



TUI Executive Committee Recommends a Rejection of the Labour Relations Commission Proposals

Over the coming weeks, you are being asked to vote on the current Labour Relations Commission (LRC) proposals to cut the pay and change the working conditions of teachers and lecturers. As you know, the Executive Committee of the TUI is recommending that our members reject these proposals.

The first point which must be made is that the proposals are being disingenuously characterised merely as an extension to the Public Service Agreement (PSA)/Croke Park Deal. However, these proposals are draconian and seek to cut the pay and conditions of all teachers and lecturers, not just those earning over €65,000. This flies in the face of the original PSA. When you were asked to vote on the current PSA, you were advised that *'members at this point have a clear and stark choice between accepting the proposals with all the negative impact they will have, in return for which there will be a guarantee of no further pay cuts and no compulsory redundancies of permanent/CID staff for the duration of the Agreement'*. Clearly, the government intends to renege on this guarantee and accepting the proposals will enable them to do so. As well as that, the current proposals do not guarantee that there will be no job losses. On the contrary, paragraph 2.11 of the proposed draft Agreement makes it perfectly clear that the proposals in relation to increased working hours are designed to "facilitate further reductions in staff numbers over the course of the Agreement". These reductions are already happening in the education sector as Budget 2013 has reduced by 200 the number of teachers employed in the FE/PLC sector and the operation of the Employment Control Framework in Institutes of Technology (IoTs), together with grant reductions from the HEA, will ensure further headcount reductions. Yet further problems will arise from programme closures and their effect on those teachers and lecturers employed to teach on them. We have already seen how the closure of the ARP programme threatened the jobs of those teachers employed on it. (It was only through the vigilance of the TUI that these jobs were saved.) Our members and colleagues who are on fixed term contracts must take warning, these proposals threaten your livelihood.

Some TUI members have contacted me to ask if newly-qualified teachers (NQTs) will benefit from this deal. It should be noted that the original PSA promised a restoration of pay cuts to the lower paid when savings to the

economy were realised. This has not happened to date. Therefore, if and when restoration of cuts is genuinely on the agenda the pay of NQTs will be a long way down the queue. Furthermore, any suggestion that the pay of new entrants (NQTs) to our profession will be improved as a result of these proposals is misleading. Loss of the supervision and substitution allowance and changes to the substitution system in second level schools will more than cancel out any slight adjustments to their salary scales. There will be a net loss in income for NQTs.

Other members to whom I have spoken have asked if the proposals provide for restoration of pay cuts within the lifetime of the proposed agreement. I would caution against any belief that pay cuts will be restored by or after 2016 as a result of this proposed Agreement. There simply is no such credible assurance.

The provisions outlined in paragraph 2.3 of the LRC document have the potential to impact on many TUI members working in Youthreach. The measures outlined in this paragraph mean TUI members contracted to work 35 hours or less will have their working week increased to 37 hours and members contracted for 35 hours or more may also see their hours increase.

The changes to supervision and substitution (S&S) will mean that all second level teachers will now be obliged to participate in the S&S scheme and there will be no payment for this. In effect, this means a pay cut that ranges from some 3% for teachers approaching the top of the scale up to 5.5% for those who commenced teaching since 2011. The S&S scheme will be changed to require 49 hours delivery per annum. All teachers will be required to be available for 5 class periods per week and can be asked to provide up to 2 hours and 15 minutes cover under the new scheme each week. It is important to note that this is in addition to the 33 hours under the PSA 2010-2014.

Academic staff in the IoT sector will be required to work an additional 78 hours per annum, these hours to be applied to one or more of four specified purposes. The hours are additional to the 'flex-hours' imposed in the original Public Service Agreement. The calculation of the 78 hours is totally arbitrary. If the proposals in the LRC document are accepted, academic staff in the IoT sector will lose the payments for correcting examinations.

This will have a very severe impact on the income and workload of lecturers, which will be particularly felt by Assistant Lecturers (ALs) and members on fixed term contracts. Under the proposals, time off in lieu of church holidays is to be discontinued and weekly lecturing time offsets and the weighting for after 6 p.m. working are to be removed. In all aspects relating to third level these proposals fail the test of fairness.

On the theme of fairness, a fundamental question arises: is it good enough to cut the pay of teachers and lecturers, many of whom are living on low incomes, simply because they are public servants?

There are some positives in the Labour Relation Commission proposals and it is important to consider both sides of the argument before we cast our vote. Teachers who earn under €65,000 per annum will not be subject to pay cuts, but they will of course suffer the substantial loss of the S&S allowance. In the IoT sector, Assistant Lecturers will not be subject to the pay cut but will suffer significant loss through the elimination of the examination payments. (The pay cuts will apply from the third point of the Lecturer scale.) Revised salary scales for both NQTs and ALs are to be introduced under the proposals. This very modest increase in basic pay is a useful first step towards the elimination of the two tier workforce.

Once again TUI members find themselves in an awful position. Do we believe that the government will keep its word and not ask anything further of public servants over the course of the proposed agreement? Should those of us who will suffer relatively less than our colleagues as a result of the proposed cuts think only of our own circumstances or should we take a collegial position in solidarity with our more vulnerable colleagues? The government has warned that if this proposed deal is rejected, it will legislate to cut pay. Do we believe that the government – one that includes the Labour party - will act on this threat? These are the questions we must ask ourselves. Whatever your answer, you must vote. As one of the most democratic organisations in this country, whatever the outcome, the TUI will respect and take its mandate from the decision of its members.

Gerard P. Coughwell

What you are being asked to decide

You are being asked whether or not to agree to Labour Relations Commission (LRC) proposals to extend and amend the Public Service Agreement. These proposals set out a range of measures that are specifically designed to remove €1 billion from the public pay and pensions bill over a three year period up to 2016. This is in addition to the savings already planned for under the first Public Service Agreement (2010 – 2014) and Budgetary policy.

The ballot paper states:

Proposals for a Public Service Agreement (2013-2016) were issued by the Labour Relations Commission on 26th February 2013.

The ballot paper asks members: **Do you accept these proposals?**

Ballot papers issue from TUI Head Office on Thursday, 7th March and are due for return by 5pm on Tuesday, 26th March using the reply paid envelope. **Please post by Friday 22nd March at the latest.**

The full LRC document can be downloaded from the TUI website.

VOTE YES?

Pay Issues

Under the proposals, it is stated that those earning under €65,000 will not be subject to pay cuts, though teachers will lose supervision and substitution (S&S) and lecturers will lose exam payments.

The pay cuts are progressive in nature, most affecting those on higher incomes.

The threatened withdrawal of increments has been averted. Teachers and lecturers earning under €65,000 will experience two relatively delays in the payment of increments.

The proposals on new entrant pay rates represent an important first step in restoring teachers and lecturers to their appropriate pre-2011 salary scales. NQTs who started since 2011 will 'skip' one increment on their new lower salary scales (3rd point for post-2011 and 2nd point for post Feb 2012 entrants) advancing up the scale a year faster than originally envisaged. Two extra points will also be added to the end of the scale. This represents an increase in career earnings and partly closes the gap on the pre-2011 scale. The full details of the new Assistant Lecturer (AL) scale are not yet available.

If the Government legislates for pay cuts these are likely to be permanent. The proposals indicate that the pay cuts to apply will not be permanent on earnings up to €100,000.

Hours Issues

The weekly norms at third level and the maximum class contact hours at second level are unchanged.

Pension issues

The proposals will see a modest reduction in the pension levy.

There will be a grace period for retirement on the basis of pre-pay cut income. Teachers and lecturers have until the end of August 2014 to retire on their pre-pay cut salary.

Other Terms & Conditions

A supplementary panel is to be established for fixed-term teachers who have had sustained periods of employment with more than one school/VEC. This should provide access to permanent positions.

The proposals contain a commitment to no compulsory redundancies subject to compliance with the terms of redeployment.

The redeployment limit remains unaltered at 50km (teacher scheme).

Overarching Considerations

The Government has stated that this will be the final ask from public servants.

The Government has indicated its intention to secure savings of the order of €1 billion by recourse to legislation in the event that an agreed outcome between unions and public service management is not reached. In this context, Government has stated that the €1 billion savings required represents 7.5% of the pay and pensions bill.

The proposals represent a better outcome than the measures originally sought by Government, which included compulsory exits, 5 hours extra per week and redeployment to 100km.

The proposals will provide stability for a period of time. If the proposals are rejected, a period of industrial relations uncertainty may ensue.

An agreement secured with some level of trade union involvement is preferable to having Government legislate on pay and terms and conditions.

The proposals represent the best available outcome that could be achieved through the recent LRC process.

VOTE NO?

Pay Issues

Teachers and lecturers who earn over €65,000 will have their pay cut by between 5.5% and 8%. In addition, all teachers will lose their supervision and substitution (S&S) allowance of €1,769 (€1,592 for post-2011 entrants). Lecturers will lose their exam payments. The 1.5 weighting for teaching after 6pm in IoTs will be eliminated. There will be no compensation for the loss of these payments/weightings.

The elimination of S&S disproportionately affects teachers on lower incomes for whom S&S can comprise in excess of 5% of their salary.

At third level, the elimination of examination payments is ill-conceived. It will impact very seriously on those lecturers with heavy assessment loads. They will lose income disproportionately and continue to have a large numbers of scripts to correct. This is clearly unfair.

Any reference in the proposals to the restoration of pay is extremely vague and does not constitute a firm commitment. As such, the pay cuts could potentially be far more long lived than the duration of the agreement.

Most teachers and lecturers will experience either a delay in or freeze on the payment of increments over the course of the proposed Agreement. This varies depending on salary.

Under the proposals unions will be required to enter negotiations, the purpose of which is the elimination of so-called 'legacy allowances'. This represents a significant threat to the income of many of our members over and above the other cuts in the proposals. This brings seriously into question Government assurances that public servants will not be targeted again for pay cuts.

The measures in respect of newly qualified teachers and lecturers do not amount to equalisation or integration of all on the pre-2011 salary scales.

Hours Issues

All second level teachers, even those who had not previously signed up for S&S and were not in receipt of the S&S allowance, will be required to provide 49 hours of S&S per year, subject to a limit of 2 hours 15 minutes per week. This is in addition to the 33 hours under the Public Service Agreement 2010-2014.

Lecturers will be required to provide an extra 78 hours per year towards examination marking, evening weighting, church holidays and weekly lecturing offsets.

Members with a 35 hour week (e.g. Youthreach) will have their hours increased to a minimum of 37 hours.

The extra hours of substitution will reduce the hours of paid substitution available for part-time teachers.

The elimination of post 6pm weighting and 'offsets' will have the effect of reducing available lecturing hours for part-time staff. This will lead to job losses by the non-renewal of fixed term contracts.

Pension Issues

Government intends to legislate to cut pensions. The exact percentage is not yet known but the effect will follow members in to retirement.

Pensionability of S&S has not been addressed or clarified. Those who paid pension contributions in good faith have experienced a breach of trust.

Other Terms & Conditions

The Government's stated objective was to cut the pay and pensions bill by €1 billion. However, these proposals also represent a major threat to non-pay conditions of service and show no understanding of the core functions and responsibilities of teachers and lecturers as educators.

Proposals for grade rationalisation represent a major threat both to middle management grades and to un-promoted teachers and lecturers who may be required to take on significant non-teaching duties on an unpaid basis with all the implication this has for workload.

The reference to performance management may be a latent threat involving the introduction of procedures wholly inappropriate to the education sector.

The issue of casualisation has been addressed only to a very limited degree. No recommendation regarding the malpractice of collapsing hours prior to the issuing of CIDs has been made. Even worse, despite the clear demand of TUI that zero/variable hours CIDs be prohibited, this was not done. We can reasonably infer from this that such bogus 'variable hour' CIDs are seen by Government as a mechanism to frustrate application of the Fixed Term Act. The failure to prohibit zero/variable hours CIDs creates grave and legitimate doubt about any purported protection of pay and jobs for permanent employees who are CID holders.

Overarching Considerations

There has been a major breach of trust on the part of the Government. The Public Service Agreement 2010-2014 has over a year to run and purports to protect pay. However, these new proposals specifically target pay. In essence these proposals breach the terms of and commitments contained in the Public Service Agreement 2010-2014

These proposals fail the fundamental test of fairness. They target only public servants. Matters to do with public finances should be tackled through progressive taxation which allows those who have most, in the public or private sectors, to contribute most.

The Government's approach is fundamentally wrong and constitutes an illogical adherence to austerity policies that have clearly failed. The proposals as set down will have a very significant deflationary effect and will further damage our domestic economy.

The proposals are shot through with ambiguity and there is a glaring lack of clarity. The adage, buyer beware applies.

Having made a major contribution through the Public Service Agreement 2010-2014, why should teachers and lecturers now pay again and more for a lesser level of protection?

This process was wholly one-sided, not a real negotiation.

Proposed Public Service Agreement 2013 - 2016

The TUI Executive

recommends

that you

Vote NO

Ballot of all members from March 7th to 26th



Teachers' Union of Ireland
Aontas Múinteoirí Éireann