



Teachers' Union of Ireland

Aontas Múinteoirí Éireann

TUI Strike – Tuesday, 4th February, 2020

Frequently Asked Questions

Who is required to engage in strike action?

All TUI members in all grades.

Will my employer be advised?

All employers will receive the required notification.

Will I lose pay?

There will be a loss of pay for the day.

Will the day be considered as a break in service?

No.

Is the strike a repudiation of the Public Service Stability Agreement (PSSA)?

No. The TUI has been working, and will continue to work, within the parameters of the PSSA. The TUI has used all available options in our campaign to end pay discrimination.

I have no timetabled hours on the 4th Feb. Am I still on strike?

Yes. If a member is not expected to be on the premises on the day, for whatever reason (e.g. job share, part-time, no classes timetabled), s/he is still on strike and should advise the employer to that effect.

I have no timetabled hours on the 4th Feb. Am I required to attend for picket duty?

You are required to attend for picket duty if, in normal circumstances, you would be in attendance at the School/College/Centre on that day. If you would not normally be in attendance on this day, you are encouraged to attend for picket duty. If this proves difficult due to particular personal circumstances, please consult with your Workplace Committee/Branch Officers.

I am the Principal of a school/Manager of a Centre. Do I have an obligation to open the school/centre?

No. You are on strike and, like all members, you are protected under the Industrial Relations Act, 1990. Being on strike requires you not to engage in any aspect of your work, including opening the school/centre. Queries in relation to the opening of the school/centre should be referred to your employer - Board of Management/ETB.

I am the Principal of a school/Manager of a Centre that hosts night classes. May I open the school/centre to allow those teaching the classes to enter?

No. The strike lasts 24 hours, from midnight on the 3rd February to midnight on the 4th February.

I am seconded full-time to another organisation. Am I on strike on the 4th Feb?

No. You work as normal for the other organisation on that day.

I work as an Associate (i.e. seconded part-time for a specified number of days annually) with a designated support service – e.g. JCT, PDST, NIPT. I am scheduled to work in my capacity as an Associate on 4th February. Am I on strike on the day?

No. You work as normal for the other organisation on that day.

I am contracted to work for the State Examinations Commission (SEC) on the 4th of February. The school/centre that I have been appointed to, as an Examiner, will be open on the strike day. What will I do?

As you have a separate contract of employment with the SEC, you should undertake your SEC duties on the 4th of February if the school/centre in which you are examining is opened. If the school/centre is closed, inform the SEC and seek to reschedule the Examination/Assessment.

Non-Teaching Activities

I normally take the School/College/Centre football/camogie team for practice/matches in the evenings. Can I do this on the 4th Feb?

No. Alternative activities (e.g. in-service, extra-curricular or co-curricular activities, off-site work-related activity etc.) are covered by the strike and are prohibited on the day. Even though the pickets will end at the normal school/centre/college closing time, the strike is in place for 24 hours.

I teach night classes in the school/college/centre. Can I still take those classes?

No. The strike lasts 24 hours.

I'm supposed to be involved in a School/College/Centre trip/event on that day. What should I do?

If the school/college/centre trip/event begins and ends within the 24 hours of the 4th February, the strike action prohibits you from participating.

If the trip/event extends beyond the 24-hour period - either because it commences on 3rd February or earlier or because it extends to 5th February or later, then it is not prohibited by the strike action and you may participate in the trip/event.

If I am on a school/college/centre trip/event that is not prohibited, will I be deducted strike pay?

Yes, for the 4th February.

I have a meeting (e.g. Croke Park Hours, Parent-Teaching Meeting etc.) on 4th Feb. Can I attend?

No. A TUI member cannot be involved in any kind of meeting related to her/his work as an employee of the school/centre/college on 4th Feb.

Can a Parent-Teacher meeting, scheduled as part of Croke Park Hours, be held on another day instead?

Yes, but if the school re-schedules the meeting then some other Croke Park 'event' of equivalent duration must be dropped from the previously agreed calendar of Croke Park hours for the 2019/2020 academic year.

Can a Parent-Teacher meeting scheduled on 4th Feb under Circular Letter (M58/04) be held on another day?

Yes.

Do Board of Management or ETB meetings go ahead on 4th Feb?

That is a matter for the Board of Management or ETB. However, TUI members who are Staff Representatives on BOMs/ETBs should seek a deferral of any board meeting. They may not attend if it goes ahead; neither may the Principal Teacher nor any other teacher attend if s/he is a TUI member.

I am scheduled for CPD on 4th Feb (e.g. JCT Cluster Day) etc. Can I attend?

No. A TUI member cannot be involved in any kind of meeting related to her/his work as an employee of the school/centre/college on 4th Feb.

Picketing

What is the purpose of a picket?

The purpose of the picket is to:

- indicate to members of the TUI that there is an official strike and that they should not go to work
- advise other employees that there is an official dispute in the workplace
- alert the general public to the fact that there is an official dispute and the reason for it.

When should the picket begin and end?

Picketing should commence 30 minutes before the normal opening time of the school/college/centre and should remain in place until normal school/college/centre closing time. However, the strike lasts for 24 hours – from midnight on 3rd February to midnight on 4th February

Do I have to picket?

Exemptions from picket duty can be sought for genuine reasons only (e.g. medical). Even if exempt from picket duty, you are still on strike. You should consult with your Workplace Committee/ Branch Officers in relation to this.

How long will I be on picket duty?

This will be decided locally by the Workplace Representatives and, as required, the Branch Officers and will take into consideration variables such as the number of members in the workplace, the number of campuses/entrances, the length of the school/college/centre day etc.

Can I enter the workplace at all during the day?

No. For the duration of the strike members must remain completely off the premises of the employer – tea breaks or “bathroom breaks” must be taken elsewhere.

How many people should be on a picket at any given time?

Mass picketing is illegal. Logically, the size of a picket depends on the number of members in the particular workplace. The main entrance to the workplace should be covered. Consideration should be given to increasing the numbers on the picket lines at specific strategic times of the day, e.g. morning, lunchtime and evening rush hour etc.

Where can the picket be placed?

Picketing should be at, not on/in, the place of work. Members on picket duty must not impede anyone’s entrance to or exit from the workplace. Do not impede anyone accessing the building e.g. students, parents of students, members of other Unions (who are entitled to attend for their normal work), delivery services, emergency services etc.

How will I know when to picket?

Picket duty will be organised by your Workplace Committee/Branch Officers. There should be a picket at all times during school/college/centre opening times – a roster will be organised locally by the Workplace Committee/Branch Officers.

There are only a few TUI members in my workplace. Can I picket at another TUI workplace?

As a TUI member, you are entitled to picket your own workplace. If TUI members comprise only a very small proportion of the employees in your workplace, consideration may be afforded to such members supporting the picket in another TUI workplace. In this instance, you are *supporting* the picket and you are not technically *on picket duty*. If you envisage supporting the picket in another TUI workplace you must email payequalitystrike@tuimail.ie, identifying your workplace, advising of the particular circumstances and providing the necessary contact details.

Who can join a picket?

TUI members in the workplace can join a picket. In addition, an elected Branch Officer may join any picket line within her/his own branch and a member of the Executive Committee may join any picket line within her/his area. TUI Head Office personnel may visit any TUI picket line. A record/sign-in sheet of those undertaking picket duty should be retained in each workplace.

I am a retired TUI member/member of the Retired Members’ Association (RMA), can I join the picket?

No. Picketing must be by members who are employees of the school/college/centre in question and union officials/elected representatives (see above). You may, however, show your support for your colleagues who are on strike by briefly visiting and/or supporting them but you may not join the picket line. TUI would welcome the support of retired members during the strike.

Will there be placards?

Yes. Placards will be available and you will be advised on the local collection points by your Area Representative and/or Branch Officers.

Other Unions/Non-Unionised

There are members of another Union/s in my workplace. How does this affect the strike?

In line with protocols/standards issued by the Irish Congress of Trade Unions, workers in the school/college/centre who are members of other unions are allowed to pass a picket. If they ask TUI members for guidance as to what to do on the day of the strike they should be referred to their employer or their own union.

Have other Unions been advised of the strike?

The ICTU and other Unions in your workplace will receive the required notification.

There are non-unionised workers in my School/College/Centre. How does this affect the strike?

Workers in the workplace who are not in a union may pass a picket.

The Industrial Relations Act, 1990, allows for members of a union who have been balloted to engage in strike action. Members of the TUI have been balloted for this industrial action and therefore they can engage in strike action without fear of disciplinary action by the employer. Anyone who is not in the TUI may be deemed to be in breach of their contract if they do not present for work on the 4th Feb and their employer may take disciplinary action against them or deem the day to have been a break in service.

Non-unionised employees should be advised of the dispute. If they ask TUI members for guidance as to what to do on the day of the strike they should be referred to their employer. If eligible for membership of the TUI they should be offered an application form for membership.

My colleague now wants to join TUI. At what point will s/he be considered a member?

For the purposes of taking the Industrial Action a person will be considered a member providing s/he has completed and returned an application form either:

- Online
- To a Branch Officer
- To a member of the Workplace Committee

My colleague has just joined the Union, is s/he on strike?

Yes.

What happens if a TUI member does not take strike action?

Breaking a strike is a most serious offence for a member of a union. It will, most likely, result in unworthy conduct charges against the member.

Members on picket duty are obliged to report any member passing a picket or entering the workplace. Failure to do so is itself a serious offence and is also liable to lead to unworthy conduct charges.

A strike breaker should be reported to the Branch Officers without delay. Note any member breaking the picket, record the time and note the name of any witnesses. Also note any member known to be in the workplace who might have gone in unbeknown to the picket.

I have more questions, who should I contact?

You should contact your Workplace Committee/Branch Officers/Area Representative in the first instance. The contact details for all Area Representative are available in the TUI Diary and Handbook. Alternatively, you can email payequalitystrike@tuimail.ie