved seats in the dress circle at the opera house to hear Judy Garland's daughter, Lorna Luft, sing some of Judy's old songs. We then went to a musical in the Palace Theatre which was next door to our hotel – the Gresham Metropole. The whole experience was wonderful. Our

next break will be in the spring and will be somewhere in the north east: watch this space for more information. Some of you are having difficulty with VECs not paying the National Wage Agreement increases on time – this matter is currently being dealt with.

It is with great sadness that we learnt of the death of our committee member, David Cox, after a short illness. David, who taught in Bolton Street, was a very committed and active member of the RMA, he will be sadly missed.

If you have not yet renewed your subscription to the RMA please do so now. Send it to Mr John Ahern, Chairman, RMA, 8 Elm Grove Park, Ballinlough Road, Cork. The fee is €16 per annum.

Christy Conville, Secretary, RMA.



RMA MEMBERS AT CORK AUTUMN BREAK

## Information and Consultation Directive & Procedures (Institute News Continued)

A European Directive on Information & Consultation dating from March 2005 prescribes what is referred to in the directive as "minimal requirements for the right to Information and Consultation" with employee representatives in regard to significant issues relating to employment. This legislation which was required to have been transposed into Irish legislation by 23rd March 2005 is at the present time being considered by the Oireachtas. The Bill was published by Seanad Eireann on the 15th July 2005 and has to date received a second stage reading. This will have immediate effect in employments with at least 150.

Meanwhile the Irish Congress of Trade Unions has made significant representations to the Minister concerned, Deputy Tony Killeen TD, Minister of State for Labour Affairs. The view of the ICTU is that the legislation is significantly at variance from the requirements of the European legislation and ICTU has sought some major amendments to the legislation.

### **NPF's view on the matter**

Meanwhile the National Partnership Forum

has addressed this issue of the Information & Consultation directive and has taken a decision arising from the Partnership conference in Athlone in November 2004 that a framework agreement in respect of Information and Consultation should be provided for all Institutes of Technology. TUI along with the other Unions in the Institutes are involved in this process and it is hoped within the near future to provide for the observation of Branches an initial draft of this framework agreement.

Some Institutes have already addressed the issue of agreements with regard to Information & Consultation. Should your Institute have begun to discuss this in any way TUI Head Office would be interested in learning of some of the ideas that are under consideration and what if any level of agreement has been reached. In the event of no developments whatsoever in regard to this matter we would equally be grateful for advice to that effect.

### **A word of caution!**

There is a section in the draft legislation which sets out provisions for what are

referred to as pre existing agreements. The effect of this as it stands at the moment is that in the event of there being an agreement in regard to Information & Consultation that this agreement could be used to eliminate or minimise the need for the Institute as an employer to agree to the processes set out in the legislation.

In the event of any documentation purporting to be an agreement in relation to Information & Consultation being presented to the Branch for agreement, it is essential that any such agreement would be submitted to Head Office for consideration and we would look for your urgent co-operation in this regard.

No agreement on Information & Consultation should be entered into by any TUI Branch until such time as it has been examined by Head Office. Such examination would probably require a legal examination of the proposed agreement.

# Disappointment on the double for the Kingdom



DAN JOE CAHILL, CEARBHAILL Ó DÁLAIGH, DON RYAN, DENIS MAGNER, JOHN HOEY

We set out early from Kerry, confident of a great week-end for Kerry sport – TUI Golf Society's Captain's Prize and the All-Ireland Football Final. The Kingdom will rule! Portarlinton Golf Club was the venue for our first step to glory – the Captain's (Declan Glynn) Prize on Saturday, 24 September 2005. For us Kerry folk on our near-annual pilgrimage to Croke Park this was the ideal stop-over; an excellent golf course near to the capital with plenty of fresh air prior to our night out in the town, readying us for celebration. The whole day in Portarlinton was, again, a rip-roaring success: in fact, not a single space was vacant on the 3-hour timesheet.

The golf course was in excellent condition with beautiful slick greens, and although the day was a little breezy with a few showers, the scoring was quite exceptional. The food prior to the golf and after the golf was sumptuous! The speeches, as usual, were excellently short (and excellent in content, I hasten to add!), and the business of the AGM was handled with awesome efficiency. New members were welcomed to the society. The entire committee was returned for one more year, with the addition of redoubtable Carmelita Madden and Paddy Hogan – the Tipperary Raparee.

À propos the golf, clearly the West's Awake: the Ladies' Captain's prize went west of the Shannon, to Carmelita Madden, Galway Community College. Ollie Bolton, Principal, St. Tiernan's College, Crossmolina prevented a clean sweep for Galway, by clinching the Captain's Prize, on a count back from Tommy Glynn. Both Ollie and Tommy had an excellent 43 points. It was fitting that a Mayo man showed us that they actually can score on the big occasion.

A special word of thanks to the competition sponsors, **Typcraft**, for a quite wonderful array of prizes. The members appreciate greatly this generous sponsorship. It was also great to see Frank McGinn and Austin Stewart from **TUI Credit Union**, the society's best supporter in our first two years. Although the Captain's 'magic bottle' didn't work the trick for the Kerry contingent on the day, at least the colour of the new society shirts was, we thought, a sign of things to come. Alas, it was not to be: the 'magic bottle' didn't work in Croke Park either, and we returned empty handed on both days. However, there's lots of good golf and great fun ahead of us in this mighty little society. The next outing is in Dundrum House Hotel on 15 and 16 February 2006; followed shortly afterwards by Mount Juliet on 10 April 2006 (owing to keen demand, the timesheet for Mount Juliet will be opened at Dundrum). We have our eyes on both the All-Ireland and the Captain's Prize next year!

Well done to the hard working committee; you did a fantastic job all year.  
(Name of contributor with editor)



WINNIE NEARY, FINOLA BUTLER, LYNNETTE MOORE

## Outing Results

### Captain's Prize (Men's):

Oliver Bolton (43 pts)

### Captain's Prize (Ladies):

Carmelita Madden (34 pts)

### Category I

1st: Paddy Hogan (42 pts)  
2nd: Michael O'Brien (41 pts)  
3rd: John Melville (40 pts)

### Category II

1st: Tommy Glynn (43 pts)  
2nd: Cathnia Ó Muircheartaigh (36 pts)  
3rd: Jack Ryan (36 pts)



WINNER GOLF: CAPTAIN'S PRIZE WINNER (MEN'S): OLIVER BOLTON

### Ladies'

1st: Winnie Neary (30 pts)  
2nd: Angela O'Doherty (29 pts)

### Guests'

1st: Frank McGinn (34 pts)  
2nd: Austin Stewart (31 pts)  
3rd: Seán McCann (29 pts)

### 1st Nine

Billy Burke  
Phyllis O'Sullivan

### 2nd Nine

Dermot Healy

### Nearest the Pin

John Howe  
Winnie Neary



CATHNIA Ó MUIRCHARTAIGH, BILLY BURKE, GERRY DOWLING, PAT MULROONEY (ALL KILKENNY BRANCH TUI)

## Week-end break in Burlington Hotel (sponsored by Jury's Doyle Group)

Noeleen Boylan

We have started a New Golfing Year – new members are very welcome; Application forms and information about the society are on the TUI website – "Benefits and Services" section. Cheques (€30) should be made payable to TUI Golf Society, and forwarded to Declan Glynn, Captain, TUI Golf Society, 73 Orwell Road, Rathgar, Dublin 6.

# Lucius Emerson Tribute

## 94-year-old Donegal man received Ireland's first ever MA degree for "life long learning"

TUI was sad to hear of the passing of former Ballyshannon principal Lucius Emerson in September after a short illness.

Lucius had recently become the first person in Ireland to be conferred with an MA degree for his learning under authority granted to the Higher Education Training and Awards Council (HETAC) by the Qualifications Act, 1999. The degree was awarded by the Chief Executive of HETAC, Séamus Puirseil, at a ceremony at HETAC's offices in Dublin in June, attended by the Minister for Agriculture and Food, Mary Coughlan TD.

Mr Emerson, who turned 94 in August, received his MA in recognition of his outstanding achievement in learning and scholarship outside the confines of a third level institution. He lived a life that was remarkably full of practical and intellectual achievement.

- He founded and was the curator of the Donegal County Museum in Rosstown.
- He had a deep knowledge of local and military history and was an expert on the Spanish Armada wrecks off the coasts of Donegal and Sligo
- Prior to his death he had begun a new research project into the life of Bishop Count Edward O'Rourke, born in Poland in 1876 who was apostolic administrator of Gdansk before the Second World War and a member of a distinguished Irish family who had fled Ireland after the Battle of Kinsale and ultimately became large landowners near Minsk in what is now Belarus.

When Lucius was only 11 years old his father died from the effects of being on hunger



MR. SEAMUS PUIRSEIL, CHIEF EXECUTIVE OF HETAC WITH MR. LUCIUS EMERSON OF BALLYSHANNON.

strike in prison in Belfast during the War of Independence. This had a direct effect on the development of two of his strongest traits – his independence and his love of weaponry. He became a highly proficient poacher in east Galway to help feed his family.

Throughout his long teaching career, Emerson broadened his knowledge and range of skills through a wide range of courses and studies that included woodcarving, cabinet making, art and antiques and oil painting. He is now an accomplished landscape painter.

... in recognition of his outstanding achievement in learning and scholarship outside the confines of a third level institution ...

As a younger man, Lucius was an officer in the FCA where he trained military shooting teams. A fluent Irish speaker, Lucius recently learned Spanish in advance of hosting thirty Spanish students in Donegal on an educational tour of the county.

Commenting on the unique MA award in June, the Chief Executive of HETAC, Séamus Puirseil said: "The remarkable, distinguished academic and scholarly achievements of Lucius Emerson are worthy of formal recognition and I am very pleased that HETAC is conferring this degree on him. Only France has a similar legal framework to recognise such outstanding achievement in learning and scholarship outside the confines of a third level institution and I am very pleased that Lucius is the first recipient of an MA degree having undergone a very rigorous assessment and validation process by HETAC".

After winning a scholarship to St Jarlath's College in Tuam in 1927, Lucius studied carpentry and woodwork and began a teaching career in Ballyshannon and Stranorlar that lasted for 40 years from 1936 to 1976. He was Headmaster of Ballyshannon Vocational School for 27 years.

# Appreciations

## Stephen Byrne (1953 – 2005)

It is with great sadness that the staff members in Greendale Community School mark the untimely departure of Stephen Byrne, who died in August 2005, just days before the commencement of a new school year. Stephen had been a Woodwork Teacher and Year Head for 29 years and until recently, he held the position of Home School Liaison Co-ordinator in the school.

He graduated from Choláiste Charmán in Gorey, Co. Wexford and began his teaching career in Greendale in 1976, in the formative years of the school. Stephen's views were highly regarded and respected in the broader community. He led by example. He had many fine and admirable qualities. To us, his colleagues and friends he was kind, generous, practical, loyal and true to himself. He always spoke his mind in a reasonable balanced way. Stephen was, at all times, to the fore when it came to new developments and innovations in education. He promoted access to education for all in the community. He aimed to better serve and help students to achieve their true potential.

As Home School Liaison Co-ordinator in Greendale, Stephen introduced the present system of positive discipline to our school. His publication ("Positive Discipline – An Irish Educational Appraisal and Practical Guide", DCU 2000) illustrates his extensive involvement in the development of the pastoral care philosophy, particularly in the area of educational under-achievement and led to an M.Sc. in Education and Training Management. He presented courses dedicated to the implementation of the programme for positive learning. This scholarly publication highlights an innovative and enlightened approach to school discipline and makes an important contribution to school management.

Stephen was always active in the support of local organisations. This work on behalf of Naomh Barróg Gaelic Club will always be remembered as he trained numerous teams over the years at various times. He also served the local branch as the TUI representative on a number of occasions. He remained up to his death, an active member and very able negotiator of the TUI



STEPHEN BYRNE

Community and Comprehensive Branch. Stephen's legacy gives us a vivid picture of the humanity and sheer immensity of the man. This unassuming man of infinite courtesy bore the last years of his illness with remarkable dignity and courage. He was nobly supported by his family, friends, colleagues and students. We take this opportunity to express our sympathy to his wife Eileen, daughter Sarah and son Steve and indeed to his extended family.

A good and loyal friend of Greendale and the TUI, he will be sadly missed but always remembered.

## Jack Crowley

On the 22nd of November 2004, the death of Jack Crowley took place in Cork University Hospital after a long illness – in fact he was unwell since his retirement from teaching at Coachford Community College over seven years earlier. He was incapacitated over four years. The large crowds how attended his obsequies bore striking testimony to his popularity amongst his former students, colleagues and acquaintances.

Jack was born and reared on Bandon Road, in the Lough parish of Cork City to a well known, respected and popular family. He received his primary education in Greenmount National School and afterwards attended Presentation Brothers' College. He obtained a B.Comm degree in UCC in the mid-fifties. Later during his teaching career he obtained a BA in History. He also obtained the H. Dip. in Education. He possessed a deep Christian faith and studied catechistics.

He taught in Coachford for thirty years, having previously taught for brief periods in other schools in the county. Without detracting from his professional expertise as a teacher, his colleagues will remember him especially for his great camaraderie, sharp wit, colourful language and sense of humour. As they say, 'He would make the stones laugh'. He excelled in speech-making at staff functions and was excellent at impersonation of characters with aristocratic sounding accents in particular. His vocabulary in English was vast and he was never compromised for the appropriate word. He was blessed with a wonderful baritone voice – he knew it and did not spare it. His favourite rendering was 'Beautiful city, My Home By The Lee'.

Jack was also involved in sport. In his earlier days he played hurling and football with his local club, Lough Rovers. He boxed for VCC in Intervarsity Boxing competitions and continued with a life-long interest in this sport. His memory of sporting events, dates, venues and personalities was phenomenal.

He was a very scholarly and learned man. When he entered the staff-room he was always amusing and entertaining – a well loved and cherished member. Another measure of his popularity was the fact that he was generally known as Jack, the surname being superfluous especially amongst his colleagues.

St Finbarr's Cemetery in Cork is his final resting place. A moving graveside oration was given by his long-time friend and colleague, John Ahern, also a retired teacher of Coachford Community College. John was particularly kind to him during his illness.

Sympathy is extended to his wife, Jude, who cared for him so devotedly during his incapacity, to his sons – Brendan, Kieran and Vivian and to all his relatives.

May he rest in peace!  
Ní bheda leithéid ann arís



In the last edition of TUI News we inadvertently published a photograph of deceased TUI member Dolores McGrath beside an obituary of deceased member Mary Kilgallon. We wholeheartedly apologise for any upset caused to family, friends or colleagues of either and we are republishing both appreciations in their original formats in this issue.

### Mary Kilgannon

The past academic year was a particularly sad year for us in Greenhills College in Co. Dublin. October 5th next marked the first anniversary of the death of our friend and colleague, Mary Kilgannon. Mary died following a long illness. Mary was a dedicated and hard-working teacher of Irish and History and taught in Greenhills College for twenty five years.

Mary had many fine and admirable qualities. To us, her colleagues and friends,

she was loyal, kind and generous. She was sincere and true to herself - whether at staff meetings or chatting in the canteen, Mary always spoke her mind.

Mary was a great GAA follower and a stalwart supporter of her native county Galway.

Mary also took a keen interest in politics, books, films and theatre and was frequently at the centre of many lively debates on these topics.

Mary's quiet dignity and amazing courage throughout her illness touched us deeply and has been an inspiration to us all. Mary was laid to rest on Friday 8th of October 2004 in her native village of Caltra, Co Galway. On that day the college was closed as colleagues, both past and present, and students travelled to Galway to bid a dear friend a final farewell.

Beidh cuimhne bhuan orainn go léir uirthi go heag. Go ndéana Dia trocaire ar a hanam dílis. - J.M.

### Dolores McGrath

We, the Principal, staff and students of Coláiste Dún Iascaigh, Cahir, Co Tipperary, mourn the loss of our dear friend and colleague Dolores McGrath, who died following a short illness on 22nd May 2005. We extend our heart-felt sympathy to her husband Frank and her daughters Niamh and Orla.

Dolores, a native of Cahir, was a graduate of UCD where she studied English and Economics. Dolores joined the South Tipperary VEC staff, teaching at Cahir Vocational School in 1993 and joined the amalgamated staff of the new community

college, Coláiste Dún Iascaigh in 1997 where she taught English, CSPE and Communications.

Dolores was a devoted teacher and her dedication and loyalty to students and staff alike will never be forgotten. She brightened our days with her lively wit and banter, while never failing to offer a listening ear and practical advice to a needy friend. All who knew her loved her vivacity and down to earth nature and these attributes were part of what made her so popular.

The inimitable Dolores McGrath will be greatly missed by all whose lives she touched.



DOLORES MCGRATH

Ar dheis Dé go raibh a hanam dílis.

### Sean Duggan

Sean Duggan passed away on 3rd December 2004, he was 76 years and had not been in good health for some time.

Sean was a woodwork and drawing teacher with Cork VEC for most of his life. During those years, a teacher could be posted to any place within the scheme, on the whim of some official in administration.

Dean served in a number of schools in the Cork scheme, the last one being in Sawmill Street, in the city.

Seam did a BA degree and a H.Dip and then went to teach in Colaiste Spriad Naomh until he retired in 1994.

He would be considered an excellent teacher, always interested and interesting. He had a very good rapport with his students and teaching colleagues. He always maintained contact with the people he was trained with, organising many get-togethers for them.

Sean was a person of great moral courage. This was evident on the occasion of a misunderstanding between the students on the training course and the management

at the time. Sean with his fellow students resolved the issue to everyone's satisfaction.

He was widely read, with a great interest in poetry and classical music. Married to Ann Looney, formerly of Cork City VEC, who pre-deceased him. He had a daughter, Graíne, and a son, Conor.

On behalf of myself, and all of his friends and colleagues, I offer this appreciation in sincere sympathy to his family.

Ar dheis Dé go raibh a anam.  
Denis Buckley