



news

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TEACHERS' UNION OF IRELAND / AONTAS MÚINTEOIRÍ ÉIREANN



1916 ART COMPETITION

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To mark the centenary of 1916, TUI will hold an exhibition during Congress 2016.

The exhibition will run from Tuesday 29th to Thursday 31st March in the INEC, Killarney, Co. Kerry, and is open to TUI members and the public.

An audio visual display entitled 'Education in Ireland since 1916' will be shown and a selection of entries to TUI's 1916 art competition will be on display. The competition was open to students in any TUI workplace and over 280 entries were submitted, a small sample of which are featured on this issue's front cover.

The winning entries will be announced at Congress on Wednesday 30th March.

Representatives from local and national 'Ireland 2016' organisations will be available to answer questions and to offer advice on events taking place throughout the year.

We would encourage you to visit the exhibition which will be located on the 1st floor of the Congress Hall foyer.

Tributes paid to former TUI President and General Secretary Maurice Holly

The union's Executive Committee, staff and membership were saddened by news of the death of Maurice Holly, who served as President of the union from 1969-1971 and later as General Secretary. Sympathies are extended to his wife Eileen and his family and friends, along with deep gratitude for his work on behalf of the union and the teaching profession. A tribute will appear in the next TUI News.



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TUI PRESIDENT, GERRY QUINN

As a consequence of the Third Level strike on the 3rd of February and the threat of a further strike before the general election across the Second-Level, Adult/Further Education and Youthreach sectors, TUI has secured a commitment to meaningful engagement on a range of serious issues. Our grievances include underfunding and understaffing in Third Level, increasing professional pressures and bureaucracy in Second Level, Adult/Further Education and Youthreach and the job insecurity, unacceptable contracts and income poverty which afflict many of our colleagues across all sectors. Achieving workable resolutions to these and other problems is the challenge we face in the engagement with the Department. While TUI will not be found wanting in the search for an agreed pathway out of the difficulties, these talks are underpinned by our mandate and capacity to take further industrial action if and when necessary.

The talks, which involve senior officials from the Department of Education and Skills, were sought to deal with matters that were not addressed in the Lansdowne Road Agreement (LRA). We have a moral obligation to address the unfair and unsustainable workloads imposed on members and to demand an end to the exploitation of recently recruited teachers, particularly those employed since 2011. Despite the fact that the LRA is agreed between the Government and the Public Services Committee of the Irish Congress of Trade Unions, and despite the fact that the draconian FEMPI 2015 Act (issued towards the end of our LRA ballot) hangs over us with the threat of an increment freeze, and despite being warned that limited pay restoration would be

withdrawn, TUI has used the period of time before the general election as leverage to secure talks on our key issues and grievances. We have, to a greater extent, become the authors of our own destiny.

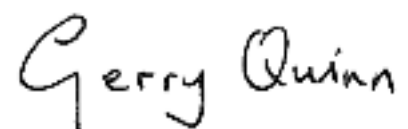
We have honoured our commitments under the Haddington Road Agreement (HRA). From the viewpoint of the Government, withdrawal from the HRA would signify a formal repudiation of the LRA as in its view the latter has subsumed the former. The HRA commitments and their original timeframe expire in June. The extension of the commitments, as set out in the LRA, occurs from June 2016 until September 2018. What TUI does with regard to the LRA from next summer depends on the outcome of the current talks and the choice that will be made by our members.

Some uncertainty lies ahead. But we have been down that road before in other campaigns and negotiations. One of the things we are certain of is that TUI will continue to fight to ensure that the teaching and lecturing professions are given proper recognition, that younger teachers and lecturers are not discriminated against and that all of us, practising and retired, can work and live in a dignified manner.

In parallel with our campaign on pay and conditions generally, Third Level members have voted strongly for industrial action against the threats contained in the Technological Universities (TU) Bill. This Bill proceeded to Report Stage in the last Dáil. Due to time constraints which were exploited by TUI's extensive lobbying and the 123 amendments tabled, Report Stage

was not concluded. Most of the amendments were provided to opposition TDs directly or indirectly by TUI. Looking forward, we can build on this. The positive merger ballot result will be used to devise directives which will be applied by members across all 14 Institutes. The mandate also provides us with the power to use strike action.

Industrial action, in whatever form, is the cutting edge of all our campaigns. With regard to mergers, it will be deployed tactically and in combination with ongoing lobbying of TDs, Senators and others with a view to achieving national negotiations and the necessary amendments to the TU Bill. TUI contacted all TDs and Senators before the general election in relation to our successful merger ballot outcome. Given the new political dispensation post-election, all of the newly elected TDs will now be lobbied. Branches have played an important role in lobbying thus far and continuing with this valuable work is a vital part of TUI's strategy. Lobbying should also continue across all sectors with regard to the general issues of underfunding, job insecurity, income poverty and other professional pressures. While negotiations with the Department officials are ongoing, TDs and Senators must be informed of the instability that will ensue if viable solutions are not secured. By working together on all fronts we can continue to make progress.

A handwritten signature in black ink that reads "Gerry Quinn". The signature is written in a cursive, slightly slanted style.

Union calls off strike following contact with Minister, but strong mandate for industrial action remains

On February 12th, the Executive Committee of the union decided not to go ahead with a day's strike action in the second level, adult/further education and Youthreach sectors that had been planned for February 24th. The decision followed contact between the Minister for Education and Skills and the union.

On February 5th, TUI had announced that members at second level and in the further/adult education sectors would be taking strike action on February 24th unless there was meaningful engagement on a range of crisis issues. In a national ballot, TUI members in the second level and further/adult education sectors had voted by a margin of 89% to 11% to engage in a campaign of industrial action to secure resolution to these crisis issues.

The initial announcement of the day's strike action received extensive media coverage and the key concerns of TUI members, particularly the inequity and unacceptability of discriminatory, differentiated pay scales for recent entrants to the profession, were further publicised.

Following further correspondence from the Minister, and understanding the Minister to

be acting in good faith, the union was satisfied that engagement was possible. The Executive Committee decided not to hold the planned strike action in order to facilitate that engagement, in the hope of developing viable solutions to a range of crisis issues. However, it was made very clear, including in statements to the media, that the union maintains a very strong mandate from members to activate industrial action, including strike action, at a later stage should it become apparent that sufficient progress is not being made.

'Of key concern to TUI members are the precarious employment status and income poverty of new and recent entrants to the profession,' union President Gerry Quinn said, 'and the continuing, damaging effects of underfunding and understaffing on the service provided to students across all the sectors in which the union has members.'

Third level members vote overwhelmingly in favour of industrial action over Institute of Technology merger concerns

TUI members in Institutes of Technology have voted overwhelmingly in favour of industrial action, up to and including strike action, over grave concerns around significant aspects of the Technological Universities Bill. In the course of the recent general election campaign the union asked the parties and all members of the Oireachtas to support the union's position.

Members voted by a margin of 85% to 15% take industrial action, with the result announced on February 19th.

'The Technological Universities Bill contains significant threats to the Institute of Technology sector, its regional provision and to the working conditions of academic staff,' said union President Gerry Quinn. 'As a result of this ballot, we now have a strong mandate for industrial action from our members in order to tackle these dangers and to secure a negotiated, national resolution of these key issues. The union will decide on how best to utilise this

mandate in the near future.'

'We urge the Department of Education and Skills and the Higher Education Authority to engage with us to seek a sustainable and manageable resolution to these grave concerns.'

The TUI is not opposed to the concept and/or establishment of Technological Universities. Where appropriate and properly funded and resourced, the union will support such a development.

However, the Bill, as currently framed, is deeply flawed, especially in relation to its requirement that Institutes of Technology must first merge before application for Technological University status can be made.

In the event that the Bill proceeds without the necessary amendments, it is inevitable that sustained, sector-wide industrial action will ensue and the union has advised all

relevant agents and agencies to this effect.

In addition to the merger requirement, TUI members have deep and justifiable concerns regarding:

- The absence from the Bill of an assurance that their terms and conditions of employment will be maintained
 - The apparent disregard for the regional provision and equity that is at the heart of the mission of the Institutes of Technology and the associated threat of rationalisation based on crude and inappropriate metrics
 - The absence of a commitment to provision of the resources that would be necessary for successful development towards and of the Technological University
- Ahead of the formation of the new Dáil and Seanad Éireann, all newly elected TDs will be lobbied for support on these critical issues.

TUI Elections Update

Following a ballot of TUI members, Barry Williams (Co. Louth Branch) was elected Vice-President of TUI (effective from July 2016).



BARRY WILLIAMS

Following a ballot of TUI members in Area 1 (Co. Wicklow, Co. Kildare, Co. Laois and Co. Carlow), Liz Farrell has been elected to the TUI Executive Committee as the Area 1 Representative (effective from the close of Congress 2016).

Teaching Council Elections 2016

At the time of going to press, voting in the Teaching Council Elections 2016 was ongoing. See the TUI website for the latest update.

TUI endorsed candidates in two sectors: Mairéad Glynn (Community and Comprehensive Schools Sector) and Denis Magner (ETB Sector Leinster). A special TUI News bulletin with profiles of the two candidates was sent to all relevant workplaces in advance of the election and a video message from Mairéad Glynn was placed on the TUI website and social media.

A third TUI-endorsed candidate, Séamus Ó Fearraigh (ETB Sector Connaught, Munster and Ulster), was not opposed and has been deemed elected.

Separately, TUI is also entitled to nominate two representatives to the Teaching Council. The union's nominees are Gerry Quinn, TUI President, and Claire Markey, Executive Committee member and Area Representative for Dublin and Dun Laoghaire ETB.

Vacancies on NCCA Development Groups – Junior Cycle PE and Senior Cycle PE

From time to time, vacancies arise on NCCA development groups. Participation on NCCA committees does not in any way compromise TUI policy regarding issues such as assessment of new courses. Rather, participation provides a valuable opportunity for practising teachers and the nominating teacher unions to influence developments in curriculum and syllabi. Each teacher union is usually invited to nominate two representatives to each development group. Each representative will be expected to contribute thoughtful insights and the wisdom of his/her experience to the discussions at the relevant development group, within the context of TUI policy. Representatives are required from time to time to discuss strategy and meet with relevant members of the Executive Committee and officials from TUI Head Office. Representatives may also be asked to act as exams spokespersons for TUI in the subjects relevant to their expertise. This involves giving considered feedback regarding state examinations papers to the media and State Examination Commission, again within the context of TUI policy.

Correspondence issued recently to schools and centres setting out current vacancies (see below), guidelines for nominees and the nomination form. If you are interested in becoming involved please contact your local branch for its nomination. Applications (marked 'NCCA development groups') should reach TUI Head Office no later than noon on April 20th, 2016. It is expected that applicants will be informed of the outcome by mid-May. It is recommended by the NCCA that applicants not serve on more than one subject development group and hence applicants are asked not to apply for both development groups.

Subject	Number of Vacancies
Junior Cycle Physical Education (PE)	1
Senior Cycle Physical Education (PE)	1

Update on TUSLA Meitheal Programme

The Meitheal programme is a cross-agency response to children who are experiencing difficulties that, although significant, are not severe enough to require referral to or a response from social workers. Following on from the article on the programme in the last edition of TUI News, TUI has met with the Child and Family Agency (TUSLA) and was happy to receive the following assurances:

- While TUSLA has managerial responsibility for Home School Community Liaison Officers (HSCLs), they are employed by the relevant C&C school or ETB and report to their principal teacher.
- The One Child One Team One Plan (OCOTOP) roll-out has been stalled.
- Meitheal will be an "incremental slow-build".
- The "core business of HSCL is educational".
- Meitheal deals with situations that are below the threshold for social work involvement.
- The lead practitioner in each Meitheal must be in paid relevant work and in regular contact with the child.
- A Meitheal response will involve minimal intervention.
- A Meitheal intervention should not last more than a year.
- The aim is to avoid duplication.
- Meitheal involves child welfare issues, not child protection issues.
- Involvement in Meitheal by all agencies is voluntary.
- TUSLA will provide support, guidance and training at national level.
- TUSLA "highly recommends that schools engage with Meitheal". The final decision however lies with the principal teacher of the school.
- NUI Galway is carrying out an evaluation of Meitheal as it progresses.

TUI will continue to monitor the situation closely and asks HSCLs to contact TUI with any queries that they may have. Members should familiarise themselves with the Meitheal documents which are posted on the TUSLA website.

Supporting Education Staff in a Time of Change – TUI Education Conference 2016

TUI's Education Conference on the topic of 'Supporting Education Staff in a Time of Change' was held in Portlaoise on February 6th. Over 100 delegates attended the event and the full conference presentations are available on the TUI website. A brief overview of the main contributions is set out below.

Dr. Bernie Grummell (Mayoonth University): 'Further Education in a Time of Change: Policy, Practice, Profession'

Dr. Grummell spoke of the Further Education sector currently being formalised and professionalised. She examined the official definitions of the sector as well as the definitions put forward by the delegates. She pointed out how the sector is both reliant on, and reactive to, other sectors.

The discussion looked at how there is a vocational and training focus and how it is ethos/class orientated, (as well as being gendered i.e. male-dominated apprenticeships and female-dominated service occupations). The discussion covered the sense of disjunction between teaching and assessment requirements and how new managerial demands of the global era have caused many changes within the sector.

Dr. Andrew Loxley (TCD) and Dr. Aidan Kenny (TUI) – 'Creating a Supportive Environment for Academics in Third Level'

Both Dr Loxley and Dr Kenny had contributed to a European research project on this subject. The research project arose from an initiative of the EI/ETUCE, a European teacher union



(L-R) GERRY QUINN, DR. BERNIE GRUMMELL, DR. GERRY HARVEY AND DAVID DUFFY

grouping to which TUI is affiliated. Ireland was one of 10 case studies around Europe where the issue was examined using standardised research questions.

The research in Ireland found that there has been a 28% decrease in university funding and a 33% decrease in Institute of Technology (IoTs) funding since 2007. The number of full time permanent staff fell sharply between 2003 and 2015. In total, IoTs are down 1000 staff. However, student numbers have increased significantly. Staff are concerned about bureaucratisation of work and the increasing need to focus on administration rather than teaching. Productivity measures are having a significant impact on staff. For example, the student-lecturer ratio in Institutes of Technology is 23:1, whereas the OECD average is 16:1.

The presentation also examined the issue of how to fund the third level sector. In pre-Budget submissions, TUI has consistently and reasonably argued that Corporation Tax be increased by one percentage point so that the profitable companies that benefit from the Irish education system can make an appropriate contribution to the adequate funding of that system.

Kate Hehir (St. Michael's Community College, Kilmihil) - 'Selection Process for Principals: Participants perspectives'

Ms. Hehir looked at issues in the ETB selection process for principal teachers. The research methodology she employed included semi-structured interviews with a CEO, with interview panel members and with both successful and unsuccessful candidates. Some of the key issues identified with regard to the process were:

- Procedural concerns and inconsistency
 - Lack of post-interview reflection (unreflective approach and narrow focus on previous leadership). The moratorium on 'A' posts make past experience as leader inaccessible and unavailable to many applicants.
 - Lack of focus on quality of interviewing.
 - Criteria not being made specific.
- Solutions put forward included:

- Training for interview panel members
- Probation for principal teachers
- Cyclical leadership



(L-R) KIERAN TUMMIN, MAIRÉAD GLYNN, JIMMY KELLY AND JOE O'DONNELL

- Induction for principal teachers
- Leadership development in schools for potential leaders
- Lifting of the moratorium on middle management appointments

Ruth Morrissey-Casey, (St. Michael’s Community College, Kilmihil) - ‘Looking from the Inside Out: Exploring Students’ Perspectives on the Irish Language’

According to Article 8 of the Irish Constitution, the Irish language is “the first official language of Ireland”, and English is the “second official language”. Ms. Morrissey-Casey outlined how Irish is now only the third most-spoken language spoken in the country after English and Polish. More students are seeking exemptions from Irish and more are doing higher level French than Irish.

A very interesting discussion ensued on exemptions, literacy and numeracy, affordability of courses in the Gaeltacht and whether Irish should be a compulsory subject.

Dr. Gerry Harvey (St. Peter’s College, Dunboyne) – ‘School Self-Evaluation’

Dr. Harvey’s study examined attitudes to School Self-Evaluation (SSE) in terms of purpose and power. Is SSE about accountability or professionalism? The main issues that arose were:

- Public accountability versus professional autonomy
- Internally driven self-evaluation versus externally mandated inspection
- School-inspired ‘bottom-up’ approaches to inspection and/or self-evaluation have been found to be much more successful and more widely accepted than system-led ‘top-down’ models of inspection



TUI EDUCATION CONFERENCE 2016

- Inspectorate could evolve into a ‘critical friend’

Michael Gillespie (TUI) – ‘Teaching Council Matters’

Mr. Gillespie addressed a number of Teaching Council initiatives that are currently in operation or development. These included:

- The 2001 Act requires teachers to maintain their registration or they cannot be paid from the public purse as teachers.
- The Conservative government in the UK abolished their Teaching Council and introduced new methods of training teachers. This has had some odd consequences e.g. 149 soldiers were trained to be teachers in one initiative. Only 15 stayed in the profession.
- Anybody can complain to the Teaching Council about a teacher. The Director of the Teaching Council will decide if

the complaint is vexatious. If it is adjudged not to be, the complaint will proceed to investigation. In the event of a disciplinary hearing being necessary, then the hearing will, in most cases, be in public. This has been opposed by the TUI (and the Teaching Council) but decided by the Minister. In respect of disciplinary hearings, the Teaching Council will have the same power as the High Court to compel witnesses. Part 5 of the Teaching Council Act which provides for this disciplinary process has not yet been commenced. Commencement requires a ministerial order.

- The pilot Droichead programme (induction and probation in approximately 150 second-level schools) has been the topic of considerable discussion. It follows on from the extension of teacher training, i.e. the two year Professional Masters in Education.
- The Cosán document on Continuing Professional Development (CPD) had also been the topic of much discussion. The document is intended to advise the Minister, promote engagement in CPD, lead to research in the area of CPD and to raise awareness.
- School placement has been causing a difficulty for some schools as the extended phase of teacher training means that more student teachers are seeking placement in schools.
- The Teaching Council recently carried out an extensive study on teacher supply. It found that too many graduates were qualifying to teach history, geography and business but too few in home economics, maths, Spanish. On current projections, student numbers at second level will peak in 2025/26.



KATE HEHIR AND RUTH MORRISSEY-CASEY

REPORT ON RESOLUTIONS OF CONGRESS 2015 AND ACTIONS TAKEN

RESOLUTIONS CARRIED

A. Conditions of Service - Second Level

12 Co Meath

Congress demands that, at the conclusion of the HRA, TUI will demand that the extra working hours (33/43 hrs) agreed as part of the Croke Park and HRA agreements cease.

The dissatisfaction of teachers regarding the frequently bureaucratic usage of these hours is regularly conveyed by the Union in the national media. The issue was also highlighted when the Union recommended rejection of the Lansdowne Road Agreement.

6 Co Donegal

Congress notes that a number of managerial representative bodies have developed proposals for future managerial structures of our second level schools. Congress directs the Executive Committee, as a matter of urgency, to develop its own proposals for future management structures in our schools.

A working group chaired by the President is co-ordinating the Union's proposals in terms of restoration of management structures and posts of responsibility. TUI has also met with an ASTI working group in this regard to ensure a co-ordinated approach.

14 Co Cork

Congress demands that TUI should insist that, in accordance with terms set out in various Circular Letters such as 20/1998, 29/2002 and 25/2011, schedules of posts, timetables and arrangements on the agreed usage of Croke Park Hours be openly published and made available to all members working in

schools and centres where applicable and relevant. Staff members should be consulted in setting the Schedule of Posts at a given school and should also be consulted on how Croke Park hours are deployed annually in order to achieve consensus. In some cases, members cannot even view their colleagues' timetables to ensure that no unwarranted timetable alleviations are being granted by management by way of compensation for carrying out unremunerated duties of a post. This practice, in some schools, allows for arrangements where Assistant Principal and Special Duties post duties can sometimes be carried out by members without realising the serious implications their actions have on the promotional prospects for themselves and their colleagues.

The Union's directive on posts of responsibility which issued in August 2014 remains in place. A new combined circular letter on POR and the appeals procedure together with detailed manuals developed by ETBI (with input from the TUI) should lead to schedules of posts and duties being more clearly laid out. The requirement for staff involvement in setting the schedule of posts in a school is set out in DES circular letter (as is the process for achieving consensus in regard to use of Croke Park hours). Any departure from the terms of the circular constitutes a grievance and should be processed as such. The Union consistently seeks transparency in relation to timetables in order to ensure fair and equitable allocation of workload.

16 Limerick City/Dublin & Dún Laoghaire

Congress condemns the unfair treatment of teachers deemed unqualified in respect of salaries and pension entitlement. It is completely unacceptable to TUI that teachers could be paid on a non-incremental pay for the duration of their working career. Congress therefore instructs the Executive to pursue an incremental pay scale for these teachers.

Such 'tutors' in Youthreach centres have, over the past year, been converted to the Resource Person contract placing them on an incremental pay-scale, pro-rated, with standard public service terms and conditions of service including leave benefits. The TUI is seeking to continue discussions, commenced under the Haddington Road Agreement, with a view to securing a solution for those deemed unqualified in other sectors of Education, in particular the Community and Adult Education sector. The Union continues to seek a career structure for those paid at the unqualified teacher rate, who have been on the Teaching Council's register since 2006.

10 Executive Committee

Congress recognises the unprecedented level of appointments to principal and deputy principal teacher positions over the past five years. Congress notes that these newly appointed principal teachers are entitled to and require support and advice from both their employers and from their Union. Therefore, Congress instructs the Executive Committee to engage with the Department of Education and Skills and the



CONGRESS 2015

relevant management bodies to design appropriate training for newly appointed principal and deputy principal teachers. Furthermore, Congress instructs the Executive to engage with the Principals' and Deputy Principals' Association (the PDA, the TUI's representative body for the grades) to assist in guiding the continuing support of principal and deputy principal teachers and to design a TUI training programme for principal and deputy principal teachers which would, inter alia, set out the benefits and the responsibilities of principal and deputy principal teachers in membership.

A Centre for School Leadership has been established – see section on NAPD. The TUI and our sister unions are seeking direct representation in its steering committee/s. The TUI has also agreed with the PDA that members who are Principal and Deputy Principal Teachers will be invited, as

appropriate, to TUI training seminars. Officials and Area Representatives have been attending and supporting local PDA meetings. The PDA is also working on supporting newly appointed Principals and Deputy Principals.

8 Donegal C&C

Congress calls on the Executive to enter into immediate talks with the Department of Education and Skills and any other relevant body to insist that a member with a CID of 18 hours automatically receives a permanent whole-time contract.

Circular letter 24/2015 which gives effect to the recommendations of the Ward Report combined with operation of CL 11/2009 effectively confirms this as being the accepted fact in the system.

2 Co Laois

Congress instructs the Executive to negotiate with the DES for a decrease in the pupil-teacher ratio.

Budget 2016 provides for a reduction in the pupil teacher ratio from 19/1 to 18.7/1 with effect from September 2016. The Junior Cycle agreement has also established professional teacher time which leads to a reduction in contact time of 40 mins per week for all teachers involved in Junior Cycle from September 2017. Implementation of this measure will bring about a further adjustment in the P.T.R. and, potentially, could generate 800 whole-time equivalent positions. The Union continues to seek the restoration, in full, of ex-quota provision (in relation to guidance counselling, etc.) and of the supplementary allocation that applied to certain programmes. More generally, the Union is seeking restoration of the P.T.R.s that applied to the various sectors before the austerity cuts.

13 Co Meath

Congress urges that, at the conclusion of the HRA, TUI will demand that the S&S workload will return to pre-HRA levels as set out in Circular PP01/03.

Under the terms of the HRA, payment in respect of S&S is to be applied to scale in two moieties. As matters stand, that payment would relate to the S&S workload set out in HRA.

3 Co Laois

Congress instructs the Executive to negotiate with the DES for an increase in the capitation grant made available to schools at present as it is totally insufficient.

The Union in its Pre-Budget submission sought enhanced capitation and challenged the fiction that the ETB sector is favoured by the current structure of capitation payments.

B. Conditions of Service - Third Level

24 IT Tallaght/Executive Committee (Amended by Executive Committee)

Congress notes that, by the time the Haddington Road Agreement expires, third level lecturers in IoTs will have delivered free of charge so called flex hours to the value of approximately €100 million as just one part of their contribution to national recovery. Congress notes, with concern, that IoT management representatives have recently claimed that the Institutes cannot operate without the so-called flex hours. Congress instructs the Executive to:

1. reaffirm to the official side that the so-called flex hours end with the expiry of the Haddington Road Agreement;
2. begin discussions directly with the official side regarding how the pending discontinuation of the so-called flex hours will be managed.

This issue was raised by the TUI in the LRA discussions and in every relevant forum, including the IoT IR Forum. It was also raised with the Minister and with senior DES officials. TUI has brought the issue to the attention of the other teacher unions and the public sector unions. The matters of funding, staffing and workload have been the prioritised issues in the TUI's ongoing campaign following the decision of members not to accept the LRA and have been highlighted in this Union's media commentary. A ballot focused on these matters was conducted in November/December. Strike action is planned for early February 2016.

46 Dundalk IT (Amended by Dublin Colleges)

Congress instructs the Executive to oppose reassignment and redeployment of lecturing staff by taking appropriate industrial action following a ballot of members where management refuses to remove flex hours prior to any such reassignment and redeployment.

The dispute in Dundalk IT was resolved with the assistance of the Labour Relations Commission (now the Workplace Relations Commission).

48 Dundalk IT

Congress instructs the Executive to campaign for the retention of Phase 4 and Phase 6 apprenticeship provision in the Colleges, to seek support from ICTU for this and to support any branch prepared to engage in industrial action to retain apprenticeship provision in their college.

The Apprenticeship Working Party engaged at both local and national level to promote the provision of apprenticeship programmes in the institutes of technology sector. The Union noted the increase in apprenticeship numbers and, in the context of the ongoing discourse

regarding the possible emergence of Technological Universities, sought and got an assurance that apprenticeship programmes would continue to be provided.

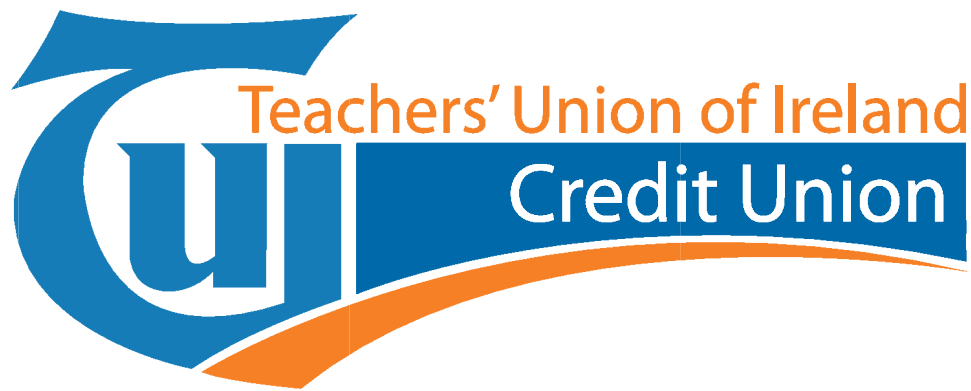
44 Executive Committee

Congress notes Motion 42 approved by Annual Congress 2014 in relation to the need for appropriate and meaningful consultation regarding the Higher Education Landscapes proposals. Congress further notes the highly inconsistent and frequently unsatisfactory nature of the consultation with the union during the past year and re-affirms the instruction to the Executive Committee to utilise appropriate industrial action, as necessary, to resolve this matter to the union's satisfaction. Congress also re-affirms the long-standing principle of the TUI that in the absence of meaningful consultation and (as appropriate) negotiation, attempts to introduce, implement or impose new practices will be resisted.

The Union has raised these concerns with the Department of Education and Skills, the IoT IR Forum and the Higher Education Authority. Commitments were given regarding consultation processes. As and where necessary, the Union – following ballots of the relevant members – sanctioned industrial action with a view to securing meaningful and appropriate consultation.

33 Cork Colleges

Congress instructs the Executive to conduct a ballot of all 3rd level members to withdraw from online development and delivery from Sept 1, 2015 until such time as a satisfactory sector wide agreement regarding online development and delivery has been concluded. *The Labour Relations Commission (Workplace Relations Commission) facilitated a resolution to the e-learning dispute in CIT.*



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38 IT Tralee/Cork Colleges

Congress instructs the Executive to formulate a claim for the hours associated with the delivery of e-learning courses to alleviate the additional stresses and workload on lecturers engaging in this mode of delivery, which is well in excess of traditional face to face teaching. The delivery of e-learning on courses in the IT Sector may include work ranging from the design of content to the delivery of online lectures and tutorials as well as the correction of online assessments and dealing with online discussion boards and emails.

The Executive Committee adopted the proposal developed by the E-learning Working Group established by the Colleges Advisory Council. The TUI, in conjunction with the unions affiliated to the British and Irish Group of Teachers' Unions, is developing a coherent common policy platform on this issue.

29 Cork Colleges (x2)/IT Carlow

Congress instructs the Executive to demand the removal of the flex hours arrangements for academic lecturing staff.

The flex-hours are part of the terms expressed in the Public Service Agreement 2010 and the Haddington Road Agreement (which expires July 2016). As recommended by the Executive Committee, members voted not to accept the Lansdowne Road Agreement which sought to extend the flex- hours up to 2018. Lecturer dissatisfaction with flex-hours, the associated pressures and the resulting damage to the quality of service to students are regularly outlined by the Union in the media – see 'TUI in the media' section of this report.

42 IT Carlow

Congress instructs the Executive, as a matter of urgency, to provide legal clarification and guidance to members, based on relevant core examples, of the phrase 'in the course of employment', particularly in relation to ownership of intellectual property in 3rd level institutions. 'In the course of employment' is a legal phrase to be found in all lecturer employment contracts and is at the core of the issue of who owns and benefits from intellectual property created by lecturers during the course of normal undergraduate teaching and supervision work. It should be noted that different situations pertain in different institutions depending on local management interpretation. IP created during the course of funded research work is a separate issue and is subject to case-by-case agreements.

This remains a matter of concern and has been on the agenda of the Colleges Advisory Council. Branches were requested to consider the issue and bring forward proposals for consideration. The TUI is also searching out best practice internationally, through its affiliation to the EI/ETUCE.

58 Dublin Colleges

Congress directs the Executive and the TUI officials to strive to ensure that any merger of IoTs will not diminish the existing conditions of service of members and to ensure that any changes in the existing conditions can only be finalised by means of a ballot of members in the 3rd level sector.

The Executive Committee approved sanction for industrial action in cases where branches balloted members. At the time of writing, a significant proportion of Third Level members is engaged in formal industrial action in opposition to forced mergers. The TUI has campaigned throughout the year against inclusion in proposed Technological

Universities legislation of a requirement to merge before application for TU status. Whenever possible, this position was put forward in the media.

45 Dundalk IT

On the basis of the reply from the Labour Court with regard to LCR 18366, Congress instructs the Executive to pursue all outstanding claims of members who have not had their claims processed as a consequence of the failure to implement LCR 18366. Congress further instructs the Executive that should the official side continue to fail to implement LCR 18366 in full, the union is to ballot third level members to take industrial action, up to and including strike action, in response.

This matter has been raised at the IoT IR Forum, the Labour Relations Commission and the Labour Court. Branches were requested to supply a full and final list of cases. The Official Side has undertaken to consider outstanding cases once the union side produces a definitive list. The Union is in the process of finalising that list. The Union also lodged a further claim at the IoT IR Forum in respect of this issue.

39 IT Carlow

Congress demands that the Executive takes every step necessary to try to prevent the casualisation agenda by the government (under the guise of 'merger talks' and the misnomer of 'TU-process'). It demands that all efforts by the government side to introduce any such schemes, if they bear a negative impact on members' pay, pensions and/or conditions of service, be met by a ballot for industrial action up to and including strike action.

The Union raised the issue of casualisation under the Haddington Road Agreement and secured the establishment of two experts groups. One reported in 2014 (Ward



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Report) and the other has yet to report (The Cush Report). The Union has made strong representation to the Department of Education and Skills on the failure to have a report issued for Third level. The union also secured a conversion mechanism for HPALs and the processing of cases has commenced. More generally, the union has prioritised the matter of casualisation in its campaign and media contributions. TUI also contributed to the UL study on the prevalence of zero hours contracts that was commissioned by the DJEI.

27 IT Tallaght/Cork Colleges

Congress instructs the Executive to demand that any negotiations, with respect to flexibility in work practices for academic staff in the IoT sector, are based squarely on the existing nationally agreed contract of employment.

This is the policy of the Union and is operated in negotiation

forums. The Union's position is that the teaching/lecturing requirements are excessive and out of line with domestic and international comparators.

25 IT Tallaght (Amended by IT Carlow)

Congress instructs the Executive, in any negotiations on regional clusters and technological university, to protect the integrity of the local third level provision and maintain the social/civic context for which the Institutes of Technology (IoTs) were established and to ballot its members for industrial action up to and including strike action if the government side were to attempt any 'forced amalgamations' against the wishes of any of the involved branches.

A national ballot is planned regarding mergers. The Executive Committee has given sanction for industrial action in affected branches following local ballots. A large proportion of

members in the Third Level sector continues to engage in formal industrial action. The Union has raised the matter in numerous fora, including the IoT IR Forum.

31 Cork Colleges (Amended by Executive Committee)

Congress instructs the Executive to ballot third level members, before the commencement of academic year 2015-2016, on a refusal to deliver classes outside of teaching periods of established academic calendars.

The Union balloted members on this matter and a directive is to issue.

40 IT Carlow (Amended by IT Carlow/IT Blanchardstown)

Congress maintains that teaching at third level is only carried by qualified lecturing staff and that unqualified research students should engage only in the delivery of tutorials. Where institutes use unqualified research students to deliver mainstream lecturing hours,

Congress holds that any such practices should be met by a ballot for industrial action up to and including strike action.

This matter was raised at the IoT IR Forum. Branches were requested to supply information. In cases where a branch becomes aware of this practice, a collective grievance should be lodged in the first instance.

41 IT Carlow

Congress notes that the remit of heads of department at third level does not include the assessment of lecturers in the classroom and that in cases where HoDs sit in on classes in order to assess the lecturer, the TUI will respond with a ballot for industrial action up to and including strike action.

It is the established position of the TUI that lecturers are not required to facilitate managers to assess classroom work. In cases where this issue arises the branch should lodge immediately a collective grievance.

26 IT Tallaght

Congress instructs the Executive to negotiate fair operation of sabbatical leave for academic staff in the IoT sector.

This matter was raised at the IoT IR Forum.

28 Cork Colleges

At the moment, Circular Letter No. IT 3/02 on 'Job-Sharing Scheme for Academic Staff' in the IoT sector only allows for job-sharing 'at the same level and in the same subject area on a 50:50 basis'. Congress instructs the Executive to campaign for more flexible options (e.g. 75:25, 25:75, etc.) being made available to academic staff who wish to work reduced hours.

This matter was raised at the IoT IR Forum. The Union has for many years, at the relevant fora, been seeking a 'work-sharing' scheme, i.e. a range of flexible options. To

date, this has not been agreed by the Official Side.

34 Cork Colleges

Congress instructs the Executive to demand that no member performs any flex hours outside the terms of the TUI Circulars regarding flex hours.

Clarification on this matter was issued to the branches.

35 Cork Colleges

Congress instructs the Executive to perform a comparative study on the workload, including the actual class contact hours, of lecturers in third level institutions in other EU countries to compare with lecturers in the IoTs.

A comparative study was undertaken with Education International and IFUT and the results were published in 2015. TUI also uses the facilities/fora available through EI/ETUCE to ensure that comparative data is updated.

C. Conditions of Service - General

59 IT Tallaght/Executive Committee/Cork Colleges/Co Meath

Congress instructs the Executive to negotiate, at national level, to demand that only nationally agreed contracts be issued for employment grades represented by TUI. Where contracts at variance with nationally agreed contracts are issued, or where an employer's cover letter attempts to vary the terms of a nationally agreed contract, Congress instructs the Executive that local industrial action followed by national industrial action is the appropriate response if, following representations by the local branch, the employer in question refuses to revert to the nationally agreed contract.

This matter was raised at the respective national forums. Any specific cases that were brought to the attention of

the Union were addressed. TUI ensured that the nationally agreed teachers' contract was reissued as an Appendix to Circular Letter 24/2015.

64 Waterford City (Amended by IADT Dun Laoghaire)

Congress resolves that the TUI will resist with all available resources any move to employ interns, the use of private companies or any other workers assigned unpaid or underpaid work appropriate to categories of workers represented by TUI.

In several ETB's and schools the Job Bridge programme has been monitored and our members have insisted that it complies with TUI policy. The Union also raised the issue at the Teachers' Conciliation Council (covered elsewhere in this Annual Report).

D. Posts of Responsibility

72 Co Laois/Co Limerick/Co Galway/Conamara/Co Cork/Co Offaly/Cork City

Congress instructs the Executive to negotiate with the DES the lifting of the moratorium on posts of responsibility and increase the number of promotional posts in schools.

This matter was raised in the LRA discussions and was addressed directly in meetings with the Minister. The teacher unions (staff side) have recurrently addressed the issue at the TCC. TUI also indicated the urgency of addressing the matter in its pre-Budget submission and in its ongoing campaign regarding funding, staffing and workload. As indicated above (Motion 6) a working group is preparing a comprehensive approach in relation to posts and (as far as possible) is seeking to co-ordinate the Union's efforts with those of the ASTI. The continuing, damaging effects of the moratorium on the

supports available to students were outlined in the media.

74 Executive Committee

Congress authorises the Executive to demand, as a matter of urgency, a complete lifting of the moratorium on the filling of Posts of Responsibility. Furthermore, Congress instructs the Executive to negotiate for the Further Education sector:

- a suite of posts appropriate to the organisational, management, administrative, and technical needs of the sector
- a return to the specific ratio that previously determined Whole-time Teacher Equivalent in the Further Education Sector and provided an enhanced post of responsibility entitlement for the sector.

See Motion 72 above.

81 Co. Louth (x2)

Congress notes the erosion of the career structure in teaching. There has been a huge increase in workload in our schools with a huge reduction in the number of PORs. There seems to be a general acceptance in many quarters that the special duties posts are gone. Congress is aware of the JMB/ACCS document, "A proposal for management structures for post primary schools" The proposal if adopted will see the school being granted a sum of money based on size to fund posts. Boards of Management will decide on both the total range of roles to be assigned in a school and the tier at which each role is to be awarded. This system cannot be let prevail and become the norm. Congress instructs the Executive to ballot members for industrial action up to and including strike action for the reinstating of Posts of Responsibility in schools to the Pre 2009 moratorium level.

TUI has, at the Teachers' Conciliation Council, stated clearly that a moratorium has the effect of freezing rather than abolishing posts. The TUI has pursued the matter of restoring posts. The TUI and

ASTI jointly (in 2014) wrote to the Minister to state that providing devolved budgets to schools in respect of posts of responsibility would be unacceptable. The campaign underway at the end of 2015 included a focus on restoration of middle management structures.

71 Tipperary NR

The Department of Education and Skills is complicit in dismantling the post /promotion structure on which the organisation of schools is dependent. It was also the means of promotion for teachers allowing schools to be organised and provide a better educational service for their students. The moratorium on Posts of Responsibility has had serious implications for schools. The services they provide have been stretched to the limit, which also means the workload on existing post holders is increasing while they are still trying to maintain a reasonable service. This Congress agrees that this 'madness' has gone on long enough and requests that the Executive Committee ascertains from the Department of Education and Skills how it intends to support schools in the future in order to provide for a realistic education service.

See Motion 81 above.

75 Co Mayo

Congress condemns the continued failure by the Department of Education and Skills to alleviate the moratorium on posts of responsibility. Congress is extremely concerned and disappointed that management bodies are seeking to replace current middle management structures with a foreign system, from the Antipodes which is alien to the existing system. Congress insists that any reconfiguration of middle management structures be carried out through negotiation and agreement with the teacher trade unions. Congress refuses to be distracted by this side show and calls for an escalation of action and reaction by the TUI to the current crises in schools and that a campaign based on industrial action

and media commentary be initiated.

See Motion 81 above.

79 Co Cork/Waterford City (Amended by Waterford City)

Congress notes that the appointment of a Special Duties post holder to a post of Assistant Principal will result in the loss of four hours teaching and of a Special Duties post to the school of the successful appointee, and the incentive that this provides to management to appoint an unpromoted teacher. Congress instructs the Executive Committee to oppose with vigour the inequality of opportunity which this situation creates for members, and instructs the Executive to negotiate with the DES that where a Special Duties post holder is awarded an Assistant Principal post that the DES then proceeds to fill the vacated Special Duties post. Failure to do so may, in some cases, leave the Special Duties post holder open to discrimination and overlooked in promotional opportunities, in favour of a non-post holder.

The TUI has sought the restoration of posts to the level that applied before imposition of the moratorium as the best means of addressing the issue.

78 Co Cork (Amended by Co. Cork)

Congress notes the continuing dismantling of middle management structures in schools and centres. In light of the ongoing decommissioning of Special Duties or B posts and the restrictions on the allocations of Assistant Principal posts, Congress instructs the TUI to initiate negotiation with the DES to revise the current system and develop a fit for purpose middle management framework for all schools and centres which works for the whole school community. The job of administering the everyday business of schools and centres has been made difficult and impossible in some cases. Furthermore, the implications for those TUI members who observe

the POR Directive can be serious when interviewing for Assistant Principal posts in competition with TUI members who breach the POR Directive and other affiliated and non-affiliated staff members who have no requirement to observe the Directive. At the very least, TUI should negotiate an increase in the alleviation threshold and a widening of the base of Assistant Principal posts to allow for more effective management structures in schools and centres e.g. reduce the number of students required per Assistant Principal post and increase the number of duties eligible to qualify for an Assistant Principal Post.

See Motion 81 above.

E. Teaching Council

85 Tipperary NR/Dublin & Dún Laoghaire/Co Kerry

This Congress condemns outright any attempt by the Teaching Council to introduce conditions which require teachers to participate in mandatory CPD (up to 30 hours per year) as a condition of teachers' registration renewal. This Congress calls on the Executive Committee, to ensure that all out resistance will be deployed in the event of any such proposal.

During 2015, TUI met with the Teaching Council regarding the Cosán document on CPD. TUI also made a written submission to the Teaching Council on all aspects of its work, including Cosán. TUI representatives on the Teaching Council also addressed the matter. At all times, TUI made clear its absolute opposition to any move towards "mandatory" CPD or a "quantum of hours". TUI understands that neither is currently envisaged (though the CPD plans of the Teaching Council were not finalised at the time of writing of the Annual Report).

88 Executive Committee

Congress calls on the Executive to insist that in defining CPD, the Teaching Council takes cognisance of the CPD currently undertaken by teachers, both accredited and non-accredited. Such CPD requirements, if implemented, should not come at a cost to teachers (in terms of money and/or time) and any timeframe associated with completion must be realistic.

See Motion 85 above.

TUI repeatedly emphasised, and the Teaching Council acknowledged, that many teachers already engage in extensive CPD. TUI stated, at the meetings and in a written submission, its policy that CPD should take place in school time and at no cost to the teacher. Furthermore, the widest possible definition of CPD should be taken into account. The Teaching Council has assured TUI that it seeks to encourage CPD and does not wish to define the term narrowly.

93 Co Monaghan

Congress calls on the Executive to allow TUI officials to negotiate with the Teaching Council that a teacher should only have to complete a full registration process once. If a member of the TUI lets their membership of the Teaching Council lapse, they may re-join the Teaching Council following the Garda vetting process only.

The Union, through its representations on the Council and in discussion with officials of the Teaching Council has addressed a wide-range of issues related to registration. The requirement for annual renewal of registration is set out in the Act and amending legislation would be required to alter it.

94 Dublin City (Amended by Dublin City (x2))

The 2006 priorities of the Teaching Council placed the promotion of teaching as a profession as its first priority. All recent documentation

by the Teaching Council has reversed the priority of the Teaching Council where now the first priority is the 'regulation of the Teaching Profession (Code of Conduct 2012 Document). Congress instructs the Executive to take steps to redress this matter. Congress calls on the Executive to demand that the Teaching Council explains how they intend to ensure that Part 5 of the Teaching Council Act cannot be used by school management/parents of students in a vindictive manner against teachers. Congress calls on the Executive to demand that the Teaching Council clarifies the types of cases that are likely to be considered under Part 5 of the Teaching Council Act.

The TUI and our sister teacher unions have had a series of engagements with the Teaching Council in relation to Part 5. These have concerned the levels of seriousness that should apply, the implications of the Corbally Judgment, the need to exhaust local procedures (Sn 28 of the Education Act) and/or procedures under Sn 24 of the Education Act, before a matter would be addressed through Part 5.

F. Junior Certificate

97 Galway City/Co Limerick

Congress instructs the Executive to continue to demand that the setting, supervising and correcting of exams, projects and portfolios for the new JCSA will not form part of a teacher's contract.

This was achieved with the negotiated agreement and appendix that was accepted in a ballot by the members of TUI in September 2015.

101 Executive Committee

Congress notes the effectiveness of the joint TUI/ASTI campaign in relation to the Junior Cycle and, in particular, the overwhelming support of members for and their participation in the on-going industrial action, including strike action. Congress also notes and re-



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affirms the clear mandate for continuation of the industrial action until a satisfactory outcome is achieved in terms of external assessment, state certification and capacity at school and individual level.

During 2015, TUI, in partnership with ASTI, continued to engage in industrial action in pursuit of its aim that assessment for certification in the revised Junior Cycle would be carried out by the State Examinations Commission and that any changes in the Junior Cycle programme would be adequately resourced, particularly in terms of time. The directive requiring members not to engage in training, short courses etc. in relation to the revised Junior Cycle had a significant impact in preventing the imposition of changes. An extensive media campaign was also carried out. A one day strike took place on January 22nd

and a lunchtime protest took place on May 7th. Purposeful negotiations were secured that gave rise to a negotiated agreement which was accepted by members in a ballot.

98 Galway City

Congress instructs the Executive to continue its refusal to cooperate fully with the Junior Certificate reform until external state assessment has been agreed. Congress further instructs the Executive to demand from the Department of Education and Skills a schedule of essential training, resources and time allowance before any agreement to cooperate is made.

See Motions 97 and 101 above.

100 Co Galway

Congress instructs the Executive to formulate and publish, by 14th May 2015, comprehensive instructions to members who are facing into the implementation of Year Two of the

new Junior Cycle English specification.

Before and since acceptance by members of the negotiated agreement, TUI engaged with, and on behalf of teachers of English, to ensure that their concerns were addressed in the text of the agreement, in terms of appropriate consultation and in regard to CPD needs.

105 Dublin City

Congress calls on the National Executive to convey vigorously to all members of TUI, whether they are engaged at FE or Third Level, the importance of solidarity on the issue of the assessment process for Junior Certificate. While members at Third level and in Further Education grade their own students' work, it must be recognised that this work is done in a different context to teachers in second-level schools. Members of TUI should stand in solidarity with their colleagues in second level schools who have voted overwhelmingly in



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favour of industrial action and the current union position on Junior Cycle reform.

A key aspect of the Junior Cycle campaign was the solidarity across all sectors represented by the TUI. The key aim of assessment for certification being carried out by the State Examinations Commission was secured, as were the resources (especially time) required to support implementation of the revised Junior Cycle.

G. Organisation

There were no motions carried in this section.

H. Adult Education

167 Dublin City/Co Mayo/Dublin City

Congress instructs the National Executive to seek that this union vigorously challenges any future attempt to introduce “tutor”

positions when the work is clearly comparable to “mainstream” teaching. TUI must stand firm against the current onslaught on the awarding of proper terms and conditions in the profession, already evidenced in the treatment of new entrants and in the ongoing victimisation of teaching staff, as in the case of TUI members in the Adult Refugee Programme, through the application of specious arguments such as funding and the future viability of a programme by the DES.

The TUI progressed a number of cases under the Protection of Employees (Part-time Work) Act, 2001 and the Protection of Employees (Fixed-Term Work) Act, 2003 for ‘tutors’ working on the Back to Education Initiative. The Union contends that such ‘tutors’ are appropriately qualified to be teachers and are undertaking work directly comparable to teachers. The outcome of the cases, heard

by the Workplace Relations Commission, is not known at the time of writing.

166 Co Donegal

Congress demands that as a matter of priority, all vacant Adult Education Officer (AEO) posts be filled on a permanent basis immediately. In ETBs where a number of former VECs aggregated, the number of AEOs should reflect at least the cumulative total of the former VECs prior to the implementation of the government moratorium.

This issue was the subject of discussion through the year. A number of posts were filled under a Department programme for the filling of critical vacancies. The TUI continues to engage, along with other unions in the sector, on the emerging organisational design. At the time of writing, preparations for advertising posts at Education Officer level are

underway. The TUI has insisted that the next tier of the design should include the AEO grade.

168 Dublin City

Congress instructs the National Executive to conduct an investigation through the branches of existing “tutor” positions to establish if these positions are, in effect, teaching positions and whether members of TUI are being denied proper contractual entitlements.

The TUI has consistently argued that existing ‘tutor’ positions are entirely unsatisfactory. The grade is a specious construct of a number of ETBs to engage persons to deliver Educational Programs (usually to Adults) on contracts and to pay them far lower rates than similarly qualified colleagues working on other programmes. As such, the TUI continues to seek the abolition of the so-called ‘tutor’ grade in favour of existing grades (ie Resource Person or Teacher). See also Motion 167.

I. Further Education

174 Executive Committee

Congress demands that, following the aggregation and integration of the former VEC structures with FAS, the present conditions of service pertaining to Further Education and Training staff should be retained and under no circumstances should duties or roles be changed except through the normal process of adapting duties and roles by a negotiated agreement between the employer and the union representing the grade.

The TUI has sought through the past year to protect the interests and the pay and conditions of members. Particular areas of focus were AEO and EO positions.

181 Dublin & Dún Laoghaire

Congress calls on the Executive to

ensure that any attempts by private providers to deliver courses previously offered by TUI members in the FE sector are strenuously resisted. Furthermore, priority must be given to TUI members before any new courses are offered, on a private basis, in our centres. Congress instructs the Executive to immediately ballot for industrial action if TUI members are displaced in such a process.

In meetings with SOLAS, ETBI and the Project Management Office established by the DES, the TUI has consistently argued for the retention of the quality hallmark that characterises ETB-provided Further and Adult Education, delivered by teachers. TUI has, with other unions, opposed TTIP which would weaken regulatory systems and facilitate privatisation.

172 Galway City

Congress instructs the Executive to vigorously pursue equal pay and conditions for qualified teachers (under Memo V7 and Circular 32/92) who are locked into resource contracts but are teaching the same courses to the same students as Youthreach teachers throughout the country.

It is TUI policy, and has always been TUI policy, that the Youthreach grades should be benchmarked against grades employed in Post-Primary settings i.e. teachers with relevant allowances for undertaking extra responsibility. This continues to be TUI policy.

175 Waterford City

Congress calls on the Department of Education and Skills to recognise Further Education as the provider of quality education for levels 1-6, and to cease the widespread duplication of private provision now funded by the Department which undermines teaching jobs and quality of provision.

See Motion 181 above.

177 Cork City/Dublin & Dún Laoghaire (Amended by Dublin City)

Congress notes with deep concern, the continued failure by the Minister for Education and Skills to allow TUI representation on the board of SOLAS. Congress directs the Executive to demand that all stakeholders be represented on the board and Congress deplores this lack of partnership by the minister. Congress further instructs the Executive to develop and implement a strategy to bring about this representation. Congress calls on the Executive to demand immediate TUI representation on the Board of SOLAS.

The TUI directly with the Minister and through officials of the DES and SOLAS has sought representation. The Union also raised the matter in discussion with the education spokespersons of political parties. The Union has strenuously objected to the policy of ‘laicisation’ of boards and governing bodies.

J. Education Cuts

183 Tipperary NR/Co Laois/Co Galway/Donegal C&C/Conamara/Executive Committee/Limerick City/Co Offaly/Dublin & Dún Laoghaire

The changes in the manner in which the allocation of Guidance is required to be provided within quota, as proposed in budget 2011, has proven, as predicted, to be a retrograde step and has hindered all attempts to provide a meaningful Guidance and Counselling service in our schools. This Congress calls on the Executive Committee to meet with the DES as a matter of urgency and negotiate the reversal of this decision so that the Guidance and Counselling provision can be staffed in an ex-quota manner in our schools.

TUI continued to press the DES to reverse the cut to ex-quota guidance services. Pressure was applied through

direct meetings and media commentary. The campaign was carried out in partnership with other educational stakeholders, especially the Institute of Guidance Counsellors (IGC) and TUI met with IGC as necessary. Some progress was achieved when a partial alleviation (by way of increased allocation) was provided for in Budget 2016. TUI continues to push for full restoration of ex-quota guidance counselling.

187 Dublin City

Congress notes that the School Completion Programme provides excellent services to children at risk. A recent assessment of the programme has shown that it has increased school attendance, in many cases to 95 percent, among children who come from economically and socially disadvantaged families. Congress calls on the National Executive to seek a reversal of the overall national 33 percent cut to the School Completion Programme.

TUI sought, and continues to seek, a reversal of cuts to the School Completion programme. The issue featured in the union's pre-Budget 2016 submission.

K. Teacher Unity

188 Executive Committee

Congress notes and welcomes the close cooperation between TUI and ASTI in campaigning to protect educational standards with regard to the Junior Cycle and notes that Motion 193 carried at TUI Congress 2014 makes it TUI policy to seek unity between the two unions.

The TUI has consistently sought to enhance the close co-operation between the unions and, to the greatest extent possible, has pursued a common agenda on matters such as the Junior Cycle, implementation of the Ward Report recommendations, Posts of Responsibility and the LRA.

189 Dundalk IT (Amended by Dundalk IT/IT Tallaght)

Congress instructs the Executive to engage in talks with IFUT for the purpose of engaging in closer cooperation between both unions and for the eventual purpose of unity between both unions to strengthen TUI and IFUT capacity in the general Third level sector. These talks should complement any unity talks taking place with ASTI.

Meetings of the four teacher unions (TUI, IFUT, ASTI and INTO) take place on a regular, scheduled basis. TUI and IFUT co-operated closely in jointly preparing the Country Report on 'Creating a Supportive Working Environment for Academics in Higher Education'. TUI and IFUT also convened a joint conference on Higher Education.

L. Pay

191 IT Tallaght/Executive Committee (Amended by Dublin Colleges)

Congress instructs the Executive that:

1. Equal pay for equal work remains a fundamental principle of the union;
2. It is TUI policy that pay discrimination against members appointed from January 2011 and from February 2012 must end;
3. All pay claims lodged must include the TUI demand for an end to this discrimination;
4. If any successor to the Haddington Road Agreement does not fully address this matter to the members' satisfaction, then the option of industrial action, including strike action, must be taken.

By operation of the HRA there was a substantial, if not full, alignment of the pre-2011 and 2011 scales and there was some enhancement of the 2012 scale for teachers. However, the inequality created by the abolition of the (pensionable) qualification allowances

remains. This unacceptable inequality which discriminates against those whose first teaching appointment occurred from the end of February 2012 has been identified by the TUI as the major focal point of the ongoing campaign regarding matters that were not addressed by the LRA.

204 Cork City

Congress instructs that any future negotiations on pay restoration should not be linked to discussions on conditions of service or productivity.

This is the policy that informed the TUI's approach to the LRA discussions.

195 Co Donegal

In conjunction with other public service unions, TUI shall make removal of the pension levy (PRD - pension related deduction) one of its top priorities. All other cutbacks in pay are time limited or apply to all workers. The pension levy (PRD - pension related deduction) is an extra charge that applies exclusively to the public service and is totally unjustified, given that all other pay cuts, tax increases and new levies also apply to public servants.

The TUI acted in accordance with this priority in the LRA discussions. Under the FEMPI 2015 Act, the PRD (Pension Related Deduction) will be reduced in January and again in September 2016.

192 IT Tallaght/Co Clare/Conamara/Co Mayo/Limerick City

Congress instructs the Executive to campaign for the abolition of the Universal Social Charge and to form alliances where possible with other unions to this end.

The priority set by and for the TUI in relation to the LRA discussions was removal of the PRD.

M. Pensions

212 Co Limerick (Amended by Dublin Colleges)

Congress instructs the TUI Executive to seek that all teachers' pensions be restored to pre-2004 levels and in particular seeks the restoration of the cuts to pensions in payment under FEMPI legislation.

Arising from changes decided by Government, following discussions with the Alliance of Retired Public Servants, the majority of retired public servants will have the Public Service Pension Reduction (PSPR) levy removed and restoration of their pension by 2018. However, there are exceptions and the TUI, in partnership with the RMA, will work to have the current anomaly addressed. Restoration at present is not to 2004 levels and this agenda is being pursued.

N. Equality

218 IT Tallaght (Amended by Co. Wexford)

Congress instructs the Executive to campaign for legislative equality with regard to maternity and paternity leave. Success in such a campaign would lead to a culture shift which would be highly beneficial in promoting gender equality in all aspects of employment and in balancing family life for Irish citizens. Furthermore, Congress instructs the Executive to campaign for legislative equality with regard to the rights and entitlements of single fathers and to pursue an equality case if advised to do so.

Paternity leave is to be introduced from next September.

221 Co Offaly/Shannon

Congress instructs the Executive to consult with the Equality Authority regarding the practice of penalising female teachers in relation to maternity related sickness. Following this consultation and

acting on advice given the Executive is further instructed to pursue an equality case on this issue if advised to do so.

This matter was raised at the TCC and at the IoT IR Forum. There were also negotiations with DES and DPER by the teacher unions. A new circular letter issued – CL 53/2015.

219 Dundalk IT/Cork Colleges

Congress instructs the Executive to research the gender inequality amongst senior academic grades in the IoTs and to put in place strategies to address this imbalance where it exists.

Dr Joe MacDonagh, ITT, is currently conducting this research, assisted by the TUI. Results will be available early in 2016.

O. Casualisation/Part Time/Fixed Term

232 Executive Committee/Co Sligo/Dublin & Dún Laoghaire (Amended by IT Tallaght)

Congress welcomes the publication of the Ward Report and, in particular, the provision of job security to temporary/part-time teachers after 2 years. This report signals a significant step to address casualisation of the profession. However, TUI must now seek to make it mandatory that our members on less than full hours are offered all hours that become available in the school/scheme and in the colleges which they are deemed qualified to teach, prior to the advertising of such hours/positions. Priority must be given to those who hold a CID for less than full hours. Congress instructs the Executive to demand these provisions in continuing the campaign against the insidious proliferation of casualised jobs.

TUI forwarded submissions (on behalf of members) to the Expert group. This matter was pursued at the TCC and IoT IR Forum. Individual cases that arose were dealt with at local

level. The Union has given significant focus to this issue in the media throughout the year, raising public awareness of the income poverty suffered by many teachers and lecturers as a consequence of being on part-time hours rather than in full-time jobs.

231 IT Tralee/Cork Colleges (Amended by IADT Dun Laoghaire)

Congress instructs the Executive to take action to halt the casualisation of academic staff and the use of private companies in the provision of lecturing hours. In the last five years there has been a significant increase in the ratio of part time to full time staff.

- CID contract holders and other temporary lecturers are not being presented with the opportunities to improve their contracts.
- In many instances these staff are not getting enough teaching hours to support themselves and their families and are becoming part of what is now known as the working poor.
- There is increased casualisation through the use of inadequately supervised or inexperienced post grads and private companies for the delivery of teaching. This is taking teaching hours away from professional lecturers.

Casualisation has resulted in an increase in the workload for permanent whole time staff because of the turnover of temporary workers in the system.

At Third Level, the Union demanded finalisation of the report of the Expert Group and pressed for implementation of the conversion process for HPALs. This issue was highlighted by TUI in the media throughout the year. It also forms a central part of the Union's ongoing campaign in respect of funding and staffing.

P. Education and Training Boards

239 Galway City

Congress instructs the Executive to work with ETBs to ensure that all TUI members are given the opportunity to obtain a full 22 hour contract. When hours become available in an ETB, should a member have the required qualifications, these hours should be offered, with due accommodation made if the hours are between centres, to a member who is not on full hours.

Following issue of CL 24/2015, the Union successfully pursued cases for award of enhanced or full-time contracts based on assignment to more than one school/centre. The DES confirmed that a teacher employed by an ETB may have a CID entitlement vindicated across the schools/centres within that employment.

244 Co. Longford

Congress instructs the Executive to demand that all registered teachers, employed in a teaching capacity, in Education and Training Boards are paid not as tutors but as teachers with commensurate conditions of service.

This matter is the subject of an ongoing negotiation with the DES. A process whereby 'tutor' contracts are converted to Teaching or Resource contract has commenced. A Chairman's note that accompanied the LRA proposals, provided for further engagement on issues raised by TUI. The TUI has consistently argued that existing 'tutor' positions are entirely unsatisfactory. The grade is a specious construct of a number of ETBs to engage persons to deliver Educational Programs (usually to Adults) on contracts and to pay them far lower rates than similarly qualified colleagues working on other

programmes. Therefore, the TUI continues to seek the abolition of the so-called 'tutor' grade in favour of existing grades (ie Resource Person or Teacher). The TUI is keenly aware of the situation of members of the Union whose qualifications are not recognised as meeting the requirements for registration with the Teaching Council. Therefore, the Union must also seek methods of improving the conditions of service of those members. See also Motions 167 and 168.

241 Co. Galway

Congress instructs the Executive to meet with the ETBI and demand that all CEs meet with each local Branch Officer board at least three times during the academic year. If such an undertaking is not given, Congress instructs the Executive to take all steps necessary to bring about regular engagement by CEs with local branches. Should such efforts be unsuccessful by 31 October 2015, Congress instructs the Executive to ballot members on industrial action.

Significant progress has been made and the union has engaged with CEs that had not previously met with branches and understands the issue to be resolved in all 16 Education and Training Boards.

Q. Education

263 Dublin & Dún Laoghaire

Congress instructs the Executive to issue a directive to all members prohibiting participation in peer evaluation following a ballot of the appropriate members.

The TUI stated its opposition to any use of or imposition of peer evaluation at meetings with the Teaching Council (in the context induction and probation) and/or with the DES in the context of inspections and school self-evaluation. Recognising the specific concern of the proposing branch the

Executive Committee approved a local ballot for Dublin & Dún Laoghaire branch.

259 Executive Committee (Amended by Dundalk IT)

Congress calls on the Executive to campaign against any attempt to remove national QQI certification. In common with the concerns over Junior Cycle reform, the union must not tolerate any reform that would devalue the standing of a national certification. It is wholly unacceptable that course providers, with the exception of the Third Level Sector, would award their own, local certification.

In December 2015, QQI issued proposals on revised "Quality Assurance Guidelines" and "Validation Policy and Criteria". Those proposals were being considered by the TUI at time of writing.

257 Executive Committee

Congress calls on the Executive to oppose vigorously any proposals to further increase the workload of members as a result of the development of new QQI quality assurance policies and procedures. TUI is the primary union representing members in further education and training in Ireland. Therefore, our members are vital to the implementation of Quality Assurance. Consequently, Congress insists that the Executive seek a formal consultation forum with QQI and ETBI.

See Motion 259 above.

258 Executive Committee

Congress instructs the Executive to conduct an independent study into the effects of student disruption in our schools/colleges/centres on both the education of our students and the health and welfare of our members.

A survey was carried out in September and October 2015. Two hundred and fifteen responses were received. The results will be issued in the run-up to Congress 2016.

R. Health & Safety

271 Dublin City

Congress instructs the Executive to seek that the welfare of members of this union who work in environments that are injurious to their health and safety is fully upheld and protected. Congress confirms that the utmost support at Head Office level will be given to members who come forward with complaints on health and safety issues relating to their working environment. Congress demands that culpability for indiscipline is not shifted onto individual teachers by a management which fails to discharge its responsibilities.

Cases that arose in this context were dealt with through the available procedures at local level in the first instance. The Union has also consistently sought the extension of provision/resources for dealing with/modifying challenging behaviour by students.

267 Executive Committee

Congress notes with concern an increase in bullying in the workplace and the fact that this behaviour frequently is not reported until matters have deteriorated to a point where real damage to interpersonal relationships has been done. Congress instructs the National Executive committee to demand from the DES a series of training courses for members of school and college management on all aspects of bullying. Congress further demands that all employers immediately put in place training to assist all in recognising early signs of bullying and systems to address this.

The ETBI/Unions Consultative Forum is responsible for the development and revision, as necessary, of the agreed Bullying Prevention Policy for staff working in ETBs. Over the course of 2015, the Forum undertook further developments of the Policy, including the retraining of Contact Persons available to

engage with staff as a first response to a staff member concerned that they s/he is being bullied. A leaflet was also issued setting out the role of the contact persons and their contact details in each ETB.

S. Rules

There were no motions carried in this section.

T. Youthreach

289 Co Clare

Congress notes that Youthreach Co-ordinators and Resource Persons are integral members of the teaching staff in Youthreach centres. As such, Congress instructs the Executive to demand that the Department of Education and Skills extends the two-year qualifying period for a CID to be brought in line with the Ward Report for all teaching staff, including Youthreach Co-ordinators and Resource Persons.

The issue was raised with the Department of Education and Skills. However, the DES has not yet extended the preferential qualification period to the grades of Youthreach Co-Ordinator or Resource Person. An IR Forum for non-teaching grades in the ETB sector was established in 2015. The matter will be pursued there.

290 Co Clare (Amended by Dublin City)

Congress instructs the Executive Committee to demand from the Department of Education and Skills the full recognition of the professional status as members of the teaching profession of Youthreach Co-ordinators and Resource Persons set out under Memo V7. Current attempts to remove the professional teaching status of Youthreach Co-ordinators and Resource Persons are not acceptable. Furthermore, it is essential that all current and future correspondence from the DES and ETBs in relation to Youthreach Co-

ordinators and Resource Persons accounts for their professional status as members of the teaching profession and allows them and the students they teach the dignity and respect they deserve. Congress calls on the National Executive to support the important role and structure of Youthreach in the development of FE. We note that this government has eroded this work by the reduction of student allowance and attempts to divide workers here. Congress recognises the important work of resource staff as teachers and the erosion of good will of teachers/part-time teachers because of the implementation of Croke Park and Haddington Road Agreements.

See Motion 172 and the Youthreach Report - Youthreach Consultative Conference

294 Galway City

Congress instructs the Executive to negotiate on behalf of Coordinators and Resource Persons who work 37 hours weekly (including teaching up to 21 hours) to include mid-terms in the clause “.with such short periods of closure as are permitted at Christmas and Easter” as per contract.

Such short closures as mentioned in the contracts of Youthreach Co-Ordinators and Youthreach Resource Persons are at the discretion of the CE of any given ETB. The TUI has engaged locally with the CE in a number of ETBs with varying degrees of success.

296 Galway City

Congress instructs the Executive to vigorously pursue the conversion of teaching hours of Youthreach resource persons (eligible for membership of the Teaching Council) to that of a teacher who teaches on the teachers' common basic scale. Equal pay for equal work.

See Motion 172 above.

297 Co Longford (Amended Co. Wexford)

Congress instructs the Executive to demand that all Youthreach programmes are accountable to one body only – namely the Department of Education & Skills - and will have no requirement to be accountable to SOLAS or any other agency outside the Department of Education & Skills. As per the 2007 Value for Money Review, the TUI should seek for Youthreach to be equated with Post-Primary and not Further Education.

The Youthreach Operator Guidelines issued in April 2015 set out that Youthreach was accountable to both the DES and SOLAS. In the last quarter of 2015, TUI balloted members in Youthreach to prevent imposition of unagreed Guidelines and to create an impetus for the DES to consult appropriately with the TUI on issues of concern contained within the Guidelines.

U. Occupational Health

313 Co Laois/Dublin City/Co Mayo

Congress condemns the practice where pregnancy-related sick leave is counted as part of the retrospection of sick leave prior to September 2014. Congress instructs the Executive to pursue an equality case in relation to this matter.

The matter was raised at the TCC and at the IoT IR Forum. A circular letter issued addressing this issue following discussion between the teacher unions, DPER and the DES.

318 Co Galway/Cork Colleges/Co Mayo/Co Cork

Any member who has to take sick leave as a result of an occupational injury acquired whilst carrying out their contracted duties should not have any such leave reckoned against their sick leave entitlements under the revised public sector sick leave scheme. Congress instructs the Executive to negotiate this

exception with the relevant bodies.

A claim was lodged at the TCC and a claim was also lodged at the IoT IR Forum.

310 Co Limerick (Amended by Dublin C&C)

Congress instructs that the TUI undertake a survey of members - present (and past where possible), who have had dealings with Medmark to ascertain their degree of satisfaction with Medmark and that as a result of the survey an agreed common policy be drawn up between TUI and ACCS with regard to referrals to Medmark.

An annual meeting is held with Medmark and the TUI raises issues of concern to members at this meeting. Data protection considerations make the organisation of such a survey highly problematic.

316 Co Galway

While the new sick leave policy is retrospective for four years starting September 1st 2014 the provision for Critical Illness leave is not retrospective. Under the current policy (01-09-14) Critical Illness is covered under a separate type of sick leave. This means that if you fall critically ill you may be covered under a separate leave that will not affect your regular sick leave entitlement. However, this Critical Sick leave is not retrospective. So if you were critically ill during the last four year period you may have used up all your sick leave with no provision being made for critical illness. Some members find themselves with no sick leave left at all for the coming three to four years. Congress instructs the Executive to enter into negotiations to address this anomaly. If one part of the new policy is retrospective, the entire policy should be retrospective.

This matter was raised at the TCC and at the IoT IR Forum. A circular letter issued in relation to the retrospective aspect of critical illness – CL 53/2015.

V. Examinations

327 Co Longford

Congress instructs the Executive to demand that the setting, supervising and correcting of the Junior and Leaving Certificate Examinations are not, and will not, form part of a teacher's contract.

As set out in Section F on Junior Certificate, a key outcome of the agreement on Junior Certificate was that the setting, supervising and correcting of material for certification purposes would continue to be a matter for the State Examinations Commission.

326 Co Laois

Congress instructs the Executive to negotiate with the relevant authorities, transparent procedures in the selection process for Examination Aide.

TUI met with the State Examinations Commission (SEC), during 2015. The SEC restated its position that the appointment of examination aides is devolved to the individual school.

W. Continuing Professional Development

329 Co Donegal/Co Meath

Congress notes the practice whereby CPD in some subject areas currently takes place at weekends. Congress deplores this unacceptable practice and directs the Executive Committee to begin immediate negotiations with the Department of Education and Skills to have this practice stopped. CPD should be undertaken during normal working hours and furthermore should be properly remunerated.

(It was clarified that the CPD referred to in this motion is Departmentally sponsored CPD)

In meetings and written submissions during 2015, TUI repeatedly insisted to the relevant agencies that training



GERRY QUINN, TUI PRESIDENT ADDRESSING CONGRESS 2015

should be provided within school time and at no cost to the teacher.

330 Co Mayo

Congress expresses the belief that all public servants should be treated equally with regard to the payment of travel and subsistence whether they be, T.D's, Ministers, Elected Representatives, or teachers. This should be applied fairly and equally despite the fact that it may lead to an increase or decrease in rates.

Revenue revised the rates approved in 2015 but this did not involve application of a single level of travel and subsistence.

331 Co Cork

Congress demands that equality of opportunity is afforded to all relevant teaching and resource staff when appropriate Continuous Professional Development (CPD) opportunities arise that are promoted and/or funded by the employer. ETBs should ensure that all relevant staff members are

properly notified when training courses or other such programmes become available and are internally advertised by e-mail, text, web, notification or letter. Congress instructs the Executive to negotiate with the DES to underpin this principle of equality in an appropriate or revised circular letter. The Executive should also demand that CPD that is employer promoted and/or funded should not be included as part of Assistant Principal interview criteria if the opportunity to avail of such programmes and courses is not offered to all relevant members of staff as the occasion for such training courses arises.

The Union has opposed the application of unfair or discriminatory criteria in regard to promotional positions.

328 Galway City

Congress instructs the Executive to demand from the DES that CPD is made available, and structured in a manner, to meet the ever changing

needs of the teachers in the FE sectors of the TUI.

The TUI engaged with both SOLAS and ETBI to devise a skills audit to identify appropriate CPD for teachers in the FET area. This results of the audit are currently being analysed with a view to informing the development of appropriate CPD for the sector.

X. Miscellaneous

336 Executive Committee/Dundalk IT (Amended by Dublin Colleges)

Congress notes that there is a significant threat to Ireland's high quality public education system if education is not excluded from the Transatlantic Trade and Investment Partnership (TTIP), the Comprehensive Trade and Economic Agreement (CETA) and the Trade in Services Agreement (TISA) negotiations. If education and other public

services that are intrinsic elements of the social contract are included in the TTIP, CETA and TISA, the capacity of the Irish government to frame public education policy across all education sectors and/or policy in relation to other critical public services, in a manner that best serves the public good, will be unacceptably limited.

Congress also regards Investor State Dispute Settlement (ISDS) mechanisms as an affront to democracy and trenchantly opposes their inclusion in the TTIP, CETA and TISA.

Congress therefore instructs the Executive Committee, in conjunction with other unions, as appropriate, to call on the Irish government to demand the exclusion of education and all public services from the TTIP, CETA and TISA negotiations and to demand that ISDS mechanisms not be provided for in the TTIP, CETA and TISA. Congress further instructs the Executive to engage, through Education International/ETUCE, in lobbying in respect of these and other matters of concern to which the TTIP, CETA and TISA discussions give rise.

The issues arising from TTIP, CETA and other such trade agreements were the subject of discussion at meetings of the four teacher unions, at meetings of the British and Irish Group of Teachers' Unions and at other relevant fora, national and international. TUI also highlighted the issue in the national media ahead of TUI's joint education conference with IFUT. Joint letters on the same issue with other teacher/lecturer unions were published in national media. There is a fuller report on TTIP in this Annual Report.

EMERGENCY MOTIONS CARRIED

EMERGENCY MOTION NO. 1
Dublin Colleges / IT Tallaght / IADT Dun Laoghaire / Dundalk IT / Waterford City / IT Carlow / Dublin City / Co. Wexford

That this Congress congratulates Mandate Trade Union in taking action to bring to an end the disgraceful conditions – including Zero-Hour Contracts – operated by Dunnes Stores.

In showing our solidarity with the Dunnes Stores workers, we call on our members to not pass pickets when placed on the Stores and this Congress calls on the Executive to donate at least €5,000 to Mandate Union to support this action.

A donation was made in June 2015. In a show of solidarity, representatives and officials of the TUI visited pickets placed by MANDATE on Dunnes Stores.

EMERGENCY MOTION NO. 2
Executive Committee / St. Angela's College / Co. Monaghan / Co. Cavan / Dublin City / Co. Limerick / Limerick City / Waterford City / Co. Cork / Co. Laois / Dublin Colleges / Athlone IT / Limerick Colleges / Donegal Colleges

Congress fully supports a YES vote in the Marriage Equality Referendum in the context of the TUI's commitment to equality for all.

TUI was involved in supporting this campaign in line with Union policy. The TUI position was communicated to members via TUI News and also on the website and in social media ahead of the referendum. A press statement also issued.

EMERGENCY MOTION NO. 4
Executive Committee / St. Angela's College / Co. Mayo / Dublin Colleges / Dundalk IT / Co. Wexford / Co. Carlow / Cork City Schools / Dublin & Dún Laoghaire / Co. Donegal / Co. Kilkenny / Athlone IT / Dublin City / Co. Laois / Donegal C&C / Donegal Colleges / Cork C&C /

Dublin C&C / Co. Westmeath / Co. Kildare / Limerick Colleges / Co. Offaly / IT Tallaght / Co. Leitrim / Co. Clare / IT Tralee / Tipperary SR / Co. Waterford / Co. Meath / IT Sligo / Co. Limerick / Shannon / Co. Wicklow / Co. Monaghan / Co. Cork / Cork Colleges / Galway-Mayo IT / Galway City / Co. Cavan / Co. Sligo / Co. Louth / IT Carlow / Limerick City / Co. Kerry / IADT Dun Laoghaire / Co. Galway

St. Angela's College, Sligo will be incorporated into NUI Galway before the end of 2015.

Staff at St. Angela's College have repeatedly requested that legitimate concerns with regard to contracts, terms and conditions of employment, be addressed through collective negotiations between unions and management of both institutions. This request was denied and an agreement was signed by management in St. Angela's College and NUIG.

As a result of this, staff were balloted for industrial action and are currently involved in an industrial dispute. Lecturers in St. Angela's College have been advised that NUIG will not recognise the TUI as the trade union representing them and have to date refused to engage in negotiations with the TUI.

Congress demands that the Executive utilises the necessary industrial relations tools to insist that management of NUIG and St. Angela's College meets with and negotiates with the TUI to ensure as far as possible that the terms and conditions of employment of lecturers in St. Angela's College are protected in the incorporation into NUIG and that they are represented in that process by their union, the TUI. It is important that a precedent is not set whereby unions in situations of incorporation/mergers are excluded from negotiations.

TUI met with the management of NUIG and St. Angela's College in April. There were protracted discussions through the year and, as necessary, industrial action. Contract discussions were at an advanced stage at the time of writing.



TUI PROFESSIONAL DEVELOPMENT PROGRAMME

PRE-RETIREMENT SEMINAR

DATE	VENUE
Monday, 18th April, 2016 9.00-16.30	Portlaoise Heritage Hotel, Portlaoise Co. Laois

Places are limited and will be allocated on a first-come first-served basis. Please ensure you complete this form in full and return to the address below. Alternatively, you may email the completed Application Form for the attention of Liz Daly/Carol Ryan to: reception@tui.ie

APPLICATION FORM	
Name	
School/College	Telephone Number
Email Address	

TUI, 73 Orwell Road, Rathgar, Dublin 6

Telephone: (01) 4922588 (Press 0) Fax: (01) 4922953

EMERGENCY MOTION NO. 5

Dublin C&C / Waterford City / Birr-Gallen / Boyne Area C&C / Cork C&C / Dublin & Dún Laoghaire / Co. Kerry / Co. Kildare / Dublin City

Congress instructs the Executive to send a message expressing our support and condolence to the Joseph-Koenig Gymnasium in Haltern-am-See, Germany.

This was done.

EMERGENCY MOTION NO. 7

Co. Monaghan / Co. Wexford / Co. Louth / Co. Meath / Waterford City / Co. Donegal / Dublin Colleges / Co. Limerick / Co. Cavan / Dublin & Dún Laoghaire / Galway City / Co. Roscommon / Co. Laois / Co. Offaly / Dublin C&C / Co. Mayo

Congress calls on the Executive and Officials to seek to have Section 44(3) of the 2013 Education and Training Board Act which states “the Chief Executive or a member of staff of an Education and Training Board, other than a member of staff appointed as a member of the Board under Section 30(1)(b), shall not be a member of a committee of that board”, deleted or amended in order to allow ETB staff to partake on committees of their ETB.

As this part of the 2013 ETB Act currently stands, no staff members of an ETB may serve on any of its boards with the exception of the two elected staff representatives.

This issue has not been resolved and is the subject of ongoing representations by the Union.

RESOLUTIONS REFERRED

7 Donegal C&C

Congress calls on the Executive to demand that the pupil/teacher ratio is not increased in the future, so that a safer teaching and learning environment is provided in our schools colleges and centres.

RESULT Referred

Budget 2016 included a clause reducing the pupil-teacher ratio from 19/1 to 18.7/1 with effect from September 2016.

9 Conamara

Congress instructs the Executive to negotiate with the DES, that the Croke Park hours be given more constructive use i.e. recognition for professional development outside of school hours to be nationally recognised.

RESULT Referred

The Union has pointed to the frequently inappropriate, bureaucratic use of the CPA hours and has, wherever possible and/or necessary, sought to address such use.

11 Co Mayo

Congress instructs the Executive to legally challenge a discrimination case against teachers applying for management positions, i.e. the requirement to have held an Assistant Principal or Special Duties position. This discriminates against teachers with shorter service by automatically disqualifying them as there has been a moratorium on posts of responsibilities since 27th March 2009, and teachers who have commenced work since then cannot meet that criteria.

RESULT Referred

This issue was raised at the TCC in the context of the call by the Unions for the moratorium to be lifted and for restoration of the post structure.

19 Co Monaghan

Congress calls on the Executive, as a matter of urgency and in line with the Croke Park Agreement, to allow TUI officials to negotiate for a voluntary transfer scheme for teachers on a national basis where a teacher who wishes to move from one part to another part of the country may do so without any break in service, without any change to their permanent or CID contract and without any loss of post of responsibility. This should take place before any compulsory transfers. This would give teachers similar rights to Civil Servants.

RESULT Referred

This was raised in the LRA discussions and at the TCC. The response of the official side focussed on the availability of a voluntary redeployment scheme. The Union pointed out that the scheme is very limited in terms of the applicable geography.

I Dublin C&C

Congress instructs the Executive to negotiate with the Department of Education and Skills so that the payment of RPT contracts commences on the start date of the standardised school year.

RESULT Referred

There has been no change in the current arrangements in this regard.

I 10 IT Tallaght/Dublin Colleges

Congress instructs the Executive that an editorial board, with the role of overseeing the content of TUI News (Special and General), be established at the first meeting of the Executive following this Congress and that the editorial board will operate as follows:

- The editorial board shall consist of the President, General Secretary, and not less than three other members of the Executive, none of whom is an officer of the union.
- The editorial board shall be chaired by the President, who shall have a casting vote in the

event of a tie.

- The General Secretary shall not have a vote.
- The quorum for a meeting of the editorial board shall be not less than four.

RESULT Referred

The President continues to be the editor of the TUI News.

196 Co Donegal(x2)

Congress directs the Executive Committee to prioritise any restoration of pay and conditions in the following order:

1. all members be put on the pre 1/1/11 pay scale and pensions arrangements
2. all members' pension entitlements be restored to pre 1/1/2004 terms.

This is an opportunity for our union to atone for the inequitable cuts levelled at our members.

RESULT Referred

The placement of all members on the pre-2011 scale (for the relevant grade) is the priority of the Union.

201 Executive Committee

Congress notes the consistent evidence of on-going recovery in the national economy and the disproportionate contribution of workers to that recovery throughout the years of the austerity agenda. Congress therefore instructs the Executive Committee to formulate a pay claim, in collaboration with other unions, based, in the first instance, on the:

- phasing out of the public service pension levy (PRD - pension related deduction) and the Universal Social Charge with a view to their eventual abolition
- establishment of income parity for those employed since January 2011 (and also, in the case of teachers, since February 2012) with their colleagues employed prior to 2011.

RESULT Referred

In the LRA discussions, the



TUI PRESIDENT AND MINISTER JAN O' SULLIVAN, CONGRESS 2015

PRD was prioritised. The TUI sought the restoration of pay parity by placement of all on the relevant pre-2011 scale.

304 Limerick City/Galway City

Congress instructs the Executive to demand that where Youthreach Co-ordinators and Resource Persons are appointed to teaching posts that their teaching service in Youthreach is fully recognised for incremental credit purposes and also that Youthreach service is fully recognised for the purposes of meeting the service threshold for eligibility to apply for principal and deputy principal posts.

RESULT Referred

The TUI is pursuing this issue through the forum described in Motion 289.

EMERGENCY MOTION NO. 6

Co. Cork / Cork City Schools / Co. Louth / Co. Limerick / Co. Sligo / Co. Kerry / Dublin City / Co. Kilkenny / Co. Carlow

Congress notes the Minister for Education and Skills recent decision to proceed unilaterally with Junior Cycle reform which TUI considers ill-judged, inimical to national standards and without the agreement of the membership of TUI or indeed ASTI.

Added to this is the continuing

moratorium on posts of responsibility, the elimination of career guidance and counselling and other cuts in education. This Congress instructs the Executive to recommend that members desist, from a specified date, and for a specified duration as deemed appropriate by the Executive Committee, from engaging in additional extra-curricular and co-curricular work in order to attract greater public attention to our fundamental opposition to the proposed Junior Cycle reform programme. This measure would work in parallel with other industrial action.

RESULT Referred

This motion "instructs the Executive to periodically recommend that Members desist, from a specified date and for a specified duration as deemed appropriate by the Executive Committee, from engaging in extra-curricular and co-curricular work in order to attract greater public attention to the plight of Post-Primary schools with inadequate in school management structures".

Having sought legal advice the position is that TUI cannot direct members to withdraw from such voluntary non-contractual work.

TUI in the media



TUI's **commitment to pay equalisation** was set out in an *Irish Times* feature on *March 1st*. 'It is the defining issue for us,' said John MacGabhann, the TUI's General Secretary. 'It puts the collegial nature of schools at risk; it is causing people to haemorrhage from the profession and a generation of graduates to think twice about studying.'

In an *Irish Times* feature entitled 'Where now for junior cycle reform?' on *February 22nd*, TUI Education & Research Officer David Duffy said that **teachers have always favoured 'positive reforms'** and have worked with stakeholders to bring them about. 'New courses, programmes and subjects come on stream all the time, but implementing them requires adequate resources.'

The TUI's **overwhelming mandate for industrial action over third level merger concerns** following a ballot of members was covered by *RTE* on *February 19th*.

'TUI president Gerry Quinn said the Technological Universities Bill, which would underpin moves to merge the institutes of technology and create technological universities, contains significant threats to the sector, including to the working conditions of academic staff. He said the union now had a strong mandate from members for industrial action to tackle this. The union has said the requirement that institutes merge in order to achieve university status is more related to cost-saving than academic considerations.'

TUI General Secretary John MacGabhann discussed **Junior Cycle reform** on *Today FM's* Anton Savage programme on *February 16th*.

Following contact from the Minister, the **decision taken by the Executive Committee on February 12th to call off second level/further education strike action scheduled for February 24th** was covered by all major media outlets.

On *February 5th*, union President Gerry Quinn was interviewed on *RTE's Six One News* following the **decision of the Executive Committee to**

take a day's strike action at second level and in the further and adult education sectors on February 24th. He explained that the plight of young teachers affected by differentiated pay scales and casualisation was central to the decision to take strike action.

There was significant coverage of the **third level strike** across national and regional media on *February 3rd*. On the national morning programmes, CIT lecturer Dr Tom O' Connor outlined the effects of cutbacks on service in Institutes on *RTE's Morning Ireland*. Meanwhile, Gerry Quinn explained why lecturers were striking on *Newstalk's Breakfast programme*. *RTE's Six One News* featured an interview with Gerry Quinn and footage and interviews from pickets around the country, while *UTV News* featured interviews from the picket at IT Tallaght. The strike was also covered extensively in the following day's newspapers.

On *February 2nd*, **TUI President Gerry Quinn explained in an Irish Times opinion editorial why 4,000 Institute of Technology lecturers would be taking strike action** the following day.

'Inevitably, given the numbers, lecturer workload has increased significantly and is now at intolerable, unsustainable levels,' he wrote. 'As a result of cutbacks and rationalisation measures, the morale of lecturing and research staff has been severely damaged. The precarious

employment status of many is an additional blight on the sector. A sizeable proportion of academic staff suffer income poverty as a result of low hours and insecure employment. It is completely unacceptable that the expert group tasked with reporting on this dire situation as part of the Haddington Road Agreement has not yet produced its recommendations.'

Later in the piece, he wrote that 'in this context of a sector starved of the necessary funding and staffing, the decision of Government, egged on by a myopic and uncompromising HEA, to press ahead with publication of the Technological Universities Bill is foolhardy. The intention to effect such significant change without full commitment to proper resourcing is grossly ill-advised, and the requirement that Institutes of Technology must merge before they can apply for Technological University status appears to be more related to cost-saving than to any academic considerations based on the particular missions, values and ethos of institutes. There is also a real risk of a dramatic reduction in the regional provision of academic programmes as a result of the Bill. In such circumstances, regional cities and towns up and down the country will lose out.'

In a pre-general election feature, CIT lecturer June O' Reilly discussed **the effects of cutbacks on the Institute of Technology sector** on *RTE's Morning Ireland* programme on *February 1st*.



GERRY QUINN INTERVIEWED AT IT TALLAGHT ON FEBRUARY 3RD

RMA News

At the time of writing, a new Government has not been formed, so the RMA has not yet been in a position to further our demands for full pension restoration. When the Government is established, the Alliance of Retired Public Servants will seek the continuation of the consultation arrangements, initiated under the previous government, with the Department of Public Expenditure and Reform.

This is an opportune time to sincerely thank all of you who lobbied either by letter or by meeting the candidates. The lobbying has not all been in vain. I referred before to subtle changes in the responses from (former) Minister Howlin's office, and statements made by several Fine Gael TDs that pensions would be fully restored by 2021. But that's a long time to wait, too long for those who get called away in the interim.

The Alliance of Retired Public Servants held its final regional meeting in Wynn's Hotel in Dublin on February 22nd. The Alliance also issued a press statement on February 19th, the text of which is set out below.

Statement by The Alliance of Retired Public Servants on the Financial Emergency Measures in the Public Interest Bill, 2015

"The Alliance of Retired Public Servants whose membership consists of constituent pension organisations (representing some 140,000 public service pensioners and their families) has received a small restoration to their modest pensions with the start of the government pension restoration as set out in Part III of the FEMPI Act, 2015. Whilst this small restoration is welcomed by the most vulnerable members of our organisation it is considered to be too little and too slow. As the saying goes time stands still for no man and our members do not have the luxury of time to await the abysmal slow

rate of the restoration of their contractual and earned pension rights.

We welcome start of the gradual restoration of pensions over 2016, 2017 and 2018 that effects about 65,000 of our members however we feel that that progress by the Minister for Public and Expenditure and Reform and the Government should be expedited and that the membership of the Alliance should have their lawful rights re-instated as a matter of urgency and most certainly faster than the three years that has been set out.

Minister Noonan has stated that the economy is growing and the Irish economy is the fastest growing one in Europe and yet his Government continues to use the fig leaf of Emergency Legislation to hold on to our lawfully earned legal rights

The current slow restoration does not address the position of the 25,000 pensioners who are currently excluded from the restoration under the FEMPI Acts going forward. This is a fundamental unfairness and discrimination. Currently the Government parties and those who caused the financial meltdown are on our doorsteps promising all and sundry to the electorate. However these politicians have not and are not addressing the continuing discrimination that applies to the retired public service pensioners who have paid their dues to society through their service and their subsequent pension reductions. We are been told continuously of the spectacular growth in the economy and the continuing success of the economy, it is now time to give back the benefit of this growth to our membership.

Currently the Government is restoring the pay of the serving public servants and as our pensions are based upon the salary of a comparable serving employee it is only fair and equitable that our pensions are maintained in accordance with this important enumerated right of parity with the current public servants.

The membership of the Alliance have not had access to the discussions and talks that have taken place between the Government and the public service unions in the past. This needs to be addressed to enable us to represent what our membership needs for the future. We are calling upon the incoming Government to address this as a matter of urgency and to allow our membership represent themselves at Congress to ensure that the voices of the vulnerable public service pensioners are heard and listened to.

We are therefore calling upon all the political parties to give an undertaking to listen to the concerns of the Alliance of the Retired Public Service Pensioners and to give a commitment to address the unlawful, the unfair and the discrimination that is the unfair continuance of the pensions reductions as provided for within the successive FEMPI Acts. Full and timely restoration of our property rights, the right to represent the membership in the future regarding pensions and the continuing of parity with our serving colleagues."

Members who have experienced difficulty accessing their on-line pension slips might like to check out our website, which now boasts an extremely user-friendly step-by-step guide to accessing the PSSC facility.

Finally colleagues, can I remind you that **details of our forthcoming AGM in The Newpark Hotel in Kilkenny** are to be found on our website – www.rmatui.ie. The AGM will take place there on May 25th, with registration from 10.30 and the AGM starting at 11.30. **Please note that the Hotel requires us to book before April 26th.**

**Martin Hoye,
RMA Secretary**



1916 Centenary Special

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

Only one entry per member.

Photocopies can be submitted.

Name _____

Workplace _____

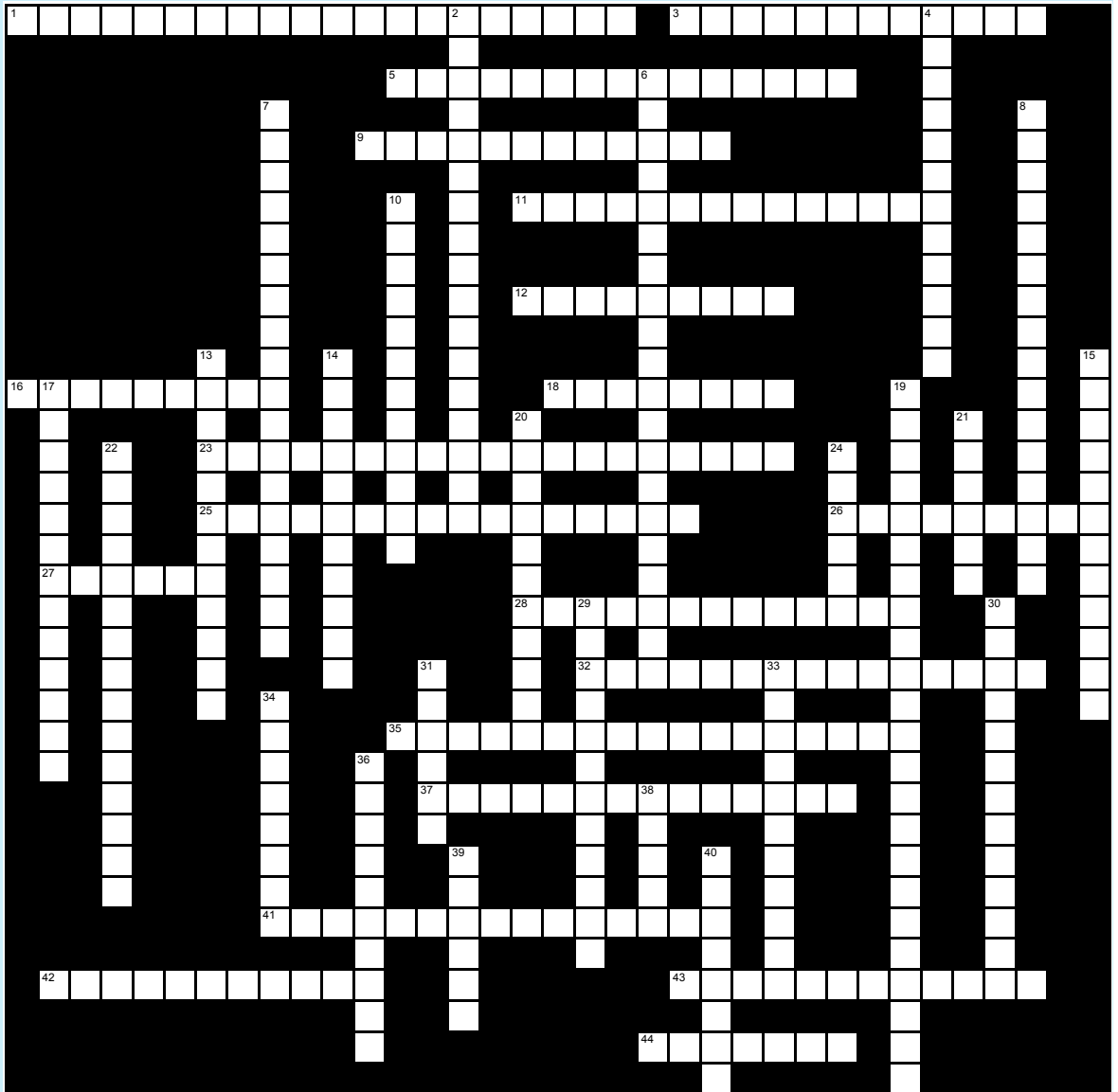
Address _____

Contact number _____

TUI Branch _____

Send entries to TUI
 Crossword March '16,
 TUI, 73 Orwell Rd,
 Rathgar, Dublin 6

Closing date for entries:
 22nd April 2016



ACROSS

- 1 O'Casey play (3,6,3,3,5)
- 3 Paramilitary organisation formed in Dublin on 2 April 1914 (6,2,4)
- 5 A military organisation established in 1913 (5,10)
- 9 Leader of the Irish Unionist Alliance and Ulster Unionist Party (6,6)
- 11 British prime minister (7,7)
- 12 Signatory - Thomas ____ (9)
- 16 Now O'Connell Street (9)
- 18 Welsh internment camp (8)
- 23 Politician, revolutionary nationalist, suffragist and socialist (9,10)
- 25 Roddy Doyle novel (1,4,6,5)
- 26 Scene of large-scale battle in Meath (9)
- 27 Boat which failed to deliver arms from Germany (3,3)
- 28 He was hanged, not shot (5,8)
- 32 - ----- is born - Yeats (1,8,6)
- 35 Scottish teacher who was shot three times but

- denied a pension because she was a woman (8,9)
- 37 Site of incarceration of every significant Irish nationalist leader (10,4)
- 41 Leader of Cork volunteers (5,10)
- 42 Commander of the British forces in Dublin (7,4)
- 43 Lord Lieutenant of Ireland (4,8)
- 44 Mill occupied by de Valera (7)

DOWN

- 2 She carried the order for surrender (9,8)
- 4 Sean Keating's 1915 painting (3,2,3,4)
- 6 Unionist militia founded in 1912 (6,9,5)
- 7 German ambassador in USA (5,3,10)
- 8 A small group of trained trade union volunteers from the Irish Transport and General Workers' Union (5,7,4)
- 10 The Rising began on this day (6,6)
- 13 A force of temporary constables recruited to assist the Royal Irish Constabulary during the

- War of Independence (5,3,4)
- 14 Painted Birth of the Irish Republic (6,5)
- 15 Military cemetery (12)
- 17 Novel by Jamie O'Neill (2,4,3,4)
- 19 Painting by Walter Pagan (5,2,3,5,8)
- 20 Signatory - Sean ____ (11)
- 21 Biscuit factory (6)
- 22 Firing ceased here so that ducks could be fed (2,8,5)
- 24 Signatory - Patrick ____ (6)
- 29 Artist and cartoonist married 34 Down (5,7)
- 30 Under secretary for Ireland (7,6)
- 31 Signatory - Thomas J ____ (6)
- 33 German U-boat captured here (5,6)
- 34 Signatory - Joseph ____ (8)
- 36 His painting High Treason depicted the trial of Casement (4,6)
- 38 British gunboat (5)
- 39 Signatory - Eamonn ____ (6)
- 40 Signatory - James ____ (8)