



TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN

news

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TUI's Annual Congress 2021

Tuesday 6th and Wednesday 7th April

EXAMINATIONS
SECOND LEVEL EQUALITY
ENDING PAY CONDITIONS
OF SERVICE
DISCRIMINATION PAY
FURTHER AND ADULT EDUCATION
PENSIONS **THIRD LEVEL** EDUCATION
ISSUES
HEALTH AND SAFETY



**FULL REPORT ON ANNUAL CONGRESS 2020 AND
SPECIAL CONGRESS 2020 RESOLUTIONS INSIDE**

A Word from the President – Martin Marjoram

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Dear Members,

While TUI's opposition to a rushed return to in-person education in January played an important role in preventing an unwise policy decision, and has been amply vindicated since, the necessity for emergency remote teaching over such an extended period required enormous work and commitment from you, which TUI has referenced consistently in negotiations and in the media. Thankfully, the state's vaccination programme, for all its delays and difficulties, promises an end at last to the severe impacts of the pandemic. In the meantime, TUI has been, and will be, working to protect members from additional workload and in terms of health and safety.

PHASED RETURN TO SCHOOL/LIMITED INCREASE IN ONSITE ACTIVITIES IN FURTHER AND HIGHER EDUCATION

Though months of further restrictions are before us while the vaccines are administered, public health advice favours a cautious, phased re-opening of schools and a limited increase in onsite activities in further and higher education. Indeed, the more stringent limitations imposed in other societal settings are identified as necessary in controlling community infection levels sufficiently to allow education and other essential services to proceed, with appropriate mitigation measures in place.

In order to improve confidence, and to take advantage of the flexibility arising from only a fraction of staff having to attend in person, TUI has negotiated that

Annual Congress - 6th/7th April 2021

Due to ongoing restrictions as a result of the national health emergency, the TUI's Annual Congress will take place remotely on 6th and 7th April 2021.

Keep an eye on the Union's communications channels for updates and full details on the schedule and format of the event.

Congress will be addressed by both Minister for Education, Norma Foley TD and Minister for Further and Higher Education, Research, Innovation and Science, Simon Harris TD.

In 2020, TUI's Annual Congress took place online on 26th June 2020, with a Special Congress taking place on 7th November 2020. A full report on resolutions passed at both events are featured in this magazine.

EDITORIAL

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pregnant members, members who are 60 years old or older, and members who are in the high-risk health category may continue to work remotely if they so choose until there is a full return to in-person attendance in their sector. Changes to leave arrangements have also been secured, giving members greater facility to deal with childcare and other caring responsibilities.

Intensive work by TUI on negotiation and documentation has resulted in agreements and guidance across the various sectors and workplaces in which TUI organises. Locally and nationally the union must be vigilant that onsite activities take place in accordance with those outcomes. Strict adherence to all necessary public health requirements remains essential. The union will not tolerate any failure by management to implement what is required.

STATE EXAMINATIONS

The further loss of face-to-face teaching in January and February resulted in a clamour against “forcing” students to sit the Leaving Certificate examinations. While sharing the concerns for students expressed by many, TUI did not favour the Government’s decision to offer students the choice of SEC accredited grades instead of, or in combination with, the conventional Leaving Certificate. The disastrous spike in COVID-19 cases in January gave clear justification for a contingency to be put in place against a similar occurrence in June. However, with public health advice continuing to indicate that the written examinations and almost all additional assessment components can take place, the decision to offer choice must be viewed as a political response by both Government and opposition as opposed to sound educational or public health policy.

TUI negotiated tirelessly on behalf of members, and of the integrity of the assessment process, and will continue to insist on protections for members against workload impositions and undue influence or interference in their estimation of students’ marks. TUI’s clear guidance with regard to both Leaving Certificate and Junior Cycle will continue to be updated and we will continue to negotiate improvements and clarifications with the Department.

BUILDING MOMENTUM – A NEW PUBLIC SERVICE AGREEMENT 2021-2022

On 23rd February, the Public Services Committee of the ICTU gave its overwhelming backing to Building Momentum, the new public service agreement. The TUI Executive had already made clear its opposition to the proposal because it fails to address the scandal of pay discrimination. The agreement’s new Sectoral Bargaining mechanism, whereby unions divert a long-awaited potential pay rise into funding their own claims and adjudications, is not a just system and could lead to significant divergence between public servants if continued into future agreements. However, it does provide a means to further address pay inequality so TUI will participate and will work within the terms of the agreement to secure the scheduled pay increases and the best outcomes for members.

The closure of our workplaces and the inadequacy of our database prevented us from balloting as intended. As soon as practicable, we will ballot members. In this regard, I must remind you of the need to update your membership details if you have not done so. Please take the opportunity by **clicking the link here** and note that the “Union Reference” field is not a required field if you do not have your TUI number to hand.

INDUSTRIAL RELATIONS PROCESSES AND NEGOTIATIONS

The WRC Conciliation process regarding the claim for a conversion process in Youthreach commenced on 5th March. The confidentiality of the process prevents any detailed report. The next meeting is scheduled for 20th May.

Other long-standing claims, including for the restoration of the H.Dip./PME allowance and regarding incremental credit in Third Level, continue their frustratingly slow progress through the state’s industrial relations machinery and we will update members when we have news.

Work by TUI members and officials continues regarding the Technological University process. It is unacceptable that the Branches in the newly formed Munster Technological University have encountered such difficulty simply to ensure that management upholds what is already agreed. Challenges face our



TUI PRESIDENT, MARTIN MARJORAM

negotiation teams in all consortiums, while members in IADT Dun Laoghaire and Dundalk IT face the uncertainty of not having a clear place in the process at all. The Dundalk IT Branch must be commended for its outstanding display of solidarity with management grade members in the ongoing dispute regarding the operations of its senior leadership team.

ANNUAL CONGRESS

Another, regrettably remote, Annual Congress is almost upon us. I look forward to the debate and the policy discussion and formulation at the heart of this key event in our democratic calendar. I will impress upon both Ministers (for Education and for Further and Higher Education) your remarkable work and dedication to your students through this unprecedented crisis and the need to learn that the long-standing policy of operating education at crisis funding levels is not a virtue and left us singularly ill-prepared when struck by COVID-19. That the system withstood that impact as well as it did is a further testament to your extraordinary endeavours, but it is surely time to build and fund education on a sustainable basis.

Looking forward to seeing many of you at Congress, and with every good wish for your and your family’s health,

Martin Marjoram

Phased re-opening of workplaces – ongoing review of public health situation will be required

Note – as these are developing issues, keep an eye on the TUI website and social media channels for updates. Comprehensive information documents are also available on the website, and these will be appropriately updated with any new information.

SECOND LEVEL

The TUI has consistently said that members are prepared to facilitate a phased and cautious return of students to schools, subject to the advice and continuing review of the situation by public health authorities.

Special classes in post-primary schools reopened on 22nd February, with final year Leaving Certificate returning on 1st March and 5th year students returning on 15th March. The remaining year groups at post-primary level are due to return on 12th April, subject to the prevailing public health advice.

At all times, TUI has acknowledged the vital importance of face-to-face provision for students and notes that a number of concerns that it had expressed have now been addressed and extra safeguards provided.

However, the union also said that it must be recognised there is still considerable anxiety and concern among school staff, students and their families around the return to schools. In that context it is imperative that all safeguards and measures set out to protect health and safety in schools are adhered to. The union stated that it will not tolerate any slippage in that regard and will take decisive action to protect members in any setting where nonadherence to safety measures occurs.

ADDITIONAL SUPPORTS AND SAFEGUARDS

As a result of TUI's representations, a range of additional supports and measures have been agreed to protect students and staff. These measures include a restoration and enhancement of full contact tracing and fast-track testing and, crucially, arrangements for staff in high risk health categories, those over the age of 60 and pregnant teachers to continue to provide remote teaching.

FURTHER/ADULT EDUCATION

The reopening for Further Education and Training is co-ordinated by a FET Stakeholders Forum. Communication issued from the Stakeholders Forum on February 25th in respect of the return to FET centres for learners at levels 4, 5 and 6 who are engaged in time-critical practical elements across the awards including QQI, City of Guilds, ITEC, Junior and Senior Trade examinations. It was advised that the target reopening date for these time-critical classes is March 15th, 2021.

The Stakeholders working group met again on March 10th, 2021. The TUI was satisfied with the way the first stage of the reopening process was delivered by the sector when the final year Leaving Certificate / Leaving Certificate Applied session 4 learners and a small number of critical and time sensitive apprenticeship classes returned to FET Centres.

APPRENTICESHIP

Following the successful return of 251 apprentices from 1st March, a second group of 320 time-critical apprentices will recommence onsite practical training and assessment from Monday 15th March.

TIME-CRITICAL ASSESSMENTS LEVEL 4-6

Having considered public health advice and the need to continue to limit attendance onsite, the TUI agreed that learners at levels 4, 5 and 6 who are engaged in time-critical practical elements across the awards including QQI, City of Guilds, Junior and Senior Trade examinations will commence returning to FET centres and colleges on 15th of March as part of an agreed process for a

phased reopening. This is not a return to tuition, rather it is a return to facilitate instruction on specialist equipment required for the completion of time-critical practical elements and the completion of such time-critical practical elements. Learners will revert to emergency remote learning after those practical elements are completed.

VULNERABLE LEARNERS

The TUI agreed that vulnerable learners requiring onsite presence to support wellbeing or access to workspace and Wi-Fi to complete course work can also be accommodated, bearing in mind the overall footfall of the FET centre/institution. In addition, as part of the phased reopening, onsite access for vulnerable learners at Level 1 and 2 including STP and NLN is proposed from March 22nd, 2021. Onsite activity should only include the minimum number of learners required onsite at any given time supplemented with emergency remote tuition.

ADDITIONAL SUPPORTS AND SAFEGUARDS

Further education and training institutions will continue to **operate primarily online with emergency remote learning remaining the primary mode of delivery for most activities with remote working encouraged where possible.**

The TUI is ensuring that all planned phased return will be carried out in a phased approach and in accordance with current Governmental COVID-19 Resilience & Recovery 2021 – The Path Ahead framework. All planning will be based on full adherence to the prevailing national guidelines and health and safety regulations.

Given that FET is continuing online under Level 5 Restrictions and the very limited extent of onsite attendance (strictly limited to what is essential and time-critical for course completion purposes and which cannot be delivered online), the TUI is ensuring that staff in the high-risk category as well as the over 60's and pregnant staff may continue working remotely if they choose.

THIRD LEVEL

TUI has negotiated terms for a marginal, limited increase in onsite activities in IoTs and TUs, as supported by public health advice. Only essential, time-critical activities which cannot be conducted remotely and are required for programme completion are to be facilitated while all public health requirements must be in place. Principles and guidance have issued to Branches. It is clearly laid out that local consultation is a key element in the limited increase in onsite activities. Any efforts by management to bypass that stage must be opposed, including through the agreed collective grievance procedure if necessary. As elsewhere, TUI has negotiated that pregnant members, members who are 60 years old or older, and members in the high-risk health category can continue to work remotely if they so wish.

For some time, TUI had sought the establishment of a Third Level Stakeholders' forum, modelled on the successful forum in Further Education and Training for which TUI also lobbied. On 8th March, the Partnership of Stakeholders in the Technological Sector (POSITS) forum, comprising TUI, Fórsa, SIPTU, Unite, THEA, TU Dublin, the Higher Education Authority, and the Department of Further and Higher Education, Research, Innovation, and Science, met for the first time.

The principles for the marginal, limited increase in onsite activities was negotiated at the POSITS forum. A more detailed document was negotiated directly between TUI and THEA, and a similar agreement is being sought with TU Dublin.

All safety measures must be strictly adhered to – members will withdraw from engagement in situations where measures and safeguards not being adhered to

At national level, all measures must be kept under ongoing review, not least to take account of the emerging new variants of COVID-19.

Now more than ever, all risk mitigation measures and safeguards will need to be strictly adhered to. The health and safety of students, staff and their families cannot be compromised. TUI members will withdraw from engagement in situations where the measures and safeguards that protect them and their students are not being adhered to.

State Examinations 2021 – an update

IMPORTANT: The Union has produced and regularly updated a significant and comprehensive set of FAQs on all issues related to this year's State Examinations. [Click here to access most up-to-date documents.](#)

On 17th February, the Minister for Education Norma Foley TD announced that following a Government decision, the Leaving Certificate 2021 examinations would proceed and that students would also have the alternative option of applying for grades accredited by the State Examinations Commission (SEC), to be known as SEC Accredited Grades.

TUI expresses concerns but recognises that some key issues addressed

While expressing serious concerns about aspects of the parallel processes, the Union recognised that a number of key issues that it brought forward in the intensive negotiations on behalf of members were addressed. These include the retention of the established Leaving Certificate and of additional components of assessment as well as protections and safeguards against any form of canvassing and lobbying. A commitment has been secured by the TUI for the introduction of legislative protections for teachers. The TUI also noted that, following its public request, final clarity was given on the Junior Certificate examinations.

Regressive decision in relation to additional assessment components

The TUI said that the Minister's decision to externally assess oral and practical examinations only for the conventional Leaving Certificate process is regrettable and regressive. Those marks should also be applied to the SEC Accredited Grades process as sought by the TUI in the practical concrete proposals that it brought to the negotiations. Provision of an estimated mark that incorporates the additional assessment components for the SEC Accredited Grade is a poor second best.

Rank ordering – TUI secures protections

Crucially, the TUI Executive Committee noted that the Department breached and betrayed the trust of teachers by renegeing on an assurance given to teachers, in relation to the 2020 calculated grades system, that the student ranking would only be available in response to a data access request. Determined to ensure that our members

would not be betrayed again, the TUI demanded and has secured water-tight protections in this regard.

No precedent

Critically, our engagement with these measures cannot and will not be regarded as a precedent for or as agreement to operate any such measures in future years. Our engagement with this process is only on the basis of necessity due to the national health emergency. Public Health advice permitting, we envisage the Leaving Certificate and Junior Certificate running in the established manner in 2022.

Consultation with members

The TUI continues to consult intensively with members and will seek further clarifications, where necessary. Should you have further questions or observations, please send them to examqueries2021@tuimail.ie, making sure to include details of your workplace or branch.

MTU – ballot results make clear the need for meaningful engagement to address concerns of members

The Munster Technological University (MTU) was established on the 1st January 2021 by the amalgamation of Cork Institute of Technology and Institute of Technology Tralee. As part of the transition process towards a technological university, the members in each branch (Cork and Tralee) were balloted on the Terms and Reference and Memorandum of Understanding.

Concerns began to emerge relating to the failure of the two institutes to implement the terms of the agreed memorandum. With a view to resolving the industrial relations matters, the union requested the assistance of the Workplace Relations Commission (WRC) which resulted in intensive negotiations occurring in November and December 2020.

The WRC issued a proposal to all parties in January 2021. Due to COVID-19, the union could not organise workplace ballots on the proposal, so a process to carry out postal ballots was instead pursued. In each branch, the WRC proposal was rejected and a ballot for industrial action passed. The first phase of industrial action is under consideration. TUI has consistently stated that the resolution of industrial relation disputes can only be found through meaningful engagement.

Don't miss out - TUI's accredited course in Trade Union Studies will run again in 2021/22

In October 2019, the TUI set up its first online course for Union representatives in collaboration with the City of Glasgow College Trade Union Centre. 18 members completed the course in March 2020 having completed 9 online activities, which addressed topics such as the role of representatives, how to access resources and how to deal with disciplinary and grievance procedures. An additional 23 members will complete the course in 2021.

The course is fully accredited and the successful participants are awarded a level 5 Certificate in Trade Union Studies. The participants came from all the various sectors that the TUI represents and all spoke of the enjoyment they got from doing the course and how it gave them extra confidence in fulfilling their various roles in the TUI from member of the Workplace Committee to Branch Officer.

The TUI is now inviting applications for a limited number of places for next year's course which is scheduled to commence in October 2021.

For further information or to enrol contact John O'Reilly at joreilly@tui.ie

A note from the Teaching Council:

Guidance for Registered Teachers about the use of Social Media and Electronic Communication

On 9th February 2021 (Global Safer Internet Day), the Teaching Council's 'Guidance for Registered Teachers about the use of Social Media and Electronic Communications' was launched. The Guidance was launched through an ezine which issued to all registered teachers. Additionally, the Guidance was published on the Teaching Council website, circulated to stakeholders by e-mail and published on the Council's social media platforms.

Many teachers use social media and electronic communication to enhance their classroom practice, introducing their students to new tools and delivering the curriculum in innovative

and engaging ways. Electronic communication and social media also provide new ways for teachers to communicate with students, colleagues and the public.

An extensive consultation process took place with the draft Guidance document issuing to every teacher on the Teaching Council register who held an e-mail address and submissions sought. All key stakeholders engaged in the consultation process between December 2018 and September 2019.

This guidance seeks to support teachers in continuing to make the best use of electronic communication and social

media tools. It is our intention that it be a useful reminder for some, or generate awareness for others, on the appropriate use of social media and electronic communication.

The Social Media Guidance document may also assist schools when developing a school's individual social media policy but should not replace or act as a social media policy for schools.

Please click here to view the Social Media Guidance document on the Teaching Council website.

New mental health and wellbeing resource for schools

JIGSAW

Young people's health in mind

Jigsaw, the youth mental health charity, have launched the Jigsaw Schools Hub - a new resource offering schools across Ireland the latest tools and information to help them support young people's mental health and wellbeing.

At jigsaw.ie/schools you will find a growing range of resources for school staff, created by the Jigsaw team in collaboration with young people, school staff, and parents.

The charity recognises the demands faced by school staff during these extraordinary times, and wants to ensure that they have access to the resources they need to feel confident and comfortable exploring mental health and wellbeing with young people.

The resources contribute to delivering a mental health and wellbeing programme as part of the school curriculum. And they have been tailored to support school staff and students during the Covid-19 pandemic.

What you will find...

- An Introduction to youth mental health toolkit to help school staff to explore mental health and wellbeing with young people in the classroom. Young people will creatively learn about their mental health and wellbeing, including what can support and challenge mental health, ways to manage feelings, and how to seek help if and when it is needed.
- Ways to support and look after your own mental health. As you support young people, it is important to remember to take the time for self-care and to look after your own wellbeing too.
- What school leaders can do to create a whole-school approach that supports staff and students with their mental health and wellbeing. You will look at what a whole-school approach to mental health means, and how can it help your school.



Why the Jigsaw Schools Hub?

“We know that schools and their staff do hugely important and amazing work in helping to support young people's mental health. And in the Covid-19 pandemic we know that this has become much harder. On top of all this, school staff are facing greater demands. This is why, with the support of Rethink Ireland through the Innovate Together Fund, I am delighted to be launching The Jigsaw Schools Hub, with vital mental health and wellbeing resources to support educators at this uniquely difficult time,” said Jigsaw's Chief Executive Officer, Dr Joseph Duffy.

“We believe that the Jigsaw Schools Hub will help school staff to feel more confident and better equipped in how they respond and support young people with their mental health. And we hope that it will grow to become an indispensable resource that will contribute to the delivery of wellbeing as part of the school curriculum.”

The Jigsaw Schools Hub is supported by Rethink Ireland through the Innovate Together Fund, a collaboration between Rethink Ireland and the Department of Rural and Community Development (via the Dormant Accounts Fund).

No matter how your school role supports young people's mental health and wellbeing, at the Jigsaw Schools Hub you will find a growing range of up-to-date resources, tools and information to help you with your work.

Find out more at jigsaw.ie/schools



JIGSAW CEO JOSEPH DUFFY

Education International steps up climate change action in 2021 and beyond

It is over a year since COVID-19 was declared a global pandemic. Today, battling the virus remains an immediate and pressing priority across the globe.

However, we cannot forget that climate change continues to be the greatest threat facing humanity and our planet. Climate change is an unquestionable reality that is already causing irreversible damage and great suffering. If we do nothing, our very existence is at stake.

As recognised by Education International's 2019 World Congress, education unions have a crucial role to play in fighting for a sustainable world. Taking collective action to advance climate justice is our responsibility – and it cannot wait. Therefore, EI is urgently stepping up climate action this year and beyond.

EI Launches a Climate Change Education Campaign: Teach for the Planet

Education is a powerful tool to combat climate change. Yet education is too often neglected in governments' climate action plans. We want this to change. Therefore, EI is launching a flagship campaign calling for governments to urgently prioritise the provision of quality climate change education for all.

The campaign will be launched on 21 April ahead of the Climate Summit hosted by the US on Earth Day (22 April). Educators will call for ambitious climate change education commitments to be made by world



leaders, with the campaign running until COP 26 in November. Stay tuned for more information from EI in order to take part in upcoming consultations on EI's policy demands.

The campaign launch event, Teach for the Planet: the Global Education Summit will feature prominent activists from every continent, compelling live panels, interactive features and powerful stories about educators and unions making a difference around the globe. From science education in the face of fake news to why we need transformative climate education now, the event will inform, inspire, and compel to action. We will also be joining forces with the Youth Summit and the Hip Hop Caucus as part of this event.

Climate change education?

Because teachers are crucial for the provision of universal quality climate change education, EI has teamed up with UNESCO to find out directly from teachers about their

preparedness to teach climate change education (as well as education on sustainable consumption and production, human rights including gender equality, and cultural diversity and tolerance). Do teachers globally feel they have the knowledge, motivation, training, time, resources, and support to teach about the climate crisis? We want to know!

The results of the survey will help us place the teacher perspective at the centre of the conversation about climate change education and will be an important part of EI's campaign.

The survey - accessible by clicking **this link** - will be open for responses until 25th April.

Climate change affects the most vulnerable in our societies and across the world. As education unions, we have a responsibility to take urgent action on the climate emergency and the promotion of quality climate change education for all. Thank you for joining us in this fight.

‘Women Leadership and Change’ - ICTU marks International Women's Day

On Friday 5th March, the ICTU Women's Committee organised a Seminar 'Women Leadership and Change' to mark International Women's Day. In her address to this event the General Secretary of ICTU, Patricia King, reminded delegates that despite women's increased engagement in public decision-making roles, equality is yet to be achieved. Notwithstanding the fact that women are entering politics in greater numbers than ever before, men still dominate politics and power in Ireland with only 25% of cabinet posts held by women.

Globally, according to UN figures, the pattern is no different, where only in 14 countries do women account for 50% or more of cabinet members. Congress urges political parties to select and support more women candidates in the future to ensure that women can achieve 50% representation in parliament within a reasonable timeframe.

While there have been improvements in the numbers of women working at the most senior levels in the public sector, private sector business has a long way to go. Currently, only one in nine CEOs are female while only 7% of board chairpersons are women.

The impact of the pandemic was not gender-neutral. From job losses and reduced working hours to spikes in domestic violence and more difficulties combining work and family responsibilities, the effects of the pandemic have hit women the hardest.

We need to remember all women who have been in the vanguard of the national effort to keep us safe and ensure the provision of our essential services. They have made massive sacrifices and taken many risks to keep society functioning in the areas of healthcare, teaching, retail, the office, and in the home.

We will continue to work with our international colleagues to reinforce the

need for all Governments to ratify ILO Convention 190, which is the first international labour standard to address violence and harassment at work.

Governments and employers who are members of the ILO have agreed on the Convention and have committed to improving laws, services, and procedures for preventing and tackling violence and harassment. Congress is currently in dialogue with Minister O'Gorman with a view to agreeing on a proposal on the introduction of Domestic Violence Leave in Ireland.

Congress also calls on Minister O'Gorman to progress the long-awaited Gender Pay Gap Information Bill as a matter of urgency.

We are looking forward to working with the UN Decade of Action programme which we expect will accelerate our progress to achieving the '2030' sustainable goals agenda for women and girls globally.

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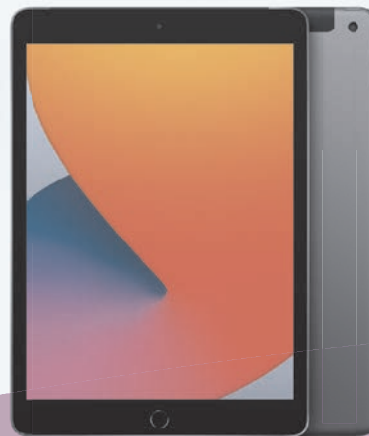
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TUI in the media

In recent weeks, TUI representatives have engaged with the media around a number of key issues. A sample is set out below.



'The Leaving Certificate is far more than a sit-down exam. There are a huge range of second components of assessment – orals, practicals, performances in music, engineering and construction projects – and all of these test different skills.' **TUI General Secretary Michael Gillespie interviewed on RTE's Drivetime programme 1/2/21**

TUI General Secretary Michael Gillespie was interviewed on **Newstalk's The Pat Kenny Show** about the hike in numbers applying through the CAO system and its implications and also issues around Leaving Cert 2021 **2/2/21**

'We still hope that the traditional Leaving Certificate with modifications to take account of the lost face-to-face tuition time can run in something close to the normal way.' **TUI President Martin Marjoram** discussed TUI's position on Leaving Cert 2021 on **RTE's Six One News - 1/2/21**

TUI President Martin Marjoram discussed the re-opening of special classes from 22nd February, the possible return of Leaving Cert students and related issues on **RTE's Today With Claire Byrne programme 11/2/21** [Click here](#)

TUI General Secretary Michael Gillespie set out TUI's position on Leaving Cert 2021 on **RTE television news bulletins**, confirming that no new concessions have been offered to other stakeholders by Government **13/2/21**

'We realise that students are under a lot of stress and strain and we want to alleviate it. The only way to do it is to provide clarity. Any process must take into account students' and teachers' concerns and we must have a Leaving Certificate that has integrity and that is meaningful.' - **TUI General Secretary Michael Gillespie** discussed the union's engagement in the process for this year's Leaving Certificate and the union's position on the phased return to schools on **RTE Radio 1's Today With Katie Hannon programme 13/2/21**

Speaking to **RTÉ's Morning Ireland**, the **TUI's Martin Marjoram** said the union had come to a decision that the Junior Cert couldn't run. "We have come to a decision we don't like coming to, but on balance the Junior Certificate examination cannot go ahead this year," he said. "It's a decision we have made with regret" **17/2/21**

'What's good about the plan is that public health advice supports the running of the state exams in June and that the additional components of assessment are covered. In terms of these additional components, one of the biggest disappointments is that they will only be provided to those who are going to sit the written exam. We believe that this would have been a far more robust system had they been provided to everybody.' - **TUI President Martin Marjoram** took part in a panel discussion on **RTE's Today With Claire Byrne** programme in relation to this year's Leaving Certificate **18/2/21**

'We would appeal to everybody that they adhere to their responsibilities, particularly parents

and students, and realise that what we want is a robust system that does have integrity and that any undue pressure on teachers would be unacceptable.' **TUI President Martin Marjoram** interviewed on **importance of protections for teachers for Leaving Certificate 2021 on Virgin Media News bulletins 18/2/21**

Public health advice must guide return to school, unions warn
The TUI said its members are prepared to facilitate a phased and cautious return of students to schools, subject to ongoing reviews by the public health authorities. - **Irish Examiner 23/2/21**

Schools will reopen on Monday for Leaving Certs and junior infants to second class, Minister confirms
The Teachers' Union of Ireland said a continuing review of the situation is needed by public health authorities, **Irish Times 23/2/21**

'It is really important that school authorities and the Department ensure full compliance with all necessary measures in order to keep everybody safe.' **TUI President Martin Marjoram** interviewed on **RTE's Nine News** regarding confirmation of a return to schools for final year Leaving Certificate students - **23/2/21**

Leag **Declan Glynn**, Ard-Rúnaí Cúnta, amach na socruithe i leith na mBéaltrialacha Ardteistiméireachta ar an gclár **Tús Áite ar Raidió na Gaeltachta ar 26ú Feabhra**

'We now have several months of teaching still to go that that does provide potential dangers in that teachers could find themselves

being put under pressure. We welcome the indications from Government in relation to protections for teachers so that the system's integrity isn't undermined.' **TUI President Martin Marjoram** addresses the need for protections for teachers regarding Leaving Certificate 2021 on **Virgin Media News bulletins - 26/2/21**

"Tracking and tracing measures must be robust and fit for purpose, while any member of the school community - staff or student - who has symptoms of Covid-19 or is a close contact of a confirmed case must stay at home," said **TUI general secretary Micheal Gillespie**. "We have already stated that we will not tolerate any slippage in terms of nonadherence to key safety measures in workplaces." - **Irish Times 1/3/21**

The Teachers' Union of Ireland (TUI) urged vigilance to ensure that the return is safe and sustainable. The union has said that it is "absolutely imperative that all safeguards and measures to protect health and safety in schools are adhered to" - **RTE website 1/3/21**

TUI General Secretary Michael Gillespie outlined why TUI believes mock examinations for final year Leaving Cert students are counter-productive and should not take place with limited tuition time remaining in this academic year on **RTE's Drivetime programme 4/3/21**

Phléigh **Declan Glynn**, Ard-Rúnaí Cúnta, ceist na mbréagscrúduithe Ardteiste ar an gclár **Admhaidin, de chuid Raidió na Gaeltachta ar 5/3/21**



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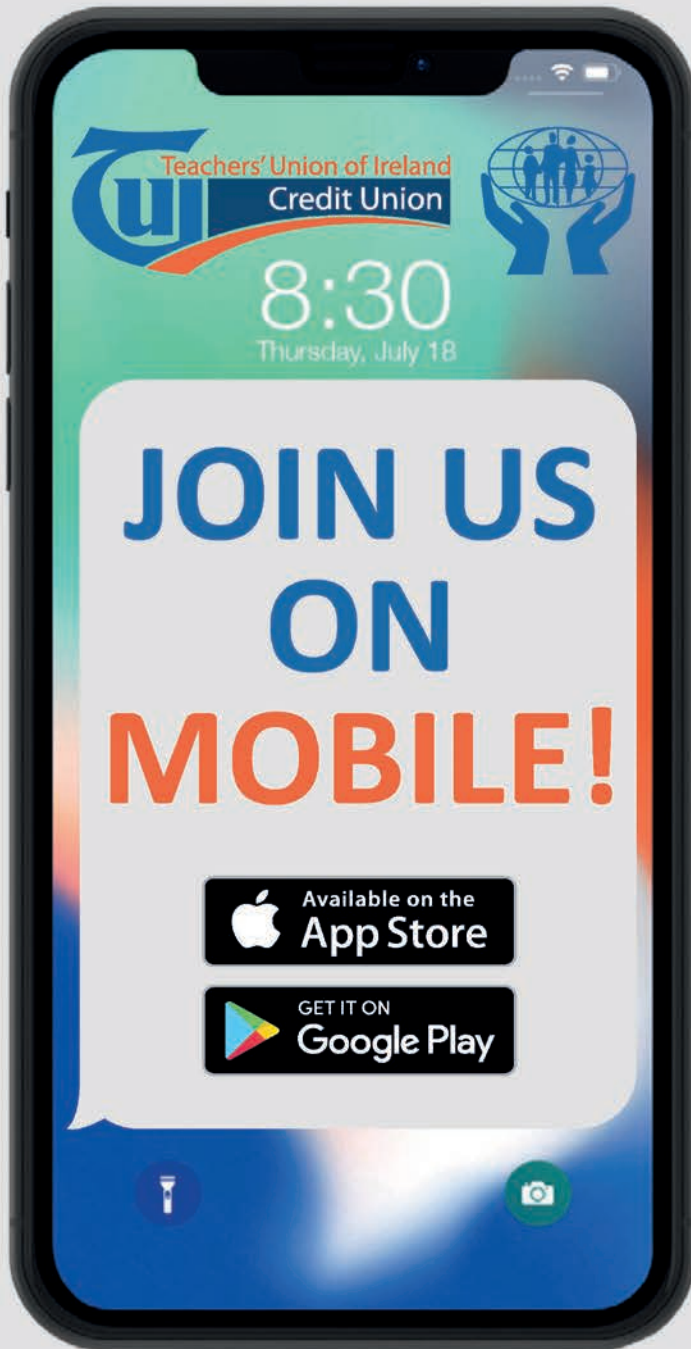
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REPORT ON RESOLUTIONS OF ANNUAL CONGRESS – 26TH JUNE 2020 AND ACTIONS TAKEN

MOTIONS OF CONSEQUENCE UNDER RULE 23

MOTIONS CARRIED

A. MOTIONS RELATING TO THE COVID-19 EMERGENCY AND ITS CONSEQUENCES

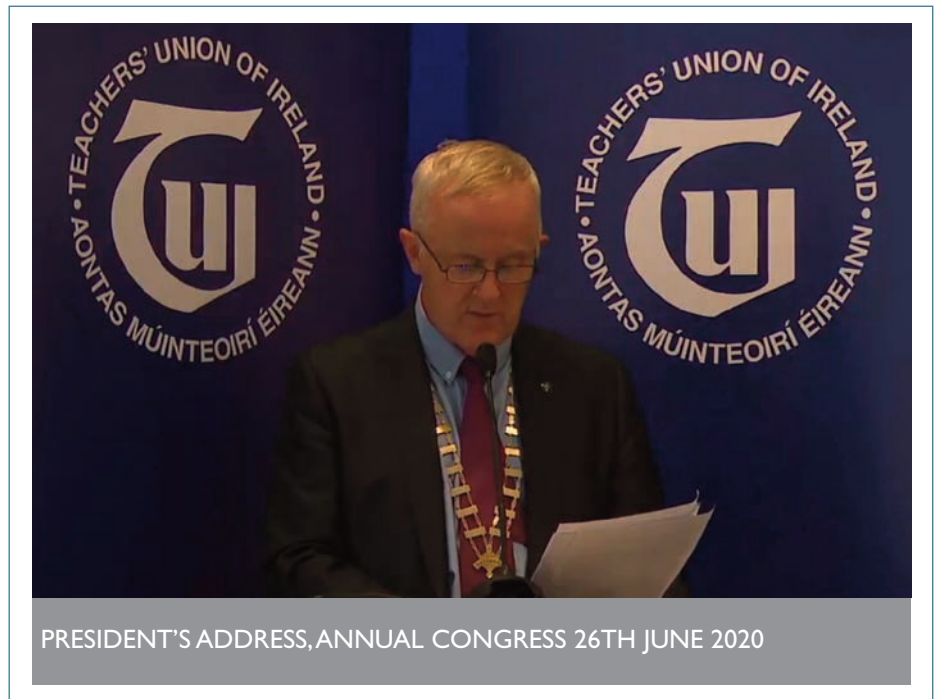
Motion 1 - Health

Congress notes

- that the members of the TUI look forward to the re-opening of schools, centres, colleges, institutes and universities to all staff and students as soon as that can be done safely and
- the Union's consistent, reasonable and principled view that its advice to members will at all points be informed by and in compliance with the advice of the public health authorities
- the duty of the Union to protect the best interests of members, having regard to their right to a safe workplace, including when working remotely
- the duty of care of members to their students

In this context Congress notes

- the continuing risk associated with Covid-19 according to the public health authorities
- the current requirements under public health authority advice and government decision in relation to physical distancing in workplaces
- the right of workers under the relevant protocols to have Lead Worker Representatives in place, selected by those whom they represent and as set out in the ICTU guidelines
- the pre-existing right of workers



PRESIDENT'S ADDRESS, ANNUAL CONGRESS 26TH JUNE 2020

- under the "Safety, Health and Welfare at Work Act 2005" to select and appoint a "Safety Representative").
 - the obligation on employers to provide appropriate training in a timely manner to all employees in relation to safe return to the workplace and other related matters
 - the deficits in terms of physical infrastructure and facilities of education sector workplaces
 - uneven and inadequate access to broadband and appropriate digital learning resources available to members and students
 - that current cleaning and hygiene regimes (and resourcing therefor) are insufficient to support a safe return to those workplaces
 - the substantial number of staff members and students who have underlying health issues that significantly increase the level of risk they would face upon return to the workplace.
- Congress therefore demands that
- any Government/ Department of Education and Skills/Employer decisions or protocols in relation to return to workplaces, including those in respect of social distancing, must be based upon and adhere to the advice of the national public health authorities
 - any such decisions must prioritise the health and safety of both staff members and students
 - prior to and framing any such decisions, there must be full, meaningful and structured consultation and discussion at national level with the TUI and other relevant parties
 - shaped by this consultation and discussion, national guidance must issue and must inform discussion and implementation of such decisions at local, institutional, employer and/or sectoral level (as relevant)
 - the necessary level of resources (including PPE, where appropriate) be made available to schools, colleges and centres
- Congress also instructs the Executive

Committee to initiate a campaign of action and, if necessary, ballot members for industrial action, at institutional, employer, sectoral, regional or national level, as appropriate, in the event that return to workplaces is demanded in a manner and/or at a time that is considered not to be consistent with the advice of the public health authorities or that places at risk the health and safety of members and/or of their students.

The Union has consistently applied the policy set out by the motion in relation to each sector and employment in which we have members. A fundamental underpinning principle of the TUI's approach is adherence to public health advice.

In this regard and to embed the TUI position in public and political discourse, the Union has, both before and since Annual Congress 2020, engaged in a sustained media campaign, clearly setting out the five key demands in numerous high-profile national and regional media interviews.

The Union also demanded and secured structured, regular engagement regarding health and safety and other issues relating to the re-opening of schools, centres and colleges with the Ministers and senior officials of the DES and DFHERIS, the relevant education management associations and bodies and, where necessary, the Public Health authorities and other partners. The Union has also addressed issues to and through the ICTU where it is the body that represents employees at particular national fora – such as the Labour, Employer, Economic Forum (LEEF).

As a direct result of TUI's representations, functioning stakeholder fora on COVID-19 issues are in place for the post-primary, Further and Adult Education and Higher Education sectors. Through these fora, the Union has been able successfully to press home its demands.

At the time of writing, due to firm action taken by the TUI (in the light of the very sharp increase in cases and the emergence of COVID-19 variants that are more transmissible) schools, centres and colleges have not yet re-opened

following the Christmas 2020 break and the Union is engaged with the relevant authorities, including Public Health, in this regard.

Motion 2 - Workload and IR

Congress notes that

- TUI members have been working throughout the period since closure of schools/colleges/centres on 12th March
- teaching and learning in a remote environment has been and continues to be very challenging for members and their students, respectively
- members of the Union have demonstrated their commitment in maintaining their service (including but not confined to emergency remote teaching) to students
- workload has increased significantly as a consequence
- the TUI secured a specific agreement (covering each sector) that the arrangements put in place to deal with the Covid-19 emergency do not constitute a precedent and will not be repeated in ordinary times
- in each sector, exceptional arrangements were put in place by members in order to ensure that students could complete their programmes of study and have access to the appropriate accreditation or certification, including changes to assessment procedures in the FET and third level sectors and the development and implementation of a calculated grades system at second level.

Congress is concerned that, notwithstanding commitments received by the Union that no precedent will be established, some employers are seeking to

- normalise and embed these exceptional and once-off arrangements, including the associated increases in workload
- frustrate the Union's legitimate and reasonable pre-existing claims, such as the claim at Third Level, in respect of on-line learning
- change terms and conditions of

members by importing – inappropriately and without agreement - elements of the emergency arrangements

- impose a regime of online assessments in order to reduce costs
- move permanently and without agreement to a greatly increased reliance on online delivery and working from home
- unilaterally impose calendar or timetable arrangements that breach the terms of existing agreements and/or circulars
- combine classes, increase class size and thereby both increase the workload of some members and reduce or eliminate the working hours of others
- assign additional administrative and compliance duties to members

Congress rejects such opportunistic manipulation of the goodwill of TUI members and exploitation of the public health crisis. Congress instructs the Executive Committee to protect members against such exploitation by

- demanding and negotiating a sustainable workload model, to include an interim arrangement (if necessary) for the coming year
- negotiating the necessary resources (not least ICT resources) to support both that model and the high quality education provided to our students
- instigating an effective campaign of action wherever instances of opportunism or exploitation by employers occur and, in this regard, if necessary, balloting members for industrial action, at institutional, employer, sectoral, regional or national level, as appropriate
- pursuing the Union's existing claims with vigour.

The TUI has been vigilant in addressing issues as and where they arise. Recognising that local transgressions by management would continue in the absence of nationally agreed protocols and protections, the Union negotiated an Emergency Remote Teaching Agreement with the Technological Higher Education Association (THEA) and the Technological University Dublin. This

agreement makes it clear that emergency measures related to or necessitated by the COVID-19 public health emergency do not set a precedent and that members can make appropriate academic decisions to facilitate student learning during the emergency.

Similar “no precedent” agreements were negotiated by the Union for the post-primary and Further and Adult Education sectors.

In respect of the alternative assessment arrangements for 2020 – for example, the Calculated Grades process - the Union insisted upon (and secured) a written agreement that these too would be deployed on a no precedent basis. Moreover, if, based on public health advice and the prevailing conditions related to COVID-19, any such alternative arrangements are again required in 2021, the no-precedent agreements will again have to apply.

The Union has raised workload concerns directly with individual employers (Institutes, ETBs, Boards of Management of schools) and has, in most cases, secured local resolution. In some cases that has required recourse to the applicable grievance procedure. Where matters have not been resolved locally, the Union has brought them to the national management bodies and/or to the relevant Industrial Relations national forum (Teachers’ Conciliation Council, ETB IR Forum, IoT IR Forum or NNF).

Health and safety matters relating to remote working have been raised in the relevant stakeholders’ fora on COVID-19 related issues or, if appropriate, at the industrial relations forum for the sector. Some such matters have also been raised by the TUI at the ICTU Health and Safety Committee.

Throughout the period since March 2020, the TUI has invested significant effort into ensuring that guidance documents issue from the DES and other relevant departments in a timely manner, that those documents are comprehensive in their scope, that they prioritise the health and safety of staff and students, that they identify and provide for

appropriate and adequate resources and that they are always in full compliance with the prevailing public health advice. To that end, the TUI has insisted that all documents first come to stakeholders in draft form for commentary. By providing extensive and consistent feed-back on all such drafts, the Union has succeeded in exercising positive influence on the documents that eventually issued to the system and on associated levels of resourcing.

Motion 3 - Programmes of Study/Curriculum/Syllabi

Recognising that restrictions imposed in response to the Covid-19 health crisis have meant that some elements of certain programmes of study/curriculum/syllabi could not be completed for particular cohorts of students, Congress instructs the Executive Committee to engage with the appropriate statutory authorities, awarding bodies and/or management authorities with a view to having appropriate adjustments made to the programmes/curriculum and/or related assessments so that students are not unfairly and adversely affected by circumstances that are beyond their control and that the necessary resourcing is provided to support any such adjustments. Furthermore, such adjustments must respect fully members’ existing terms and conditions of employment.

Congress also instructs the Executive Committee to demand of Government and the relevant agencies that the educational inequalities that have been starkly illustrated and exacerbated by the digital divide (as it has affected particular cohorts of students during the period of school/college/centre closure) be addressed as a matter of urgency and the requisite resources provided towards that end.

This position was consistently set out in TUI press releases and by TUI contributors to national and regional media in the weeks and months that followed Congress 2020.

In relation to post-primary, the TUI was the first stakeholder to point to the need for adjustments to the Leaving Certificate examinations 2021 to take account of the disruption caused by COVID-19 restrictions, including periods of school closure. The Union also highlighted the fact that the negative impact of these disruptions has varied substantially and that already marginalised students have been further marginalised, not least because of poor connectivity, the lack of adequate ICT resources and the cost (to families and/or schools) of procuring such resources.

Jointly with the ISSU, the TUI, in autumn 2020, addressed to the Minister and through the media, the emerging problem of undue focus by some schools on serial assessment of Leaving Certificate students, to the detriment of appropriate teaching and learning.

Late in the year, the State Examinations Commission confirmed that adjustments would be made to the return dates for certain LC assessment components and that greater choice would be offered to students in the LC written examinations in June 2020. At the time of writing, the Union is seeking a more extensive range of adjustments to take fair account of the further period of school closure and reliance on emergency remote teaching in early 2021.

The Union has also kept under review the (QQI and other applicable) assessment modalities in Further and Adult Education and is seeking appropriate adjustments. The Union has also made specific representations in regard to courses in which placements are a required element for qualification and progression to employment.

At third level, issues relating to assessment have been addressed in the first instance at and through the designated academic fora. Where matters of contention are not resolved locally, they are brought – if need be as IR issues – to the appropriate national forum.

B. PROCEDURAL MOTION OF CONSEQUENCE

Motion 4 – Annual Congress 2020

The Executive Committee will, under Rule 23 propose the following motion of consequence:

Recognising

- the extraordinary circumstances created by the Covid-19 public health emergency, the requirement to protect the health and safety of members and their families and, in that regard, the decision of 13th March of the Executive Committee to postpone Annual Congress 2020
- the need, under the rules of the Union and the norms of good governance, to convene and conclude Annual Congress as soon as possible and the decision in that context to convene Annual Congress incorporeally
- the limitations of the incorporeal format in relation to the conduct of the normal three-day Congress programme, including the facilitation of discussion and debate in the usual manner.

Congress instructs that

- Annual Congress 2020 shall directly proceed to ratification of appointments, questions to the Annual Report (submitted in accordance with Rule 24) and adoption of the Annual Accounts/Financial Statements and Annual Report and shall then be formally closed
- all other items/matters on the Final Agenda of Annual Congress 2020, including the motions and amendments as prioritised, as well as all other matters on the order of business as adopted for Annual Congress will be brought to a Special Congress that shall be called by the Executive Committee in accordance with Rule
- in addition to the motions and amendments (referred to above), at



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least 90 minutes shall be allowed for discussion of emergency motions at the Special Congress

- time shall also be allowed at the Special Congress for updates in respect of each of the sections into which motions are grouped.
- Congress also instructs that
- the Special Congress shall, if possible, be corporeal and shall convene as soon as it is practicable to do so and in compliance with Rule and the advice of the public health authorities
 - Congress further instructs that if, due to the advice at the relevant time of the public health authorities, it is not possible to convene a corporeal Special Congress, an incorporeal Special Congress shall be convened before the end of this calendar year.

This motion was passed by Annual Congress 2020 on 26th June 2020. Its terms took immediate effect and, in consequence, Annual Congress 2020 - having accepted the Annual Accounts/Financial Statements, ratified appointments and dealt with questions to the Annual Report (submitted in accordance with Rule 24) - adopted the Annual Report and was then formally closed.

All other items/matters on the Final Agenda of Annual Congress 2020, including the motions and amendments as prioritised, as well as all other matters on the order of business as adopted for Annual Congress were brought to a Special Congress called by the Executive Committee in accordance with Rule and held on 7th November 2020. Due to the advice at the relevant time of the public health authorities, it was not possible to convene a corporeal Special Congress. Therefore the Special Congress was incorporeal.

In addition to the motions and amendments (referred to above), over 90 minutes were allowed for discussion of emergency motions at the Special Congress and time was also allowed for updates in respect of each of the sections into which motions were grouped.



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REPORT ON RESOLUTIONS OF SPECIAL CONGRESS – 7TH NOVEMBER 2020 AND ACTIONS TAKEN

FINAL AGENDA 2020

A. CONDITIONS OF SERVICE - SECOND LEVEL

12. Dublin & Dún Laoghaire

Congress instructs the Executive Committee to call for the full restoration of guidance and counselling provisions in schools, a return to allocations that were in place prior to cuts in 2012 to facilitate the delivery of new educational and vocational initiatives, and as a response to the sharp increase in mental health issues presenting. An enhanced service is the only necessary way of addressing the needs of 21st Century educational settings here in Ireland.

Following the Budget cuts in 2012, 600 Guidance Counselling posts were lost. Resulting from the Union's sustained campaign over successive years (including a consistent demand in the TUI's pre-budget submissions), by January 2020 some five hundred of these posts had been restored. In September 2020, as part of the national discussions in relation to supports for the safe and sustainable re-opening of schools in the context of COVID-19, the TUI secured restoration of a further 120 posts. This represents the reinstatement of guidance provision in schools to pre-cuts levels. TUI continues to highlight the important work done by school pastoral teams, including Guidance Counsellors, in dealing with the challenges of the pandemic as they affect the school community.

B. CONDITIONS OF SERVICE – THIRD LEVEL

40. Dublin Colleges(X2)/Executive Committee

Congress instructs the Executive Committee to tackle the decision resulting from FEMPI where all lecturing staff who commenced



employment between 2011 and 2016 were denied incremental credit and forced to commence on point 1 of the salary scale. This issue must be referred to the IoT IR Forum and must be included in the current pay restoration campaign which attempts to undo the injustices that emanated from FEMPI.

The TUI, in a letter to Minister Harris, TD (Minister for Further and Higher Education, Research Innovation and Science) in advance of the commencement of talks about a successor agreement to the PSSA, advised the Minister that the issue of incremental credit must be addressed as part of those talks.

The 1% sectoral bargaining provision in Building Momentum is a mechanism that can be considered in this regard.

It is noteworthy that meetings of the IoT IR had not been scheduled for several months toward the end of the year because the official side objects to the Union's industrial action on online learning. The Union has rejected the official side's position and has sought the immediate commencement of IoT IR Forum meetings.

34. Executive Committee

The agreement between TUI and DES of May 2016 included a review of Third Level lecturers' workload, to be completed by March 2017. To date, this review has not commenced. Therefore, Congress instructs the Executive Committee to demand that the DES completes this review as a matter of urgency and further instructs that, if significant progress is not made by May 31st 2020, a ballot of all Third Level members for industrial action be conducted.

The Review of Lecturing Report issued to the TUI on 31st November 2020 and was forwarded to all third level branches for their consideration. Discussion has since taken place at the NNF in relation to progressing this Review and the Union has also written to the Secretary General of DFHERIS in this regard.

48. Executive Committee/IT Carlow (Amended by Dublin Colleges)

Congress instructs the Executive Committee to demand that the Department of Education and Skills and the Department of Public

Expenditure and Reform regulate and limit the amount of public money that can be spent by IoTs/TUs on private consultancy reports.

The Union has requested the DFHERIS to ascertain how much the IoTs/TUs are spending on consultancy reports commissioned from private sector providers.

46. Cork Colleges/Limerick Colleges/IT Tralee

Congress instructs the Executive Committee to negotiate with the IoTs/TUs, that fees incurred by members as a result of affiliation with professional bodies which are necessary to the undertaking of lecturing duties be paid by the Institute of Technology/Technological University.

This matter needs to be raised at the IoT IR Forum and NNF and, if necessary, lodged as a claim. As mentioned in relation to Motion 40 above, meetings of the IoT IR Forum have not been scheduled in recent months.

35. IT Sligo

Congress instructs the Executive Committee to defend regional provision in all relevant for a as Technological Universities are established.

Before enactment of the Technological Universities Act 2018, the TUI campaigned for and secured (by virtue of the TUI/THEA/DES 2017 agreement) an amendment that highlighted the centrality of regional provision to the mission of Technological Universities. The Union continues, at every opportunity and in all relevant fora, including the NNF, to reiterate the importance of regional provision. It is a primary focus of the Union's engagement with the various consortia and is specified in Memoranda of Understanding.

82. Executive Committee

Congress instructs the Executive Committee to demand that Institutes of Technology and Technological Universities cease immediately and

permanently the existing practice of using Masters students, PhD students and researchers to undertake unpaid lecturing work or lecturing work at a lower rate of pay than the nationally agreed pay rates.

The Union had already raised this issue at the IoT IR Forum and will continue our efforts to ensure that appropriate pay rates are protected, that lecturing work is allocated to lecturing staff and that post-graduate students are not exploited.

52. Cork Colleges

Congress instructs the Executive Committee to conduct a national ballot for industrial action up to and including strike action, as a matter of urgency, in the event that any consortium does not honour in full its commitments to TUI members that are required to be honoured by the agreed time under an agreed Memorandum of Understanding between the relevant TUI branches and IoT/TU management.

The Union has raised concerns at the National Negotiation Forum regarding consortia and/or technological universities not honouring the terms of local agreements, including those enshrined in an MOU. The Union has also pursued such breaches in the WRC. In line with normal industrial relations practice, where local disputes arise they need to be processed locally in the first instance. If local resolution is not achieved or is frustrated by management, recourse can be had to the appropriate fora and dispute resolution mechanisms. Where the problem persists, industrial action can be taken, subject to satisfaction of the legal requirements in that regard.

C. CONDITIONS OF SERVICE – GENERAL

93. Co. Waterford

Congress directs the Executive Committee to demand in relation to bereavement leave that the list of relatives that qualify for leave be expanded in line with the civil service so as to include brother-in-law, sister-in-law, step- relations and

a similar immediate relative of a cohabiting partner.

The teacher unions brought a claim for parity with the new civil service arrangements in relation to (the extension to 20 days of) bereavement leave to the Teachers' Conciliation Council (TCC). The Official side resisted the claim on the grounds of cost and the practical implications for schools.

A similar claim was also lodged at the ETB IR Forum for grades other than teachers working in the ETB Sector. The claim was formally rejected earlier this year by the Department and the matter has now been referred to the Workplace Relations Commission (WRC).

On behalf of TUI members in Third Level, a claim was also lodged at the IoT IR Forum.

D. ADULT EDUCATION

118. Co. Roscommon

Congress instructs the Executive Committee vigorously to pursue Education & Training Boards to pay the agreed backpay for BTEI staff.

The TUI has raised the issue with the individual ETBs that have yet to pay the monies owed.

E. EDUCATION

121. Dublin & Dún

Laoghaire/Executive Committee/Tipperary NR

Congress instructs the Executive Committee to demand that any revision to Senior Cycle curricula/specifications are properly and fully resourced with adequate professional time, adequate and timely training and such material resources as would be required for delivery. Congress further instructs the Executive Committee to seek to ensure that there is no increase in workload.

The TUI has consistently, and repeatedly, made clear to the Department of Education, the NCCA and relevant agencies that any changes that may in time arise from the Senior Cycle review must be

POSTGRADUATE DIPLOMA IN SCHOOL LEADERSHIP

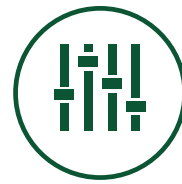
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adequately resourced. Such resources include professional time (with commensurate reduction in class contact), timely and appropriate training, and the provision of sample assessment materials. The TUI has also made clear that recommendations arising from Senior Cycle review can only be countenanced if there is no increase in workload for teachers and school leaders. The TUI reiterated this position throughout 2020.

157. Co. Clare

Congress instructs the Executive Committee to lobby against any similar introduction of a CBA style assessment in the future Senior Cycle.

Throughout 2020, in all engagements with the Department and relevant stakeholders, the TUI has consistently stated any proposed changes that may arise from Senior Cycle review must not include any equivalent to Junior Cycle CBAs.

135. Galway City

Congress instructs the Executive Committee to demand the training given for the new Leaving Certificate be implemented before the curriculum changes are introduced.

Congress does not wish to see a repeat of the Junior Cycle fiasco wherein teachers were teaching courses they had not been properly trained to teach. Congress further instructs the Executive Committee to ballot members for industrial action if these demands are not met.

TUI has consistently made clear to the DES and relevant CPD providers that any changes arising from Senior Cycle review must be accompanied by timely and adequate training and that such training should be targeted and available to teachers before, during and after implementation of any revised subject specifications or programme changes, taking account of implementation issues that arise. The TUI also consistently calls for the timely issue of sample assessment materials as essential to

successful implementation of curricular change.

160. Co. Cavan

Congress instructs the Executive Committee, with regard to dealing with a TUSLA referral regarding a Child Protection concern against a member of the teaching staff, that in the interest of Child/Teacher concerns ETBs be asked to deal with them within a defined timeframe. At the moment there is no timeframe in place.

The TUI has consistently sought that such referrals be dealt with in as expeditious a manner as is consistent with due process and fairness to all concerned. It is regrettable but inevitable that adherence to a strictly defined timeline is not always possible. While acknowledging this, the Union has requested that avoidable delays in the processing of referrals be eliminated.

150. Dublin & Dún Laoghaire

Congress instructs the Executive Committee to negotiate with the Department of Education and Skills (DES)/National Council for Curriculum and Assessment (NCCA)/State Examinations Commission (SEC) to ensure that a full review of the new Junior Cycle is conducted and evaluated to guarantee that it fulfils its purpose and objectives and is of benefit to the students before commencing on the implementation of the new Senior Cycle.

During 2020, the Department of Education and the NCCA agreed to commence a longitudinal study of the implementation of the revised Junior Certificate programme. This followed, and was guided by, repeated representations by the TUI at the Junior Cycle Implementation Committee. The roll-out of the study stalled due to the COVID-19 pandemic but, at the time of writing, is expected to gain momentum from the middle of 2021. It should be noted that the DE has not supported the proposition that this study must be conducted and evaluated in full before commencement of

implementation of any changes at Senior Cycle that may be proposed arising from the review of Senior Cycle.

159. Dublin & Dún Laoghaire

Congress instructs the Executive Committee to negotiate with the DES for a Teachers' Charter in line with the Parent and Student Charter due for publication soon so as to protect the rights of teachers.

During 2019 and 2020 the TUI was involved, jointly with our colleagues in the ASTI and INTO, in drafting a Teachers' Charter which the unions would seek to have included in the Education (Student and Parent Charter) Bill 2019. At the time of writing, sign off on the draft by one of our sister unions is awaited.

It should be noted that, because of the General Election and its consequences for the outstanding legislative programme, the Education (Student and Parent Charter) Bill 2019 did not progress towards enactment in 2020.

F. EQUALITY

165. Co. Clare/Dublin C & C

Congress instructs the Executive Committee to negotiate with DES/DPER to remove pregnancy related sick leave from the current sick leave limit of 183 days, after which half pay begins. Restore this to full pay.

The Union will raise this at the relevant sectoral industrial Relations fora. However, as this is a matter of interest across the public service, it is very probable that the union/s will be advised that the matter will have to be dealt with centrally.

164. Co. Galway/Co. Cork/Dublin C & C/ Executive Committee/Limerick Colleges/Cork Colleges (Amended by Co. Donegal)

Congress instructs the Executive Committee to seek to ensure that the new social insurance-based scheme of 2 weeks parents leave for both parents, on top of existing maternity and paternity entitlements, which

was introduced on 1st November 2019, be topped up by the employer in a similar manner to existing leave schemes, including the schemes for maternity leave and adoptive leave.

The TUI, along with the INTO and the ASTI, has raised this issue at the TCC.

The matter was also raised by the Union at the other sectoral fora – the IoT IR Forum and the ETB IR Forum - and was discussed by the Executive Council of the ICTU. The Department of Public Expenditure and Reform has to date rejected the claim owing to the cost involved.

G. EXAMINATIONS

184. Tipperary NR

Congress instructs the Executive Committee to carry out a review of CBAs and Assessment Tasks with the DES in relation to the number of hours they are consuming in schools & the pressure they are putting on students & teachers.

Following requests from the TUI, a longitudinal study of the impact of Junior Cycle has been commenced that will include the issue of CBAs and ATs. Some of the issues referred to in the motion have also emerged in initial reviews of Junior Cycle English and CSPE. At the time of writing, work that was under way on initial impact review for a number of other Junior Cycle subjects had been delayed due to the COVID-19 pandemic. It is possible that the issue of CBAs and ATs may also emerge in those individual subject reviews.

179. Co. Clare

Congress instructs the Executive Committee to negotiate with the NCCA on State Examinations policy for all project work and oral exams in subjects in the new Senior Cycle in order to prevent teachers assessing or marking these elements of the final assessment. These elements should be corrected by the SEC to maintain the integrity of the examination process.

TUI policy in this regard is unambiguous - assessment for

certification purposes in both the Junior and Senior Cycle must be carried out externally by the SEC and not by students' own teachers. At the time of writing the TUI is confident that the outcome of Senior Cycle review is unlikely to cause any concern in this regard.

177. Co. Cork

Congress demands that the Department of Education and Skills (DES) and the State Examination Commission (SEC) issue examination materials, such as sample questions, sample papers and project guidelines well in advance of the commencement of revised curricula. The tardiness in producing such items seriously disadvantages students' assessment prospects.

The TUI continues to demand that sample assessment material be issued in a timely manner. The SEC however has repeatedly stated that the policy of the Department of Education is that sample exam papers only issue in the Autumn preceding first examination.

176. Dublin & Dún Laoghaire/ Executive Committee

Congress instructs the Executive Committee to negotiate a reduction in the number of Classroom Based Assessments (CBAs) which must be completed by Junior Cycle students.

See motions 184 above. It is notable that the COVID-19 pandemic led to a number of changes in assessment arrangements on a once-off basis and that one of those changes was a reduction in the number of CBAs.

H. FURTHER EDUCATION

185. Co. Carlow/Co. Mayo(X2)/ Waterford City

Arising from the takeover by SOLAS of all funding strands for stand-alone PLC colleges, Congress instructs the Executive Committee to seek to have existing terms and conditions ringfenced for all teaching staff in Further Education Colleges in terms of length of school year, promotional posts, salary scales, qualification

allowances as enjoyed by colleagues in mainstream education and that all those newly appointed into the sector be at the same teaching grade as their serving counterparts.

This is TUI policy and it is reiterated at every relevant meeting with SOLAS, DFHERIS and ETBI. In addition, the TUI brought the matter of jurisdiction to the TCC and secured formal confirmation that the Council remains the forum for all teachers, irrespective of where they are deployed (whether in Primary, Post-Primary or PLC settings.)

186. Co. Westmeath/Galway City

Congress instructs the Executive Committee to oppose the outsourcing of courses and services in Further Education which is damaging the pay and conditions of members in the sector.

This is TUI policy and the Union has resolutely opposed the outsourcing of courses and services at every relevant meeting with SOLAS, DFHERIS and ETBI.

197. Co. Cavan

Congress instructs the Executive Committee to safeguard Teacher terms and conditions in Further Education.

See Motion 185 above. The Union is committed to the protection of teachers' terms and conditions.

190. Co. Kerry

Congress notes the emphasis on training rather than lifelong learning/growth and development within Youthreach/FET. Congress asserts that education is a long-term investment in people as citizens, rather than a meek subservient activity to satisfy the needs of the Irish labour market for short-term cost cutting, "box ticking" objectives.

The TUI has the principled view that intrinsic to Further Education provision is that it seeks to facilitate learners both to progress to an award at a higher level and/or to progress to employment. In relation to Youthreach, it is the position of

the TUI that it provides an educational programme, customised to the needs of learners, that must enjoy parity of esteem with other post-primary programmes.

189. Co. Kerry

Congress instructs the Executive Committee to engage with the Department of Education and Skills in the provision of a supported programme to allow Further Education and Training teaching staff to gain a teaching qualification.

The matter of appropriate support for programmes of study undertaken by FET staff will be raised by the Union at the ETB IR Forum.

In the course of the revision of the Teacher Refund of Fees scheme, which took place in late 2020, the TUI advocated the position reflected in this motion, i.e. that the refund model should be extended to the FET sector. The TUI position was not supported by the official side which clarified the current situation of funding for CPD in the sector as follows:

- *Teachers in the FET sector should seek funding from their local ETB.*
- *In the parameters document (FET Funding allocation document) for 2021: "Provision of CPD is 0.75% of the individual ETB's overall grant to improve the delivery of FET provision and services including technical and pedagogical elements of FET course provision." The CPD requirements are agreed upon locally via the Director of FET based on local need and support of FET course provision's pedagogical elements.*

I. HEALTH AND SAFETY

219. Co. Cork

Congress deplores that the current Assault Leave provisions, for teachers, applies only to absences that are medically certified as a "physical injury". Congress demands that mental health issues/illness associated with such assaults are also be covered by the relevant Circular Letters.

This was tabled by the unions as an

agenda item at the TCC and is being considered as a claim.

J. MISCELLANEOUS

222. Co. Meath/Dublin & Dún

**Laoghaire/ Co. Galway/
Dublin C & C/Dublin
Colleges/Tipperary NR**

Congress notes the absence of any statutory mechanism for the representation of Pensioner Organisations at pay/pension talks and considers this a denial of rights. Congress mandates the Union to support moves to have appropriate legislation put in place to correct this anomaly.

In the absence of such representation, the ICTU has for some time provided assistance to the coalition of retired public servants. There is a representative of retired members on the Executive Council of ICTU. The Public Services Committee of the ICTU consults with and takes account of the views of retired members in pay/pension discussions.

A representative of the TUI Retired Members' Association attends TUI Executive Committee meetings for agenda items that are of relevance to retired members.

220. Executive Committee

Congress instructs the Executive Committee to engage actively in a leadership role in efforts to combat climate change and secure climate justice, by:

1. Continuing support for the Schools' Climate Action Network (SCAN);
2. Organising and participating in demonstrations and marches;
3. Organising and participating in conferences to help inform public debate on the scientific evidence of climate change and the measures needed to address it;
4. Campaigning, where possible in conjunction with other unions, to ensure that the burden of combating climate change does not fall disproportionately on working people but is also carried to a just and correct extent by the companies and corporate interests that are responsible for the vast

- majority of the damage;
5. Working to protect the interests of TUI members and working people generally in what should be a just transition to a carbon-neutral economy;
6. Using what influence TUI has in the development of curricula and programmes of study at all levels of education to have the matter of climate change and climate justice included where appropriate;
7. Minimising any negative climate impact of TUI's activities;
8. Advocating for best practice in TUI workplaces with regard to environmental awareness.

The TUI is actively pursuing the policy set out in the motion. The issue of a "just transition" has been prioritised by the Executive Council of ICTU in its approach to a post-austerity, post-COVID-19 economy.

K. ORGANISATION

No motions were carried in this section

L. PAY / NATIONAL AGREEMENTS

263. Dublin & Dún Laoghaire/ Dundalk IT/Executive Committee

Congress notes that, on the 1st of October 2020, there will be a 2% pay restoration and a 5% restoration to allowances. The cut to allowances was applied at the start of the financial crisis, in 2008/09.

Although Gross pay may have returned to 2008 levels, the USC and ASC deductions ensure that take-home pay is still less for members than the equivalent take-home pay in 2008. In addition to this, post-2010 entrants deal with discriminatory pay reductions due to their date of entry into employment. Congress also notes that members now struggle to pay their rent, mortgages, childcare costs and Third Level fees and expenses for adult children. Congress further notes the actual pay increases secured in the private sector in recent years and/or in prospect for the coming years. Congress demands pay increases that will help members meet the escalating cost of living and that

will make employment in the education sector attractive for the future.

At its meeting on 15th December 2020 the Executive Committee considered the terms of “Building Momentum (A new Public Service agreement 2021-2022’), the proposed successor agreement to the PSSA

The Committee noted the pay adjustments over the period of the agreement (which would see the return of pay increases for all public servants).

- *A general round increase in annualised basic salary for all public servants of 1% or €500 (whichever is greater) on 1st October 2021*
- *A further general round increase in annualised basic salary for all public servants of 1% or €500 (whichever is greater) on 1st October 2022.*

The Committee also noted the proposed establishment of a Sectoral Bargaining Fund equivalent in value to a 1% increase in annualised basic salaries, with payment effective from 1st February 2022.

Access to the fund would be available to each sectoral unit or union which will have the option of using some or all the fund to pay outstanding awards, to progress existing claims (with a view, for example, further to reduce the pay inequality gap for those who entered the profession on or after 1st January 2011) or of electing for the fund to be used as a sectoral pay round for the grades/s in the sectoral unit.

In regard specifically to new entrant teachers, the agreement provides for an additional increment skip for those currently in employment who commenced teaching on or after 1st January 2011 - i.e. after progressing to point 11 on the salary scale, such teachers would skip point 12 on their next increment date. If they have already reached point 12 on the salary scale, they would skip one point further than normal on their next increment date.

While this adjustment, it was noted, might be viewed as resolving pay inequality for primary teachers, it would not address pay inequality for post-primary teachers. A significant pay differential would remain – some €80,000 over 25 years – with the biggest pay differential being in the early years of a teacher’s career.

The Executive Committee considered the ramifications of repudiating or deciding not to be covered by the agreement, were the proposals to be accepted by the Public Services Committee of the ICTU.

Strategically, it was considered to be very important that the TUI would be in position to attend discussions related to the Sectoral Bargaining Fund as, otherwise, the agenda in relation to use of the 1% will be set by others. The TUI needs to seek use of the fund for TUI issues – for example, to solve (in full or in part) the H. Dip/PME claim, to resolve pay inequality for ALs and, in the FET sector, to address pay inequality as well as concluding the Chairman’s note discussions for Adult tutors. It was noted that, following resolution of such matters, any remaining funds could be available to the relevant grades as a general pay increase.

It was noted that this agreement is a relatively short agreement and that any outstanding issues that are not resolved but are resolved in part by the sectoral bargaining discussions could be carried over to the subsequent agreement and that this is stipulated in the current proposals.

The TUI advised the PSC of the ICTU of its decision in relation to the proposals.

Taking account of all the circumstances, the Executive Committee decided

- *that the proposed Building Momentum agreement would be put to a ballot of members with a recommendation for rejection because the proposal does not resolve the Union’s key priority of pay inequality – a policy*

reiterated at the recent Special Congress

- *to ballot members to renew our mandate for industrial action, this ballot to be conducted at the same time as the ballot on the proposals.*

The Executive Committee also decided that, deploying the same strategy as was used in relation to the LRA and PSSA, the TUI will use the mandate given by members wisely and in a manner that will not be detrimental to them.

In this regard, if the proposals are accepted by (a majority of) the affiliate unions of the Public Services Committee, the TUI, exercising its sovereign judgement, will agree to be encompassed by and will not repudiate the agreement.

This will allow members to benefit from the pay increases and will give the TUI access to the Sectoral Bargaining Fund discussion while continuing our campaign for pay equality and retaining our capacity to take industrial action that does not constitute a repudiation of the agreement.

The Union’s decision was set out in a press statement and in subsequent media engagements.

267. Dublin Colleges/Dublin & Dún Laoghaire/Co. Galway/Co. Meath/Tipperary NR

Congress directs the Executive Committee to demand that the Irish Congress of Trade Unions will not conclude talks on a replacement/successor to the PSSA until FEMPI Legislation and associated punitive clauses are removed.

See Motion 263 above. In its submissions to the Public Services Committee of the ICTU, the TUI has consistently sought that a successor to the PSSA should not be constrained by any element of the FEMPI legislation and the associated punitive clauses.

264. Co. Kerry

Congress instructs the Executive Committee to seek the support of

ALL other Public Sector Unions in order to strengthen our position by presenting a united front to the Government in seeking to abolish the Additional Superannuation Contribution, previously known as the Pension Related Deduction (Pension Levy). This is a punitive tax on Public Sector Employee income, and it discriminates against Public Sector Employees by implementing a two-tier tax system on its citizens.

It is mandatory to contribute to a Public Sector pension in contrast to the Private Sector where there is a choice as to whether to contribute to a pension scheme. Current deductions from wages include Superannuation 1, Superannuation 2 and Widows & Orphans (now known as Spouses & Children). Also, the Additional Superannuation Contribution was never meant to be a tax to be implemented indefinitely:

“The Pension Levy was introduced by the Minister of Finance, Michael Noonan, to fund the Governments ‘Jobs Initiative’ of May 2011 as a 0.6% charge on Pension Fund assets held in the state. It will be charged for a period of 4 years only”.

This matter was not addressed in the discussion leading to the Building Momentum proposals.

M. PENSIONS

- 273. Co. Galway/Dublin & Dun Laoghaire/ Co. Meath/Co. Offaly/Co. Waterford/ Dublin C & C/Dublin Colleges/ Tipperary NR**
TUI Congress 2019 confirmed that it is TUI policy to retain the link between the pay of serving colleagues and the pension applicable to retired peers. This Congress also notes the Additional Superannuation Contribution imposed on workers through the PSSA. Congress directs the Executive Committee to seek the support of the Public Services Committee of the Irish Congress of Trade Unions to lodge a legal challenge immediately if any attempt is made to replace the pay and pension parity link.

The link between pay and pensions has been maintained in Building Momentum – the proposed successor agreement to the PSSA.

N. POSTS OF RESPONSIBILITY

280. Executive Committee/Cork City Schools

Congress notes that the current proportion of teachers holding Posts of Responsibility is under half of what had been obtained before the moratorium. Congress deplores the failure of Government (and, in particular, the Department of Education and Skills) to appropriately resource leadership and management structures in schools. Congress instructs the Executive Committee to demand, not only a full restoration of Posts of Responsibility to pre-2009 proportions but also the additional Posts of Responsibility required to discharge the new/expanded responsibilities devolved to schools and the associated workload.

The restoration of posts of responsibility to a pre-moratorium level is a high priority issue for TUI. It continues to be pursued vigorously at the national fora, such as the Teachers’ Conciliation Council. As a result of the May 2016 agreement, TUI secured a commitment to restoration of posts of responsibility. CL 03/2018 signalled commencement - albeit very limited - of the process of restoration. The TUI’s campaign in this regard continues. The TUI’s directive to members not to undertake duties which had been the duties of the posts which have been lost and are still not replaced remains in place. The text of this directive is available on the TUI website. The TUI is currently in talks with the DE and the management bodies to secure a new circular to replace CL03/2018. As part of our demands, the TUI is seeking an increase in Posts of Responsibility in schools. Regrettably the Department has been responsible for very significant delay in convening and concluding these talks.

O. RULES

290. Executive Committee (Amended by Executive Committee)

The rotation of members and the length of term on the Benevolent Fund Committee as stipulated in the motion (as amended) passed by Congress 2019 are incompatible. Furthermore, TUI has been advised to change the name of the Benevolent Fund. A rule change motion will be required (amending Rules 101, 140, 141, 142, 143 and a Section Heading): Congress agrees to the following amendments to the Rule Book: Rule 101: At point (vii), replace the word “Benevolent” with the word “Assistance”. In the Section Heading before Rule 140, replace the word “Benevolent” with the word “Assistance”. Rule 140: In the first line, replace the words “a Benevolent” with the words “an Assistance”. Replace the word “Benevolent” with the word “Assistance” in the other three places where it occurs. Amend Rule 141 so that it reads as follows: “The Assistance Fund shall be managed by a Committee of the Union (the “Assistance Fund Committee”) consisting of four in-benefit members of the TUI (elected from each of four separate Area groupings) and one in-benefit member of the Retired Members’ Association. Each Area grouping will consist of a number of the electoral Areas as decided on from time to time by the Executive Committee. The members of the Committee will be elected by members in their respective groupings. Members of this Committee shall serve no more than two consecutive two-year terms, with at least two members elected annually. A term will commence at the close of Annual Congress. The election process will be held at the same time as the elections to the Executive Committee, the Standing Orders Committee and the Security Fund Committee. The member of the RMA shall be nominated by her/his Association. Members of the Executive Committee, the Standing Orders Committee and the Security Fund Committee shall not be members of the Assistance Fund Committee. At the first meeting

after Annual Congress, the Assistance Fund Committee shall elect a Chairperson from amongst its members. A quorum shall consist of any three members.” Rule 142: Replace the word “Benevolent” with the word “Assistance” in the two places where it occurs. Rule 143: Replace the word “Benevolent” with the word “Assistance”.

The Rule book has been updated to reflect this change and procedures and processes are being put in place to give effect to this motion, including election to membership of the Committee.

P. TEACHING COUNCIL

312. Dublin & Dún Laoghaire

Congress instructs the Executive Committee to re-negotiate the two-year PME to a one-year PGDE.

At meetings with the Department’s Teacher Supply Steering Group and in other fora convened to consider the implications of and means to address the teacher supply crisis, the TUI has strongly expressed the view that the move to a two-year PME - with the associated direct and opportunity costs and loss of earnings - has had a hugely detrimental effect on the numbers of graduates choosing to enter the teaching profession.

In 2020, when the COVID-19 crisis further exacerbated and highlighted the teacher supply crisis, the TUI successfully engaged with the Teaching Council to ensure that second-year PME students who are registered under an alternative route (Route 3 – Further Education) could be offered paid supervision and substitution. The Union also demanded and secured an appropriate rate of payment for this work. TUI will seek to keep this payment in place post COVID-19.

310. Executive Committee

Congress instructs the Executive Committee to seek to ensure that PME students in their 2nd year of the programme receive payment on the first point of the teacher’s incremental salary scale. Congress further instructs the Executive

Committee to seek the incorporation of Droichead into the 2nd year of the PME.

See Motion 312 above

TUI secured paid substitution for co-operating teachers to provide them with time to interact with those teachers undertaking the Droichead programme in schools.

The members of the TUI on the Teaching Council are seeking the support of others, including teacher representatives from the other teacher unions, to have the Droichead programme included in year two of the PME.

314. Galway City

Congress instructs the Executive Committee to demand that the Teaching Council report on how teacher’s membership fees are being used and that any surplus is to be put back into much needed resources for schools and centres.

The members of the TUI on the Teaching Council at all points seek, through the Council’s structures, to ensure full transparency and accountability in relation to use by the Council of the funds it sources through the registration fee. The TUI has consistently expressed concern about excessive deployment of these funds for legal services.

Q. YOUTHREACH

No motions were carried in this section

R. NEW ENTRANTS / PAY EQUITY

341. Executive Committee/IT Carlow/Co. Carlow(X2) (Amended by Dublin City/Dublin Colleges)

Congress notes the resounding mandate given to the TUI Executive Committee (92%) for industrial action, up to and including strike action, as part of the campaign to end pay discrimination. Congress reiterates that pay parity is a key priority of the TUI and instructs that all necessary measures must now be taken to secure full pay equality once and for all. Elimination (temporary or permanent) of salary scale points does not, of itself,

achieve pay parity. Congress demands that all post 2011 entrants receive the same value of salary as those who entered pre-2011 in terms of core salary (inclusive of the value of the honours primary degree and H.Dip./PME allowance). Congress notes the one-day strike in February and the huge public support for it. Congress instructs the Executive to call for further days of strike action, if possible in conjunction with ASTI and INTO, until pay parity is achieved.

Given that the TUI already had a mandate for industrial action on this issue – strategically exercised by way of strike action on 4th February 2020, before the General Election – the Union wrote to the ASTI in October 2020, immediately following its ballot, to ask our sister union to act jointly with us, as far as possible, to bring to an end the discrimination against those who entered the profession on or after 1st January 2011.

In that regard, the TUI suggested that the campaign should include at least one day of strike action, to be taken as soon as possible but in any event before Easter 2021.

At the TUI’s suggestion, a joint press statement was issued by the three unions (ASTI, INTO and TUI) on the key issues.

The TUI’s determined and principled position in terms of pay discrimination was set out in the press statement and subsequent media interviews after the Union’s Executive Committee recommended rejection of the proposed new ‘Building Momentum’ agreement in December 2020.

At all times during the COVID-19 crisis, the Union has highlighted how the teacher recruitment and retention crisis caused by pay discrimination has made the challenges faced by school communities even more difficult while similar challenges face other sectors in which we operate.

The TUI also brought the continuing injustice of pay discrimination to

every meeting of the four teacher unions (ASTI, IFUT, INTO and TUI) and made it clear to the officers of the PSC, in advance of the Building Momentum pay discussions, that elimination of the injustice is a moral imperative. Given that the proposed agreement - Building Momentum - does not provide for elimination of pay discrimination, the TUI will continue its campaign and will seek the support of our sister unions, as appropriate, in this regard.

343. Co. Cork

Congress recognises the severe challenges that schools face in the recruitment and retention of teachers for both and casual, fixed-term term and permanent contracts of employment. Congress demands improvements in the terms, conditions and pay of teachers, to make teaching a viable and sustainable career once again. Most particularly, the cost and duration of the training and qualification period for teachers is excessive. This is compounded by the insufficient incremental starting point for newly recruited teachers, the lack of a Professional Masters in Education (PME) allowance, Droichead, Cosán, and the appalling single public service pension scheme. Teaching is possibly the most scrutinised, regulated and inspected profession in Ireland. The structures imposed on newly qualifying teachers are unwarranted and make teaching, as a career choice, most unattractive. Congress also abhors the continued pay discrimination affecting new entrants to the teaching profession since 2011. Congress instructs the TUI to maintain a mandate for industrial action up to and including strike action and to ballot for such, when and where necessary, until these problems abate and the issues noted above are finally resolved.

See Motion 263.

The TUI currently has a mandate for a campaign of industrial action, up to and including strike action, to bring to an end the injustice of pay discrimination against those who entered the profession on or since 1st January 2011. The TUI exercised

that mandate by taking strike action on 4th February 2020. The Building Momentum pay proposals, if accepted, will not eliminate pay discrimination. That being the case, in December 2020, the Executive Committee of the TUI decided to ballot members with a recommendation that they reject the proposals. At same time, members will be balloted to refresh the mandate for industrial action.

S. TEACHER UNITY

346. Executive Committee

Noting that

- the clear policy of the TUI is to seek teacher unity
- unity would best serve the interests of all members, of the profession and of the public education system
- unity would significantly enhance bargaining strength and strategic capacity

Congress instructs the Executive Committee to pursue the objective of teacher unity (in the first instance with the ASTI and IFUT) with renewed vigour and purpose.

The TUI has consistently sought to advance the cause of teacher unity and there is a standing invitation to the ASTI to engage with us towards that end. Even in the context of the dispute that is moving towards resolution through the ICTU's procedures, the TUI has stated clearly, repeatedly and in writing that teacher unity is the logical and rational goal to which all should aspire and towards which we should actively work.

EMERGENCY MOTIONS

EMERGENCY MOTION NO. 1

Co. Donegal / Waterford City / Limerick City Schools / Co. Louth / Co. Carlow / Donegal C and C / Co. Leitrim / Dublin Colleges / Co. Meath

Noting that the TUI:

- engaged fully, proactively and collaboratively with the Calculated Grades process owing to the unexpected public health emergency
- engaged, in a good faith basis, in the Calculated Grades process

based on a set of assurances and understandings given by the DES

and noting that the DES:

- breached and betrayed the trust of TUI members
- showed disregard for vulnerable students and their families by issuing rank order information to students - rank orders that served no purposes whatsoever

TUI Annual Congress instructs the Executive Committee to advise the DES and Government, without delay, that TUI members will not engage in the Calculated Grades process, or variant thereof, for students due to sit State Examinations in 2021.

If the priority of Government is to keep schools open during the COVID-19 pandemic and is currently doing so, the TUI cannot and will not countenance or accept any attempt not to hold the traditional, highly trusted, SEC administered and marked State Examinations in 2021.

The TUI advised the DES of the contents of this motion and of the Union's policy in this regard. The TUI has advised the Minister for Education and Skills, the State Examinations Commission (SEC) and all relevant stakeholders that, if schools can open, the conventional Leaving Certificate examinations, inclusive of additional assessment components, can be held. The TUI's associated position is also clear and unambiguous – external assessment and State certification through the State Examinations Commission are key and must apply for the 2021 Leaving Certificate cohort.

TUI members remain fundamentally opposed to assessing their own students for State certification. The experience of the emergency system of Calculated Grades for the class of 2020 has brought into sharp focus the value of the tried and trusted model, which, notwithstanding its flaws, still retains significant public trust.

The Union has, as a matter of policy, consistently been guided by the advice of the public health authorities. Unless, on foot of that advice, the 2021 SEC examinations cannot be held, the TUI's position is that they must be held.

EMERGENCY MOTION NO. 6

IT Tralee / IADT TUI / Cork Colleges / Co. Louth / Dublin Colleges / Limerick City Schools / Limerick Colleges / Dublin Dún Laoghaire / Co Donegal / Co. Carlow / Co. Kerry / Athlone IT

The COVID emergency resulted in teachers and lecturers being forced to continue teaching and assessing from home. Many had to purchase equipment and other consumables in order to continue to carry out their duties. With emergency remote teaching still a reality for many it is totally unacceptable that members continue to be out of pocket where they had to purchase items necessary to do their job in the absence of these being supplied by their employer. Congress instructs the executive to pursue an agreement to refund members for expenses incurred in carrying out their duties due to working from home during the COVID pandemic.

This matter has been raised at the relevant fora.

EMERGENCY MOTION NO. 7

Dublin Colleges / IADT / Co. Louth / IT Tralee / Dublin City / IT Carlow / Dublin Dún Laoghaire / IT Blanchardstown / Waterford IT / Co. Kildare / IT Tallaght / Dublin Colleges / Athlone IT / St. Angela's, Sligo

Congress notes the Motions of Consequence passed at the TUI Congress in June 2020.

The motion on workloads stated that: "Congress rejects such opportunistic manipulation of the goodwill of TUI members and exploitation of the public health crisis.

Congress instructs the Executive Committee to protect members against such exploitation by

- demanding and negotiating a sustainable workload model, to include an interim arrangement (if necessary) for the coming year
- negotiating the necessary resources (not least ICT resources) to support both that model and the high quality education provided to our students
- instigating an effective campaign of action wherever instances of opportunism or exploitation by employers occur and, in this regard, if necessary, balloting



ANNUAL CONGRESS 2020 NERVE CENTRE

members for industrial action, at institutional, employer, sectoral, regional or national level, as appropriate

- pursuing the Union's existing claims with vigour".

Congress notes that the workload of members has continued to increase and that insufficient support has been provided for the wholesale shift to online learning that has occurred especially in the Technological Universities and the Institutes of Technology.

Congress therefore instructs the Executive to immediately ballot members for industrial action including strike action if there is no agreement before the commencement of teaching after Christmas 2020 to reduce the teaching loads of members in Technological Universities and the Institutes of Technology.

Following representations by the TUI in regard to COVID-19 industrial relations matters, additional funding was provided to HEI's for the procurement of ICT and other resources.

The TUI concluded an Emergency Remote Teaching Agreement with the Technological Higher Education Association (THEA) and the Technological University Dublin.

Workload concerns have been raised in a number of meetings with Minister Harris (DFHERIS) and his officials. The establishment of a stakeholder forum for the IoT/TU sector in respect of COVID-19 issues was sought and first met on 8th March.

Representation on the National Steering group for DFHERIS re COVID-19 was sought by ICTU and is now in place.

Issues referred to in the motions were also raised at the ICTU and, through ICTU, with the relevant Ministers and agencies.

MOTIONS REFERRED**23. Shannon/Dublin City**

Congress notes Motion 19 passed at Congress 2019, which called for a campaign for the removal of the additional hours, imposed on members in Post Primary and Further Education as a result of the Croke Park Agreement.

Congress also notes that no progress has been made on this issue and that workloads across the sectors, which the Union represents, are increasing.

Congress also notes that the obligation on members in the Colleges to teach two additional hours has been removed following a campaign and a ballot.

Congress therefore instructs the Executive Committee to issue, following a ballot of relevant members, an instruction to member to discontinue doing Croke Park hours from January 1, 2021.

This will allow the union the opportunity to include this matter in the talks on a new pay agreement and for the Government to agree to the ending of the Croke Park hours.

RESULT Referred

See the motions regarding the proposals for a national pay agreement to succeed the PSSA. The Building Momentum proposal

includes a provision for the commencement of removal of the additional hours. A sum of €150 million is identified for this purpose. It should be noted that this would represent only a fraction of the value of the additional hours being worked across the public sector, where an average of two additional hours per week applies.

65. Cork Colleges

Congress notes that in many Institutes of Technology there is a Student Grievance Procedure, which can facilitate a student in making a complaint about a staff member. However, Congress further notes that in many Institutes there is no corresponding procedure for a member of staff to complain about the behavior of a student. Congress therefore instructs the Executive Committee to take appropriate steps, including engaging with the official side, to put in place a facility for members to lodge grievances against students.

RESULT Referred

This is a complex matter and will need careful consideration at the Colleges Sub-Committee in the first instance. It will be necessary to establish what types of practices are in place and what type of procedure would best serve members' interests. Once this process is complete the matter could be pursued at the IoT IR Forum and/or the NNF.

103. Co. Mayo/Co. Clare

Congress notes that in recent years sick leave entitlements have been shattered to half of their original allocation. As such, it is a total violation that Saturdays and Sundays are counted as sick leave days for teachers out on extended leave. It's not as if a teacher can work on Saturday or Sunday when they are in full health. If a teacher was unfortunate enough to be ill and unfit for work, instead having 18 weeks sick leave (5 working days per week) they currently only have 12 weeks full pay because there are 24 extra days counted (Saturdays and Sundays). Congress instructs the Executive Committee to engage

in intensive negotiations with the Department of Education and Skills to eradicate forthwith the inclusion of weekends and bank holidays when calculating already seriously ravaged sick leave entitlements.

RESULT Referred

The implications of this motion will need to be considered particularly in terms of any unintended consequences that could arise.

251. Limerick City Schools

Congress wishes to depoliticise the interview process for appointments to General Secretary or other General Officers. Congress deplores the current practice whereby Executive Committee members interview colleagues and friends for these important positions. Under Rule 68, the Executive Committee is charged with setting up the interview board. Congress instructs the Executive Committee to set up an interview board which consists of the President, the General Secretary and 3 individuals from a reputable external agency.

RESULT Referred

The TUI Executive Committee will, as it always does, having full regard to the relevant rules, review the relevant recruitment and selection procedures in advance of the appointment of TUI Head Office staff, including appointments under Rule 68.

EMERGENCY MOTION NO. 3

Dublin City / Co. Louth / IADT / Dublin Colleges / Co. Clare / IT Tralee / IT Blanchardstown / IT Carlow / Waterford City / Co. Mayo / Co. Laois / Co. Carlow / Co. Kerry

Covid-19 Pandemic

The Covid-19 Pandemic is presenting a serious Health, Safety and wellbeing challenge to all of society in the coming winter months and beyond.

Despite teachers and principals returning to work in the new terms and demonstrating a huge commitment to student safety the government has failed to put in adequate support to protect the health of teachers.

Special Congress therefore demands:

- Redefinition of a close contact as any person who has spent more than 15 minutes in a classroom with a positive Covid-19 case;
- Guaranteed test turnaround times of 24 hours;
- Provision for any teacher in the high-risk category to either teach from home or home or safely within school environs;
- Provision of IT resources, so that, teachers/students can work remotely if classes are required to self-isolate, or schools required to close due to Covid-19.

In the event that these demands are not conceded by mid November the TUI will ballot members for industrial action, including strike action, and discuss a joint campaign with the ASTI to progress these demands.

RESULT Referred

The TUI has secured:

- *a redefinition of close contacts so that the definition used in schools and centres is the same as that used in all other workplaces*
- *priority testing for those working in the education sector*
- *a broadening of the categorisation of very high-risk to include more members who were previously categorised as high-risk*
- *additional funding for all sectors for the provision of ICT resources*
- *additional resourcing for the education sector for the purchase of appropriate PPE*
- *health and safety protocols, measures and procedures for the education sector workplace.*

The Union has raised the issue of the digital divide with the Ministers and their Departments and has sought a comprehensive medium term strategy to address this societal inequality as well as immediate measures to ameliorate the specific educational disadvantage caused by poor access to the equipment and facilities needed in the emergency remote learning environment .



YOUR VOICE MATTERS

Dear Member,

During the periods of school/college/centre closure owing to COVID-19, it is not possible to conduct workplace ballots or forward information to workplaces. Therefore, it is essential that **the TUI has your correct up-to-date personal contact details so that you can:**

- **Participate in Union ballots and /or surveys.**
- **Receive Union advice and guidance.**

Please use the link [here](#) to enter your contact details.

Alternatively copy and paste this URL

<https://www.tuiservices.ie/updatesmydetailsshortcut.aspx>

into your browser and complete the form.

If you have any questions please contact updatesmydetails@tui.ie

The information requested is essential and required to enable the union to provide a service to members and will be used for balloting and communications purposes.



The information will not be used for marketing. The union does have GDPR data sharing agreements with some companies in order to provide specific services to members. TUI complies with GDPR and respects members' privacy. Further details are available on our website.

Update to the Teacher Fee Refund Scheme – prioritisation of funding

Excerpt from Circular Letter 15/2021

Introduction and Purpose

The Teacher Fee Refund Scheme is funded by the Department of Education. Its purpose is to provide funding towards the cost of course participation and examination fees on successful completion of professional development courses/course year. The funding is available for courses that are directly relevant and of benefit to both teachers and schools and that are subject to an award by an appropriate accreditation authority recognised by the Department of Education.

The changes outlined in this circular will come into effect initially for refunds claimed in 2023 relating to successful completion of courses/course year during the period from 1st September 2021 to the 31st August 2022. The terms of this circular will apply to all claims thereafter. The notification of the prioritisation of funding is being provided in advance of teachers deciding to undertake courses from 1st September 2021.

Refunds for courses/course year completed up to the 31st of August 2021 will operate as normal as outlined in the relevant annual circular.

The Teacher Fee Refund Scheme will continue to be subject to review and changes may be implemented periodically to improve the effectiveness of the scheme.

Review of Teacher Fee Refund Scheme

The Teacher Fee Refund Scheme has been operated by the Department of Education since 1997 and is administered through Marino Institute of Education (MIE). In response to significant policy developments in education and curricular changes, the Teacher Education Section (ITE and Professional Development) (TES) of the Department

commissioned a review of the Teacher Fee Refund Scheme. The aim of this review was to ensure that the resources available are targeted at areas which are aligned with curricular developments and Department policies and strategies aimed at school improvement and system reform.

Having accepted the recommendations of the review, the Department now proposes to implement those recommendations.

The main recommendation of the review is that the funding available to the Teacher Fee Refund Scheme should be used to prioritise teachers' professional learning in areas clearly linked to learning, teaching and assessment.

With effect from the beginning of the 2021/22 school year, i.e. for all courses/course year completed from 1st September 2021 onwards, 80% of the funding for the Teacher Fee Refund Scheme will be allocated to provide a refund of fees to registered teachers undertaking relevant programmes in line with policy priorities in the following key areas:

- a) Upskilling for post primary teachers leading to registration with the Teaching Council in an additional subject, to support teacher supply at post-primary level
- b) Inclusion and tackling disadvantage
- c) Promoting well-being
- d) Digital technologies in teaching, learning and assessment
- e) Improving students' literacy and numeracy
- f) Curricular initiatives including pre-identified areas of systemic need endorsed by school management (identified in the annual circular relating to the period in which course/year of course is completed).

The remaining 20% of funding will be allocated to provide a refund of fees for courses which are not directly linked to the areas outlined above but still fulfil

the eligibility criteria set out in the annual circular.

Further adopted recommendations are:

- Courses already funded, in part or whole, by the Department are not eligible for funding under the Teacher Fee Refund Scheme.
- Only courses which are subject to award by an appropriate accrediting authority recognised by the Department are eligible for funding under the Teacher Fee Refund Scheme.
- Only courses linked directly to teaching, learning and assessment and endorsed by school management are eligible for funding under the Teacher Fee Refund Scheme.

Operation of the Teacher Fee Refund Scheme

Details on how to claim a refund of fees under the Teacher Fee Refund Scheme are set out in an annual circular letter which is published on MIE's website and the Department of Education's website. The scheme provides funding towards the cost of course participation and examination fees on successful completion of professional development courses/course year. The annual circular outlines the eligibility criteria, deadlines and application process and should be read in conjunction with this Circular Letter 15/2021.

Claims in respect of courses/course year completed in the periods 1st September 2019 to 31st August 2020 and 1st September 2020 to 31st August 2021 are not affected by any changes outlined in this circular. Please refer to the relevant annual circular in relation to claims for courses/years of courses completed in these years.

Any queries in relation to this circular and operation of the scheme should be emailed to the Teacher Education Section of the Department of Education at tes@education.gov.ie

Important notice for PRSI Class A contributors - changes in number of days for claiming illness benefit

In September 2019 the Department of Education (DE), as payroll provider, introduced revised procedures in regard to the collection of illness benefit deductions from teachers, special need assistants and other staff paid on the payrolls operated by the Department.

Claims for illness benefit by staff paid on Department payrolls who pay "A" Class PRSI contributions are made to the Department of Employment Affairs and Social Protection (DEASP) and the illness benefit is paid directly to the staff member by DEASP. **Staff should not send their DEASP claims to the Department of Education for processing. All forms should be fully completed and submitted to the DEASP directly at the address provided on the IB1 and MED1 (Certificate of Incapacity for Work).**

Staff must also obtain a standard medical certificate from their doctor for school records and ensure the school receives the medical certificates and enters the absences in a timely manner through the On-Line Claims System (OLCS).

New Arrangements for Claiming Illness Benefit from 1st March 2021

1. When teachers, special needs assistants and other staff are absent on sick leave (certified, critical and pregnancy-related at full/ half rate of pay) for more than **three days** after the 1st March 2021, they **must** submit a DEASP illness benefit claim. Prior to the 1st March 2021 this was six days. The employee should obtain and

complete the application form for illness/injury benefit (IB1). The certificate of incapacity for work (MED1) is completed by the doctor and either returned to the employee or submitted to DEASP directly. **The teachers, special need assistants/staff member's bank account details must be included on the form IB1.** The completed application form (IB1) and certificate of incapacity for work (MED1) form should be forwarded directly to DEASP at the address referenced on the forms.

2. Ensure the school receives the medical certificates and enters the absences in a timely manner through the On-Line Claims System (OLCS).
3. The payroll system will calculate the number of eligible days for illness benefit based on the sick leave record entered by the school and will deduct the amount from the salary. Deductions from salary will continue until the full amount due based on dates of absence on OLCS has been recouped.
4. DEASP will notify the Revenue Commissioners after the illness benefit is paid and tax credits will be adjusted automatically by Revenue to take account of the income.

It is very important that schools are advised of the sick leave absence by the staff member and that the school authorities enter the absences on the OLCS system as soon as possible after the absence starts. **If an absence is not notified in time or if a number of weeks have elapsed before the absence is entered on the OLCS, the recoupment of illness benefit due to the**

Department for the full period of the absence will be deducted over a number of payrolls. Deductions will be made in line with the DEASP rules governing eligibility for receipt of illness benefit. The payment received by the claimant from DEASP will compensate for this deduction.

Where a teacher, special needs assistant or other staff member is in receipt of reduced rate of illness benefit due to income levels or insufficient contributions and not eligible to receive illness benefit, **they should notify the Department of Education of this by forwarding a copy of the DEASP decision letter to Illness Benefit Unit, Department of Education and Skills, Athlone, Co. Westmeath, N37 X659 as soon as possible.** The daily deduction rate will be adjusted on receipt of this notification.

Please ensure your Bank Details are up to date and included on the IB1 form. The illness benefit payments will be issued to your account directly by DEASP.

Further information on the illness benefit process is available on the DEASP website - www.welfare.ie

The emerging shadow

There is a worrying increase in mental health problems that is emerging in our schools and colleges. Anxiety, depression, obsessive compulsive disorders, self-harm, and suicidal ideation have all increased, which will have long-term consequences for our young people. There is great work being carried out by guidance teachers, management, and members of pastoral care in attempting to plug the ever-increasing holes in the large dam which represents the pending mental health crisis in our education system. There is little purpose in my attempt to offer advice on this recognising that these people are already breaking new and innovative ground in their support of our students. We need to be aware of the impact of this on us as educators. Wellbeing forms the cornerstone of education, yet many suffer from burnout, leading to exhaustion, loss of confidence and cynicism. We should never ignore it, and awareness, peer support, leadership and self-care strategies will certainly mitigate against it.

History informs us that with war, the psychological manifestations of the trauma only really emerge in its aftermath. In essence, when society return to some 'normality' those with mental health issues will feel abandoned, casting a long shadow in the years ahead. Unfortunately, the crisis will be left in the hands of a few, within a system that is under resourced at present. The question is whether there is a plan.

While NEPS psychologists provide excellent support in our schools, there is a need for specialised counselling.



Our guidance teachers in partnership with the pastoral care team are in a unique position to undertake this specific challenge. To do this we need to think outside the box, plan, and put in place dedicated resources.

Appointing 'COVID officers' last September provided a level of confidence for teachers on their return, ensuring that the work environment would be as safe as possible. Would it be possible to provide more resource hours for guidance teachers next September that will ensure the provision of mental health care for our students? Could the possibility of employing the unique expertise of counselling psychologists be examined, shared with a group of schools providing psychological first aid to the whole school community?

Finally, as well as seeking the support of our government to provide these financial resources, let us also

encourage our MEPs to examine the possibility of creating a European-wide fund for mental health support in education. In the past, the European parliament funded inter-rail travel for young people; this and other innovative ideas could be introduced and broadened, again providing unique wellbeing opportunities. Health is a priority, but they need to plan for our mental health.

In conclusion, I am simply flying a red flag, and hopefully start a proactive conversation, so that the powers that be, would sit up and notice, and be proactive for the sake of our young people and their educators.

Shane Moran, Counselling Psychologist, Largy College, Clones Shane is author of the 'The Clouds That Can Surround a School', a guide for schools when dealing with a Critical Incident.

RMA News

I hope you all are keeping safe in these very difficult times. Usually at this time of year I would be giving you details of our spring break. While COVID-19 has changed all that, hopefully we will be able to enjoy a spring break in 2022 and maybe even an autumn break next October.

RMA AGM:

The Annual General Meeting of the Retired Members' Association which was due to take place on May 13th 2020 in the Ardilaun Hotel, Galway, and later deferred to May 2021 has again been deferred as a result of current public health restrictions. An AGM will be organised when public health advice allows.

Building Momentum:

The latest public service agreement 'Building Momentum' has recently been accepted by the ICTU Public Services Committee. The terms provide for increases of 1% on October 1st 2021, 1% on October 1st 2022 and a 1% in February 2022 for 'sectoral' bargaining. The 1% on October 2021 and October

2022 would apply to pensions but the application of the February 2022 1% to pensioners is dependent on there not being agreement between Unions for its use to settle sector-specific issues.

Alliance News:

The Alliance of Retired Public Servants have got back to work on our behalf and have been in contact with Bríd Smith TD whose proposed amendments to various Acts re IR and Pensions were read into the Dáil record in early February. The Alliance hope to meet with Minister for Public Expenditure and Reform Michael McGrath during the month of March.

TUI Annual Congress:

TUI's Annual Congress will be held online at Easter. A number of motions of particular interest to RMA members have appeared on the preliminary agenda and hopefully these will get debated at Congress.

RMA Membership:

At the bottom of this page you will find

an RMA renewal form. If you have not renewed your RMA membership for 2020/21 please complete this form. If you do not have access to a printer you can instead send a note along with payment containing your name, address and RMA membership number.

Branch Matters:

In recent weeks, a number of RMA Branches have held on-line meetings via Zoom or other apps. We would encourage Branches to engage in this way, but not to arrange any face-to-face meetings. Any Branch wishing to hold a Zoom meeting that needs assistance may contact our Chairperson Martin Hoye (rmachair@tuimail.ie).

With the continued and accelerating roll-out of vaccines, every effort will be made to resume normal activity when it is allowed, including an autumn break and perhaps an AGM in conjunction with that.

Dan Keane,
RMA Secretary



ARE YOU RETIRING THIS YEAR?

***Join the Retired Members' Association
Your First Year's Membership is Free***

Name (Block letters) _____

Address _____

MOBILE TELEPHONE NO.: _____ E-MAIL ADDRESS: _____

RETIRED FROM _____
(Name of College/School/Education Centre)

TUI BRANCH _____

Signature _____ Date _____

Please forward the completed application form to Membership Officer:

Michael McNulty, Mount Pleasant, Ballymackey, Nenagh, Co. Tipperary

APATHY IS A LUXURY WE CANNOT AFFORD IN RETIREMENT

Join our team and be involved in promoting the interests of retired members

RMA Website: Visit our website www.rmatui.ie to find further details about the Association



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*Congratulations to
 Vol 43 No 2 winner
 Martina Hegarty,
 Killarney Community College*

Crossword

€250 prize for the first correct answer drawn from the entries

Only one entry per member.
 Photocopies can be submitted.

Name _____

Workplace _____

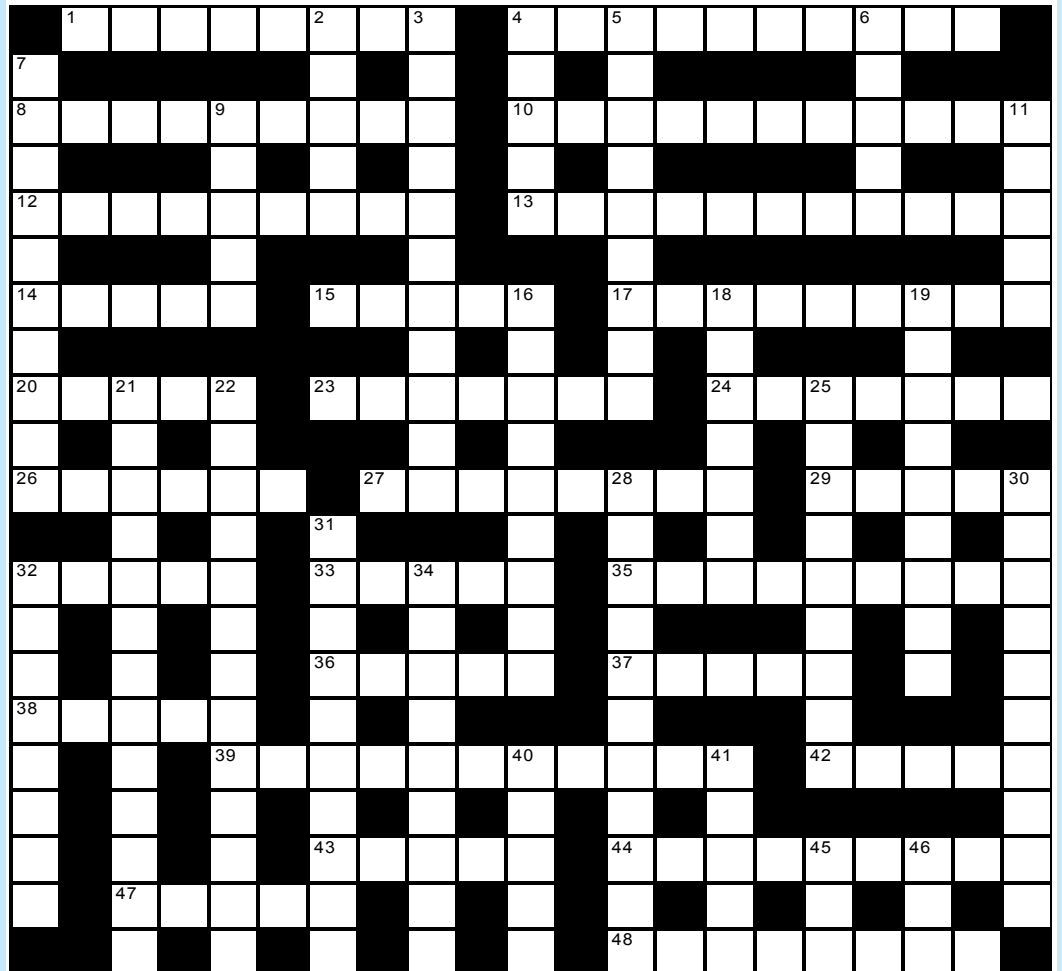
Address _____

Contact number _____

TUI Branch _____

Send entries to
 TUI Crossword March/April '21,
 TUI, 73 Orwell Rd, Rathgar,
 Dublin 6, D06 YP89.

Closing date for entries:
 Friday, 23rd April 2021



ACROSS

- 1 Tony Christie queried the route to this Texan town (8)
- 4 Southpaw (4-6)
- 8 A planned series of future events or performances. (9)
- 10 Type of battleship armed with heavy-calibre guns in turrets: so called from British battleship launched in 1906, the first of its type. (11)
- 12 Batman movie villain played by Cillian Murphy (9)
- 13 Anarchist, public speaker, and crusader for free speech, birth control, and workers' rights in early 20th century USA (4,7)
- 14 Heartbreak -----1986 Clint Eastwood film (5)
- 15 The last (24th) letter of the Greek alphabet (5)
- 17 Roman slave who led an uprising against Roman legions (9)
- 20 Body or force armed with legal authority (5)
- 23 A knot or coil of hair arranged on the back of a woman's head (7)
- 24 A meeting for boat races (7)
- 26 Provoke someone to do something with promises or persuasion (6)
- 27 A delicate pale blue colour (8)
- 29 Distinguish oneself (5)
- 32 A membranous covering attached to the immature fruiting body of certain mushrooms (5)
- 33 Viscera and trimmings of a butchered animal often considered inedible by humans (5)
- 35 Repeated too often; overfamiliar through overuse (9)

- 36 A mixed drink made of liquor and water with sugar and spices and served hot (5)
- 37 Powder made by cold-pressing unroasted cocoa beans (5)
- 38 Villa or Martin (5)
- 39 The boundary dividing Europe into two separate areas from 1945 until 1991 (4,7)
- 42 A Latin American dance similar in rhythm to the rumba (5)
- 43 Raise in rank, character, or status (5)
- 44 A particular dislike (French) (4,5)
- 47 The Shape of ---- 2017 film nominated for 13 Oscar nominations (5)
- 48 Having a pleasant odour; fragrant (8)

DOWN

- 2 Large-eyed arboreal primate having foxy faces and long furry tails (5)
- 3 Presumptuously conceited, overconfident or proud (11)
- 4 Spoon-shaped vessel with a long handle (5)
- 5 A member of a widespread secret fraternal order pledged to mutual assistance and brotherly love (9)
- 6 A pre-Christian priest among the Celts of ancient Gaul and Britain and Ireland (5)
- 7 Mark used to indicate the omission of one or more letters from a printed word (10)
- 9 Fasten by passing through a hole or around something (5)

- 11 The capital and principal port of Tunisia (5)
- 16 Someone or something that is, or is set up to be, an easy target for criticism or a British game played in which players throw sticks or balls at a wooden dummy. (4,5)
- 18 A glassy thermoplastic; can be cast and moulded or used in coatings and adhesives (7)
- 19 A sudden violent change in the earth's surface (9)
- 21 Smaller metropolitan area located somewhat near to larger metropolitan areas. (9,4)
- 22 Exclude from a church or a religious community (13)
- 25 The space in a theatre or similar venue that functions as a waiting room and lounge for performers before and after a performance (5,4)
- 28 An enclosed space for producing reverberation of a sound (4,7)
- 30 Leather shorts worn especially by men and boys in Bavaria (10)
- 31 Subsequent to or coming later than that which is modern., characterized by ironic self-reference and absurdity (as in literature) (10)
- 32 A wanderer who has no established residence or visible means of support (8)
- 34 Involving trust, especially with regard to the relationship between a trustee and a beneficiary. (9)
- 40 A fashion reminiscent of the past (5)
- 41 Widely known and esteemed (5)
- 45 No amount at all; something of no value or importance (3)
- 46 A particle that is electrically charged (3)